

Texas Commission on Environmental Quality



TCEQ LANDFILL DETERMINATION APPLICATION NO. 2374

APPLICATION BY RANCHO VIEJO
WASTE MANAGEMENT, LLC
FOR LAND USE DETERMINATION
MSW NO. 2374

§ BEFORE THE TEXAS
§ COMMISSION ON
§ ENVIRONMENTAL QUALITY
§

ORDER

An application by Rancho Viejo Waste Management, LLC - Pescadito Environmental Resource Center for a land use compatibility determination regarding an application for a new Type I and Type V municipal solid waste landfill and liquid waste processing facility was presented to the Executive Director of the Texas Commission on Environmental Quality ("TCEQ" or "Commission") for approval pursuant to Section 5.122 of the TEXAS WATER CODE and 30 TEXAS ADMINISTRATIVE CODE (TAC) §50.133.

The facility is proposed to be located approximately 5 miles southeast of U.S. Highway 59 at Ranchitos Las Lomas in Webb County, Texas. As allowed by the TEXAS HEALTH AND SAFETY CODE §361.069 and 30 TAC §330.57, the applicant has requested that the TCEQ make a separate land use compatibility determination regarding this application. The land use portion of the permit application was received by the TCEQ on April 15, 2011.

The Executive Director reviewed the application and determined that the application adequately addresses the requirements of 30 TAC §330.59 and §330.61.

All public notice requirements have been satisfied. The Notice of Receipt of Application and Intent to Obtain a Municipal Solid Waste Permit and the Notice of Application and Preliminary Decision were published and mailed in accordance with the requirements of the TEXAS SOLID WASTE DISPOSAL ACT and Chapter 39 of the Commission's rules.

Timely requests for contested case hearing were filed with the Chief Clerk.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

The Type I and Type V municipal solid waste landfill and liquid waste processing facility proposed by Rancho Viejo Waste Management, LLC - Pescadito Environmental Resource Center under Land Use Determination Application No. 2374 is deemed to be compatible with the surrounding land uses.

In accordance with 30 TAC §50.133(b), the Office of the Chief Clerk of the Texas Commission on Environmental Quality shall forward a copy of this Order to the applicant, the Office of Public Interest Counsel, and the individuals who timely filed public comment.

If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

Issued Date:

Bryan W. Shaw, Ph.D.,
Chairman

TEXAS COMMISSION ON
ENVIRONMENTAL
QUALITY

DRAFT

Texas Commission on Environmental Quality

Executive Director's Preliminary Decision

[Date]

DESCRIPTION OF APPLICATION

Applicant: Rancho Viejo Waste Management, LLC
Pescadito Environmental Resource Center
Municipal Solid Waste Land Use Compatibility Determination Application No.
2374

Types: Type I Municipal Solid Waste Landfill
Type V Liquid Waste Processing Facility (Grease Trap & Grit Trap Wastes)

EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

The Executive Director of the Texas Commission on Environmental Quality has made the preliminary decision that this proposed MSW Land Use Compatibility Determination No. 2374, to the Rancho Viejo Waste Management, LLC, if issued, meets all statutory and regulatory requirements.