

# Texas Commission on Environmental Quality



## Registration for Municipal Solid Waste (MSW) Management Facility

Issued under provisions of Texas  
Health & Safety Code  
Chapter 361

MSW Registration No.: 40306  
Name of Site Operator/Registrant: Waste Management of Texas, Inc.  
Operator: Waste Management of Texas, Inc.  
Property Owner: Waste Management of Texas, Inc.  
Facility Name: Austin Community Transfer Station  
Facility Address: 9900 Giles Lane, Austin, TX 78754 Travis County  
Facility Classification: Municipal Solid Waste Type V Transfer Station

The registrant is authorized to store and process municipal solid waste in accordance with the limitations, requirements, and other conditions set forth herein. This registration is granted subject to the rules and Orders of the Commission and laws of the State of Texas. Nothing in this registration exempts the registrant from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality (TCEQ). This registration will be valid until canceled, amended, or revoked by the Commission.

*Approved, Issued and Effective* in accordance with Title 30 Texas Administrative Code (30 TAC) Chapter 330.

Issued Date: May 7, 2020

A handwritten signature in black ink, appearing to read "T. B. Baker", written over a horizontal line.

For the Commission

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**I. Facility Size and Location**

- A. The Austin Community Transfer Station is located at 9900 Giles Lane, in Austin, Travis County, Texas. The facility contains 10.807 acres.
- B. The legal description is contained in Part I/II, Appendix I/IIC, of the application which is incorporated by reference in Attachment A of this registration.
- C. Coordinates and Elevation of Site Permanent Benchmark:
  - Latitude: 30° 20' 02.59" N
  - Longitude: -97° 37' 22.85" W
  - Benchmark Elevation: 636.049 feet above mean sea level

**II. Authorized Waste Management**

**A. Days and Hours of Operation**

This facility is authorized to accept waste between 3:00 a.m. on Monday through 7:00 p.m. on Saturday. No waste acceptance on Sundays. The authorized operating hours for operating heavy equipment to process waste and transfer it to trailers and for transporting waste and other materials on or off-site are between 3:00 a.m. on Monday through 7:00 p.m. on Saturday. On-site construction or maintenance activities are allowed between 5:00 a.m. on Monday through 9:00 p.m. on Saturday, and between 7:00 a.m. to 7:00 p.m. on Sunday. The operator shall post the operating hours and waste acceptance hours on the site sign.

**B. Waste Management Units**

The registrant is authorized to operate the units related to storage and transfer of the wastes authorized, which shall include units, structures, appurtenances, or improvements as described in the registration application.

**C. Waste Streams Accepted**

The registrant is authorized to accept the following wastes as provided in the Waste Acceptance Plan in Part I/II and Site Operating Plan in Part IV of the application: household waste, yard waste, commercial solid waste, brush, Class 2 and Class 3 nonhazardous industrial solid waste, construction-demolition waste, shredded or quartered tires, and special waste including dead animals, drugs, contaminated foods, empty containers which have been used for pesticides, herbicides, fungicides, or rodenticides, incidental amounts of non-regulated asbestos-containing materials (NRACM), waste from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas, and waste generated outside the boundaries of Texas that contains any industrial waste (excluding Class 1 nonhazardous industrial solid waste).

**D. Wastes Prohibited at this Facility**

All liquid waste and solid waste not authorized in Provision II.C. of this registration will not be accepted at the facility. The facility will not accept slaughterhouse waste.

**E. Waste Acceptance Rate**

Solid waste authorized in Provision II.C. of this registration may be accepted for storage and transfer at this facility at a maximum rate of 3,200 tons per day.

**F. Maximum Volume Available for Storage**

The maximum amount of solid waste that may be stored overnight at this facility is 2,500 tons. The maximum length of time waste will remain stored onsite is 48 hours.

**G. Changes, Additions, or Expansions**

Any proposed facility changes must be authorized in accordance with TCEQ rules in 30 TAC Chapter 330 (Municipal Solid Waste) and 30 TAC Chapter 305 (Consolidated Permits).

**III. Facility Design, Construction, and Operation**

- A. Facility design, construction, and operation must comply with this registration, the registration application as incorporated by reference in Attachment A, and the regulations in 30 TAC Chapter 330.
- B. The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant, and to prevent inundation or discharge from the areas surrounding the facility components.
- C. The site shall be designed and operated so as not to cause a violation of:
  - 1. the requirements of the Texas Water Code, §26.121;
  - 2. any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, §402 as amended; or Texas Pollutant Discharge Elimination System requirements;
  - 3. the requirements under the Federal Clean Water Act, §404, as amended; and
  - 4. any requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act, §208 or §319, as amended.
- D. Facility Personnel: All facility employees and other persons involved in facility operations shall be qualified, trained, and experienced to perform their duties so as to achieve compliance with this registration. The registrant shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this registration, commensurate with their levels and positions of authority.

**IV. Financial Assurance**

- A. Authorization to operate the facility is contingent upon compliance with provisions contained within this registration and maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter L and 30 TAC Chapter 37.
- B. The amount of financial assurance posted for closure shall be provided annually in current dollars in an amount for closing the entire facility pursuant to 30 TAC §330.505. The owner and/or operator shall annually adjust the closure cost estimate and the dollar amount of the financial assurance for inflation within 60 days prior to

the anniversary date of the registration pursuant to 30 TAC Chapter 37 Subchapter B. Continuous financial assurance coverage for closure must be provided until all requirements of the final closure plan have been completed and the site is determined to be closed in writing by the executive director.

- C. Within 60 days after the date of registration issuance or prior to the initial receipt of waste, the registrant shall provide financial assurance instrument(s) for demonstration of closure in an amount equal to but not less than \$103,500 for closure in 2019 dollars. The amount of financial assurance to be posted annually shall be determined as described in Provisions IV.A. and IV.B of this registration and 30 TAC Chapter 37.
- D. If the facility's closure plan is modified, the registrant shall provide new cost estimates in current dollars, which meet the requirements in 30 TAC Chapter 37 and 30 TAC Chapter 330 Subchapter L as applicable. Modifications shall be made pursuant to 30 TAC §305.70. The amount of the financial assurance mechanism shall be adjusted and provided within 45 days after the modification is approved. Adjustments to the cost estimates and/or financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this registration shall be initiated as a modification within 30 days after the effective date of the new regulation.

## V. Facility Closure

### A. Closure shall commence:

- 1. Upon direction by the Executive Director of the TCEQ for failure by the registrant to comply with the terms and conditions of this registration or violation of State or Federal regulations. The Executive Director is authorized to issue emergency orders to the registrant in accordance with §§5.501 and 5.512 of the Texas Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
- 2. Upon abandonment of the site by the registrant;
- 3. Upon direction of the Executive Director for failure by the registrant to secure and maintain adequate financial assurance as required; or
- 4. Upon registrant's notification to the TCEQ that the facility will no longer operate.

### B. Closure Completion Requirements:

The facility shall be closed in accordance with the Closure Plan and Closure Cost Estimate in Part III of the Registration application and in accordance with 30 TAC §330.21 - Closure, 30 TAC §330.451 - Applicability, 30 TAC §330.459 - Closure Requirements for Municipal Solid Waste Storage and Processing Units and 30 TAC §330.461 - Certification of Final Facility Closure.

## VI. Standard Registration Conditions

- A. This registration is based on the registration application submittal dated September 26, 2019 and the revisions dated January 31, 2020, February 21, 2020, and April 17, 2020. These application submittals are hereby approved subject to the terms of this registration, the rules and regulations, and any orders of the TCEQ. These application materials are incorporated into this registration by reference in Attachment A as if

fully set out herein. Any and all revisions to these elements shall become conditions of this registration upon the date of approval by the Commission. The registrant shall comply with the registration application submittals, maintain the Application and all supporting documentation at the facility, and make them available for inspection by TCEQ personnel.

- B. Failure to comply with any condition may constitute a violation of the registration, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.
- C. Attachment B, consisting of temporary authorizations, modifications, and corrections to this registration, is hereby made a part of this registration.
- D. If the registrant does not begin physical construction within two years of the issuance of this registration, the registration shall automatically terminate and will no longer be effective pursuant to Title 30 Texas Administrative Code (30 TAC) Section (§)330.71(g).
- E. Once the facility is constructed, the registrant is required to submit a certification by a Texas-licensed professional engineer that the facility is constructed as designed in accordance with the issued registration pursuant to 30 TAC §330.73(d).
- F. After construction activities are complete and prior to accepting waste, the registrant shall contact the executive director and region office in writing and request a pre-opening inspection pursuant to 30 TAC §330.73(e).
- G. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life.
- H. The provisions of this registration are severable. If any registration provision or the application of any registration provision to any circumstance is held invalid, the remainder of this registration shall not be affected.
- I. Regardless of the specific designs contained in the registration application, the registrant shall be required to meet all performance standards in the registration, the application, or as required by local, State, and Federal laws.
- J. If differences arise between these registration provisions and the Application, these registration provisions shall prevail.
- K. The registrant shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC Chapters 106 and 116, and Subchapter U of Chapter 330.

## **VII. Incorporated Regulatory Requirements**

- A. The registrant shall comply with all applicable Federal, State, and local regulations and shall obtain any and all other required permits prior to the beginning of any operation authorized by this registration.
- B. To the extent applicable to the activities authorized by this registration, the requirements of 30 TAC Chapters 37, 281, 305, and 330, and future revisions are adopted by reference and are hereby made provisions and conditions of this registration.

## **VIII. Special Provisions**

None.

**IX. Attachment A**

The Registration Application.

**X. Attachment B**

Modifications, and Corrections to MSW Registration No. 40306.