



CB&I
12005 Ford Road, Suite 600
Dallas, Texas 75234
Tel: 972.773.8400
Fax: 972.773.8401
www.CBI.com

June 13, 2014

Mr. Hunt Prompungorn
Texas Commission on Environmental Quality MC -124
12100 Park 35 Circle
Austin, Texas 78753

RE: Municipal Solid Waste – Webb County
Pescadito Environmental Resource Center (MSW 2374)
Revisions to Parts I and II

Dear Mr. Prompungorn,

On behalf of Rancho Viejo Waste Management, LLC, CB&I Environmental and Infrastructure, Inc. (CB&I) [formerly known as Shaw Environmental, Inc.] is submitting changes to MSW Permit Application Number 2374 to correct the metes and bounds description of the facility. The correction removed all portions of Surveys 2366 and 112, referred to as “Mineral Classified Lands”, and resulted in a 156.59-acre reduction in the proposed permit area for the facility. This is allowed as a Non-Notice minor amendment pursuant to 30TAC 305.62(c)(2) and 30 TAC 281.23.

In addition to correcting the metes and bounds description we are also submitting updated information from Federal and State agencies that has been received since the application was declared Technically Complete on July 2, 2012. This includes correspondence from the US Army Corps of Engineers, Environmental Protection Agency and the US Fish and Wildlife Service. The U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency concurred that the site contains only “intra-state, isolated, non-navigable waters under 33 CFR 328.3 (a)(3).” Correspondence was subsequently received from the Army Corps of Engineers stating that this project will not involve activities subject to the requirements of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899 and that no permit was necessary to comply with Section 404 or Section 10 as there are no waters of the United States at the site.

Notice was received from the U.S. Fish and Wildlife Service stating that the proposed project complies with section 7(a)(2) of the Endangered Species Act and concurred that the project would have no effect on four of the species identified (ocelot, interior least tern, ashy dogweed and Johnston’s frankenia) and would not adversely affect the jaguarundi due to its closest observation being 44 miles to the north and the proposed conservation measures that will benefit the species should they be in the vicinity of the project site.

Changes have also been made to indicate that the Conditional Letter of Map Revision (CLOMR) request has been submitted to FEMA for approval.

The table below lists the items which are included as attachments to this letter along with an explanation of how they should be addressed or included in the application. Also attached is a new certification statement from the applicant, Rancho Viejo Waste Management, LLC (Attachment A).



Item	Action
Part I Cover and Table of Contents	Replace existing with the attached
Part I, Pages 4 and 20	Replace existing with the attached
Part I, Figures 1, 2 and 3	Replace existing with the attached
Part I, Figure 4	Replace Sheets 1 and 2 of 2 with Sheets 1 to 4 of 4
Part I, Attachment A	Replace the existing one page legal description (Sheet 2 of 2) with the attached two page legal description
Part II Cover and Table of Contents	Replace existing with the attached
Part II, Pages 5, 6, 8, 11, 15, 17, 32, 36, 37, 38 and 42	Replace existing with the attached
Part II, Figures 1, 3, 4, 5, 6, 7, 8, 9 and 11	Replace existing with the attached
Part II, Attachment A	Replace existing with the attached Letters (6 pages – 2-page letter from USACE, 1-page e-mail from USACE, 1-page e-mail from EPA and 2-page letter from USFWS) and retain letter from Texas PWD. Note that these letters will also supersede the supplemental information presented on June 4, 2012
Applicant's signature page	New version for this submittal

Attached are two copies of the revised pages (Attachment C) along with one copy in redline/strikeout format (Attachment B) to facilitate your review. An additional copy of the revised pages are being sent to the TCEQ office in Laredo

Should you have any questions in this regard, please do not hesitate to contact me at 972-773-8381.

Sincerely,
CB&I (Shaw Environmental, Inc.)
TBPE Firm F-5650

Michael W. Oden, P.E.
Project Manager

Attachment A: Applicant's Signature Page
Attachment B: Redline/strikeout of revised pages
Attachment C: Revised Pages for Replacement (Original and one copy)

CC: Mr. Carlos Y. Benavides III
Mr. William W. Thompson
Mr. Geoffrey S. Connor
TCEQ – Laredo Office

Attachment A
Applicant's Signature Page
June 2014

Signature Page

I, Carlos Y. Benavides, III, _____
(Site Operator (Permittee/Registrant)'s Authorized Signatory) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Carlos Y. Benavides, III

Date: June 12, 2014

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, _____, hereby designate _____
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Printed or Typed Name of Operator or Principal Executive Officer

Signature

SUBSCRIBED AND SWORN to before me by the said CARLOS Y. BENAVIDES III

On this 12th day of JUNE, 2014

My commission expires on the 29th day of JUNE, 2014

Martha Salinas
Notary Public in and for

WEBB County, Texas

(Note: Application Must Bear Signature & Seal of Notary Public)



Attachment B
Redline/Strikeout Version of Changed Pages
June 2014

PART I

APPLICATION FOR PERMIT

TYPE I MUNICIPAL SOLID WASTE FACILITY

MSW PERMIT NO. 2374

**PESCADITO ENVIRONMENTAL
RESOURCE CENTER**

**SOLID WASTE MANAGEMENT AND
DISPOSAL FACILITY**

RANCHO VIEJO WASTE MANAGEMENT, LLC
LAREDO, WEBB COUNTY, TEXAS

~~March 28, 2011~~

~~Revised May 20, 2011~~

~~Revised September 14, 2011~~

~~Revised December 14, 2011~~

Originally ~~PP~~ Prepared By:



~~505 East Huntland Drive, Suite 250~~

~~Austin, Texas 78752~~

~~(512) 329-6080~~

TRC Environmental Corporation

TBPE Firm Registration No. 3775

March 28, 2011; Revised May 20, 2011; Revised September 14, 2011; Revised December 14, 2011

Part I was signed by James F. Neyens, P.E. on December 14, 2011 for all changes through that date

Revised on June 12, 2014 By:



Shaw Environmental, Inc. (a CB&I company)

TBPE Firm Registration No. F-5650

Table of Contents

	Page
Part I	
<u>1.0 REQUIREMENTS OF §305.45 [330.59(a)]</u>	<u>5</u>
<u>1.1 Form TCEQ-0650 [305.45(a)(1)-(5)]</u>	<u>5</u>
<u>1.2 Maps [305.45(a)(6)]</u>	<u>5</u>
<u>1.3 Permits or Construction Approvals [305.4(a)(7)]</u>	<u>5</u>
<u>1.4 Supplementary Technical Report [305.45 (a) (8)]</u>	<u>6</u>
<u>1.4.1 General Description of the Facilities</u>	<u>6</u>
<u>1.4.2 Volumes, Rates and Characteristics of Wastes</u>	<u>13</u>
<u>1.4.3 Other Information</u>	<u>14</u>
<u>2.0 FACILITY LOCATION [330.59(b)]</u>	<u>16</u>
<u>3.0 MAPS [330.59 (c)]</u>	<u>17</u>
<u>4.0 PROPERTY OWNER INFORMATION [330.59 (d)]</u>	<u>22</u>
<u>4.1 Legal Description</u>	<u>22</u>
<u>4.2 Property Owner Affidavit</u>	<u>22</u>
<u>5.0 LEGAL AUTHORITY [330.59 (e)]</u>	<u>23</u>
<u>6.0 EVIDENCE OF COMPETENCY [330.59 (f)]</u>	<u>24</u>
<u>7.0 APPOINTMENTS [330.59 (g)]</u>	<u>25</u>
<u>8.0 APPLICATION FEE [330.59 (h)]</u>	<u>26</u>
1.0 REQUIREMENTS OF §305.45 [330.59(a)]	3
1.1 Form TCEQ 0650 [305.45(a)(1) (5)]	3
1.2 Maps [305.45(a)(6)]	3
1.3 Permits or Construction Approvals [305.4(a)(7)]	3
1.4 Supplementary Technical Report [305.45 (a) (8)]	4
1.4.1 General Description of the Facilities	4
1.4.2 Volumes, Rates and Characteristics of Wastes	11
1.4.3 Other Information	12
2.0 FACILITY LOCATION [330.59(b)]	14
3.0 MAPS [330.59 (c)]	15
4.0 PROPERTY OWNER INFORMATION [330.59 (d)]	20
4.1 Legal Description	20
4.2 Property Owner Affidavit	20
5.0 LEGAL AUTHORITY [330.59 (e)]	21
6.0 EVIDENCE OF COMPETENCY [330.59 (f)]	22

7.0	APPOINTMENTS [330.59 (g)]	23
8.0	APPLICATION FEE [330.59 (h)]	24

Figures

Figure 1	General Location Map
Figure 2	Detailed Location Map
Figure 3	Land Ownership Map
Figure 4	Boundary Survey (Sheets 1 <u>to 4</u> of 42 and 2 of 2)

Attachments

Attachment A	Legal Description
Attachment B	Certificate of Incorporation
Attachment C	Payment Demonstration

Nonattainment Program under the FCAA - not applicable to proposed facility,

National emission standards for hazardous air pollutants preconstruction approval under the FCAA - not applicable to proposed facility,

Ocean dumping permits under the Marine Protection Research and Sanctuaries Act - not applicable to proposed facility,

Dredge or fill permits under the FCWA – an application for a permit under Section 404 of the FCWA will be filed, as necessary, in the future,

Licenses under the Texas Radiation Control Act - not applicable to proposed facility,

Subsurface area drip dispersal system permits under Texas Water Code, Chapter 32 - not applicable to proposed facility, and

Other environmental permits –a permit will be obtained for an on-site sewage facility (OSSF) if required by Webb County rules.

1.4 Supplementary Technical Report [305.45 (a) (8)]

1.4.1 General Description of the Facilities

Rancho Viejo Waste Management, LLC (RVWM) owns a ~~952.891,110~~ acre tract of land (site) about 20 miles east of Laredo in Webb County, Texas and proposes to establish a solid waste management facility on this site. The proposed facility is known as Pescadito Environmental Resource Center (PERC). The site is ideally located for such a facility because of the favorable soil and geological conditions, its isolation from groundwater, absence of neighbors or potentially conflicting land uses, and transportation access. The site is located entirely within the 12,194 acre Yugo Ranch that is owned by Rancho Viejo Cattle Company, Ltd. and has been family-owned for generations, and has been used for cattle ranching and oil and gas production for many years. The owners of the Yugo Ranch support the development of PERC. They view the proposed solid waste management and landfill disposal as the next stage in land use at the site, one that is fully compatible with historic and ongoing extraction of oil and gas, as well as cattle ranching.

PERC will be a comprehensive waste management facility that will provide municipal and industrial solid waste landfill disposal, processing of recyclable materials to extract reusable commodities, processing of liquid wastes from grease and grit traps, and disposal of liquid waste from the oilfield in an injection well. The largest part of the site will be devoted to a landfill up to as much as ~~650-700800-850~~ acres. The landfill will be designed and permitted as a Type I municipal solid waste (MSW) landfill that will accept essentially all categories of MSW, Class 2 and 3 industrial solid waste, and certain types of Class 1 non-hazardous wastes. The landfill will be designed for recirculation of

4.0 PROPERTY OWNER INFORMATION [330.59 (d)]

4.1 Legal Description

The legal description of the PERC site is a tract of land containing 952.89~~1,109.48~~ acres, more or less, out of and being a part of a 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access instrument, as recorded in Volume 704, Pages 827 – 852, of the Plat Records of Webb County, Texas.

The 952.89~~1,109.48~~ acre tract is situated in Webb County, Texas and is a part of Survey 373, Abstract 1718; ~~Survey 2366, Abstract 3182~~; Survey 111, Abstract 1616; ~~Survey 112, Abstract 2835~~; and Survey 1654, Abstract 3104. The boundary metes and bounds description of the property and a drawing of the property description are shown on Figure 4 titled Boundary Survey (Sheets 1 of ~~42~~ and 2 of ~~42~~) and Legal Description (Sheets 3 of 4 and 4 of 4). This legal description is also provided in Attachment A. The record information for the 952.89~~1,109.48~~ acre tract is Volume 3071 Pages 426-432, Official Public Records, Webb County Texas as part of a larger 1,109.48 acre tract.

The 952.89~~1,109.48~~ acre tract is not platted.

4.2 Property Owner Affidavit

The signed property owner affidavit for this application is provided on Page 9 of the Part I Application Form (Form TCEQ – 0650) contained in this permit application.

PART II

APPLICATION FOR PERMIT

TYPE I MUNICIPAL SOLID WASTE FACILITY

MSW PERMIT NO. 2374

**PESCADITO ENVIRONMENTAL
RESOURCE CENTER**

**SOLID WASTE MANAGEMENT AND
DISPOSAL FACILITY**

RANCHO VIEJO WASTE MANAGEMENT, LLC
LAREDO, WEBB COUNTY, TEXAS

~~March 28, 2011~~
~~Revised May 20, 2011~~
~~Revised September 14, 2011~~
~~Revised December 14, 2011~~
~~Revised February 17, 2012~~

Sections 1.1, 1.2, 2.1.4, 10.1—10.4, 11.1 –
Signed by H.C. Clark, P.G., Ph.D. on Feb. 7,
2012

Except for Sections 1.1, 1.2, 2.1.4,
10.1—10.4 and 11.1 – remaining
portions of Part II through February 17,
2012 revisions were signed/sealed by
James F. Neyens, P.E. on February 24,
2012.

Originally
Prepared By:



~~505 East Huntland Drive, Suite 250~~
~~Austin, Texas 78752~~
~~(512) 329-6080~~

TRC Environmental Corporation

TBPE Firm Registration No. 3775

March 28, 2011; Revised May 20, 2011; Revised September 14, 2011; Revised December 14, 2011; Revised February 17, 2012

Revised on June 12, 2014 by:



Shaw Environmental, Inc. (a CB&I company)

TBPE Firm Registration No. F-5650

and

H.C. Clark P.G., Ph.D. for Sections 1.2, 2.1.4 and 11.1

Table of Contents

	Page
PART II	
<u>1.0 EXISTING CONDITIONS SUMMARY – [330.61 (A)]</u>	<u>8</u>
<u>1.1 Soils and Geology</u>	<u>8</u>
<u>1.2 Groundwater</u>	<u>8</u>
<u>1.3 Site Size and Topography</u>	<u>9</u>
<u>1.4 Rainfall, Hydrology and Storm Water Runoff</u>	<u>10</u>
<u>1.5 Floodplains</u>	<u>10</u>
<u>1.6 Threatened and Endangered Species</u>	<u>11</u>
<u>1.7 Land Use</u>	<u>11</u>
<u>1.8 Oil and Gas Production</u>	<u>12</u>
<u>2.0 WASTE ACCEPTANCE PLAN [330.61 (B)]</u>	<u>13</u>
<u>2.1 General</u>	<u>13</u>
<u>2.1.1 Type of Facility and Wastes to be Accepted</u>	<u>13</u>
<u>2.2 Sources and Characteristics of Waste</u>	<u>15</u>
<u>2.3 Quantity of Waste</u>	<u>16</u>
<u>3.0 GENERAL LOCATION MAPS [330.61 (C)]</u>	<u>18</u>
<u>4.0 FACILITY LAYOUT MAPS [330.61 (D)]</u>	<u>20</u>
<u>5.0 GENERAL TOPOGRAPHIC MAPS [330.61 (E)]</u>	<u>21</u>
<u>6.0 AERIAL PHOTOGRAPH [330.61 (F)]</u>	<u>22</u>
<u>7.0 LAND-USE MAP [330.61 (G)]</u>	<u>23</u>
<u>8.0 IMPACT ON SURROUNDING AREA [330.61 (H)]</u>	<u>24</u>
<u>8.1 Potential Impact on Human Health</u>	<u>24</u>
<u>8.2 Potential Impact on the Environment</u>	<u>26</u>
<u>8.3 Compatibility with the Surrounding Area</u>	<u>26</u>
<u>9.0 TRANSPORTATION [330.61 (I)]</u>	<u>29</u>
<u>10.0 GENERAL GEOLOGY AND SOILS STATEMENT [330.61 (J)]</u>	<u>31</u>
<u>10.1 General Geology [330.61(j)(1)]</u>	<u>31</u>
<u>10.2 General Soils [330.61(j)(1)]</u>	<u>31</u>
<u>10.3 Fault Areas [330.61(j)(2) and 330.555]</u>	<u>31</u>
<u>10.4 Seismic Impact Zones [330.61(j)(3) and 330.557]</u>	<u>32</u>
<u>10.5 Unstable Areas [330.61(j)(4) and 330.559]</u>	<u>33</u>
<u>11.0 GROUNDWATER AND SURFACE WATER [330.61 (K)]</u>	<u>35</u>
<u>11.1 Groundwater [330.61(k)(1)]</u>	<u>35</u>
<u>11.2 Surface Water [330.61(k)(2)]</u>	<u>36</u>

12.0	ABANDONED OIL AND WATER WELLS [330.61 (L)]	38
13.0	FLOODPLAINS AND WETLANDS STATEMENT [330.61 (M)]	39
14.0	ENDANGERED OR THREATENED SPECIES [330.61 (N)]	43
15.0	TEXAS HISTORICAL COMMISSION REVIEW [330.61 (O)]	44
16.0	COUNCIL OF GOVERNMENTS AND LOCAL GOVERNMENT REVIEW [330.61 (P)]	45
17.0	AIR POLLUTION CONTROL [330.371]	46
18.0	GENERAL OPERATIONAL CONSIDERATIONS [330.15]	47
1.0	EXISTING CONDITIONS SUMMARY [330.61 (A)]	5
1.1	Soils and Geology	5
1.2	Groundwater	5
1.3	Site Size and Topography	6
1.4	Rainfall, Hydrology and Storm Water Runoff	7
1.5	Floodplains	7
1.6	Threatened and Endangered Species	8
1.7	Land Use	8
1.8	Oil and Gas Production	8
2.0	WASTE ACCEPTANCE PLAN [330.61 (B)]	10
2.1	General	10
2.1.1	Type of Facility and Wastes to be Accepted	10
2.2	Sources and Characteristics of Waste	12
2.3	Quantity of Waste	13
3.0	GENERAL LOCATION MAPS [330.61 (C)]	15
4.0	FACILITY LAYOUT MAPS [330.61 (D)]	17
5.0	GENERAL TOPOGRAPHIC MAPS [330.61 (E)]	18
6.0	AERIAL PHOTOGRAPH [330.61 (F)]	19
7.0	LAND USE MAP [330.61 (G)]	20
8.0	IMPACT ON SURROUNDING AREA [330.61 (H)]	21
8.1	Potential Impact on Human Health	21
8.2	Potential Impact on the Environment	23
8.3	Compatibility with the Surrounding Area	23
9.0	TRANSPORTATION [330.61 (I)]	26
10.0	GENERAL GEOLOGY AND SOILS STATEMENT [330.61 (J)]	28
10.1	General Geology [330.61(j)(1)]	28
10.2	General Soils [330.61(j)(1)]	28
10.3	Fault Areas [330.61(j)(2) and 330.555]	28

10.4	Seismic Impact Zones [330.61(j)(3) and 330.557]	29
10.5	Unstable Areas [330.61(j)(4) and 330.559]	30
11.0	GROUNDWATER AND SURFACE WATER [330.61 (K)]	32
11.1	Groundwater [330.61(k)(1)]	32
11.2	Surface Water [330.61(k)(2)]	33
12.0	ABANDONED OIL AND WATER WELLS [330.61 (L)]	35
13.0	FLOODPLAINS AND WETLANDS STATEMENT [330.61 (M)]	36
14.0	ENDANGERED OR THREATENED SPECIES [330.61 (N)]	38
15.0	TEXAS HISTORICAL COMMISSION REVIEW [330.61 (O)]	39
16.0	COUNCIL OF GOVERNMENTS AND LOCAL GOVERNMENT REVIEW [330.61 (P)]	40
17.0	AIR POLLUTION CONTROL [330.371]	41
18.0	GENERAL OPERATIONAL CONSIDERATIONS [330.15]	42

Sections 1.1, 1.2, 2.1.4, 10.1—10.4,
11.1 – [Signed by H.C. Clark, P.G.,
Ph.D. on Feb. 7, 2012](#)

[Except for Sections 1.1, 1.2, 2.1.4,
10.1—10.4 and 11.1 – remaining
portions of Part II through February
17, 2012 revisions were signed/sealed
by James F. Neyens, P.E. on
February 24, 2012.](#)

~~Except for 1.1, 1.2, 2.1.4, 10.1—10.4,
11.1~~

[Revised June 12, 2014
H.C. Clark P.G., Ph.D. for Sections 1.2, 2.1.4 and 11.1](#)

[And](#)

[CB&I \(Shaw Environmental, Inc.\) for other revised pages](#)

Figures

Figure 1	General Location Map
Figure 2	Wind Rose Map
Figure 3	Facility Layout Map
Figure 4	Operations Area Layout Map
Figure 5	Future Operations Area Layout Map
Figure 6	General Topographic Map
Figure 7	Aerial Photograph
Figure 8	Land Use Map
Figure 9	Supplemental Land Use Map
Figure 10	USGS Seismic Hazard Map
Figure 11	Flood Insurance Rate Map

Attachments

Attachment A	T&E Species and Wetlands Assessment
Attachment B	TxDOT Coordination
Attachment C	Texas Historical Commission Review
Attachment D	Cultural Resources Review
Attachment E	Local Agency Coordination
Attachment F	Federal Aviation Administration Coordination
Attachment G	100-Year Floodplain Coordination
Attachment H	TPDES Certification

Sections 1.1, 1.2, 2.1.4, 10.1—10.4,
11.1 – Signed by H.C. Clark, P.G.,
Ph.D. on Feb. 7, 2012

Except for Sections 1.1, 1.2, 2.1.4,
10.1—10.4 and 11.1 – remaining
portions of Part II through February
17, 2012 revisions were signed/sealed
by James F. Neyens, P.E. on February
24, 2012.

~~Except for 1.1, 1.2, 2.1.4, 10.1—10.4,~~

Revised June 12, 2014

H.C. Clark P.G., Ph.D. for Sections 1.2, 2.1.4 and 11.1

And

| [CB&I \(Shaw Environmental, Inc.\) for other revised pages](#)

1.0 EXISTING CONDITIONS SUMMARY – [330.61 (a)]

This section discusses site-specific conditions that require special design considerations and mitigation of conditions that exist at the site of the proposed ~~952.89~~^{1,110}-acre Pescadito Environmental Resource Center (PERC), located about 20 miles east of Laredo in Webb County, Texas (see Figure 1, Part I and Figure 1, Part II).

1.1 Soils and Geology

A series of 56 soil borings were completed to evaluate the characteristics of soil encountered in the upper 160 feet at the site. These soils are predominantly clays, with some interbedded sand, sandstone, and claystone or shale. Based on review of published reports and geophysical logs, these or similar soils are believed to extend to much greater depths. Laboratory testing of these soils confirms that they are well suited for the location of a solid waste landfill and to be used for the construction of the proposed landfill's liners and cover systems, and for storm water management structures such as channels, detention ponds and dikes. These soils have very low permeability characteristics and are resistant to erosion, both in the natural or *in situ* condition and when constructed into compacted clay liner systems. These soils also are resistant to erosion.

The geology of the site area is also suitable for landfill development, as the soil strata are laterally very extensive with relatively thick layers of very low permeability soils that prevent vertical migration of water. Consequently, the area geology is very protective of the quality of water in the aquifers that lie below the proposed facility. There are no recognized geological hazards at the site, as there are no geologic faults in the immediate area, the risk of seismic activity is extremely low, and there is no known incidence of instability due to subsidence, poor foundation conditions, or karst terrains.

1.2 Groundwater

Groundwater was encountered beneath the site within soils of the Jackson and Yegua Groups. These soils are part of the Jackson-Yegua Aquifer, which is classified as a minor aquifer by the Texas Water Development Board (TWDB). This classification is due to the relatively low yield and marginal quality of water in the aquifer. The ground water below the site was encountered in several water-bearing zones or layers that are generally characterized by gradational changes to sandy or silty soil classifications. These water-bearing zones are generally on the order of several feet thick and are found at several depth intervals across the site. These water-bearing zones may also be found layered as a transition between two highly impermeable layers of clay soil or at the top of a relatively impermeable layer of rock-like indurate material, and may also be associated with secondary porosity in the over-consolidated clay soils. These water bearing zones exhibit the characteristics of a confined aquifer. However, the hydraulic characteristics or

relative thinness of these zones severely limit their ability to produce water in potentially useful quantities. The quality of this water is very poor to unacceptable for most domestic or agricultural uses. Regional aquifers exist beneath the site, but at significant depth. The Laredo Aquifer is expected to occur at a depth of about 1,000 feet or more below the ground surface. Water in this aquifer is generally slightly saline, with total dissolved solids in the range of 1,000-2,500 milligrams per liter (mg/l), about two to five times the U.S. EPA's secondary drinking water regulation (SDWR) standard of 500 mg/l. Published reports indicate the groundwater produced by some wells contain some metals and trace elements in excess of SDWR limits. This and other deeper aquifers in south central Webb County dip towards the southeast towards the Gulf of Mexico and generally crop out in relatively narrow bands that trend northeast-southwest.

Groundwater usage in the general area of the site is very limited. Only one water well is known to exist within a one-mile radius of the facility boundary. This is the private water well that is located near the Yugo Ranch headquarters buildings and serves the general needs of the ranch. This well is located roughly ~~1,575~~⁹⁰⁰ feet southwest of the proposed facility. The ranch well was geophysically logged as part of this study and the caliper log indicates that the well is screened in the Yegua from about 1020 feet to 1136 feet where the diameter is reduced to final log depth [1160 feet], suggesting a smaller screen or sediment trap. According to TWDB records and information developed during the preparation of this permit application, there are only 6 water wells within a five-mile radius of the facility, including this ranch well. The next closest well is about 2.5 miles northwest of the facility. Four wells are located between 4.3 and 5 miles northwest of the facility, in the community of Ranchitos Las Lomas. One of these is a well located nearly 5 miles away that is owned and operated by Webb County. This well was intended as a public water supply well to make dispensed water available to the residents of Ranchitos Las Lomas. Water quality from this well is so poor that the majority of the water dispensed at this site is hauled by tanker trucks from the Webb County maintenance facility near U.S. Highway 59 and Loop 20 in Laredo. The source of this hauled water is the Laredo public water system. Of the total quantity of water Webb County dispenses at this location, relatively little water comes from this well, and that follows extensive treatment.

1.3 Site Size and Topography

The site contains approximately ~~953~~^{1,110} acres and is roughly rectangular in shape, as shown on Figure 3, Part II. It is nearly one mile measured east to west and less than two miles measured north to south. For the most part, the site topography is gently sloped from north to south at about 0.5 to 1 percent. Several shallow swales gather storm water runoff and convey it southward. Several stock tanks have been constructed within the site

This floodplain is depicted in Figure 11, Part II. The FIRM can also be found in Attachment G of Part II. It is important to realize that the surface topography used to create the FIRM does not appear to include the existing dikes and surface impoundments at the site and in the watershed upslope from the site. TRC is engaged in engineering studies of the actual surface topography as it currently exists. TRC is also performing an engineering analysis of drainage at the site and all watersheds above and immediately below the site. TRC will design a series of drainage channels and detention structures that will result in the removal of the proposed landfill area from the 100-year floodplain. Furthermore, ~~TRC will submit to FEMA~~ a Conditional Letter of Map Revision (CLOMR), [has been submitted to FEMA](#) requesting correction of the existing FIRM to take into account the related drainage and floodplain improvements. We expect this action will result in documentation that construction of the proposed watershed improvements at and adjacent to the site will remove the landfill from the 100-year floodplain.

1.6 Threatened and Endangered Species

TRC has performed an initial assessment of threatened and endangered (T&E) species at the site, and subsequently conducted a more detailed biological evaluation. These studies will assure compliance with federal and state requirements for the protection of T&E species and their habitats. These studies have been submitted to the Texas Parks and Wildlife Department (TPWD) and the U.S. Fish and Wildlife Survey (USFWS), as discussed in Section 4.0. [Subsequent to these studies, aci Consulting performed a Biological Assessment and received notice from the U.S. Fish and Wildlife Service that the proposed project had complied with section 7\(a\)\(2\) of the Endangered Species Act, and concurred that the project would have no effect on four of the species identified \(ocelot, interior least tern, ashy dogweed and Johnston's frankenia\) and would not adversely affect the jaguarundi due to its closest observation being 44 miles to the north and the proposed conservation measures that will benefit the species should they be in the vicinity of the project site. See Part II, Attachment A.](#)

1.7 Land Use

Land use at and within one mile of the facility is exclusively devoted to cattle ranching and oil and gas exploration and production. This same land use extends generally for many miles in every direction. The only exceptions are an area of residential land use about four miles to the northwest and two transportation corridors. The residential land use is in the community of Ranchitos Las Lomas, which is located along Highway 59 and had a population of 334 in the 2000 census. The transportation corridors include U.S. Highway 59, which passes through Ranchitos Las Lomas four miles to the northwest, and the Kansas City Southern Railroad about two miles to the south of the facility, which will provide rail service to the site.

2.1.3 Management of Industrial and Special Wastes – The facility will accept certain Class 1 non-hazardous, Class 2 and Class 3 industrial wastes, as well as many special wastes that are regulated as municipal solid waste (MSW). Only those Class 1 non-hazardous wastes that are allowed to be disposed into Type I MSW landfills in restricted locations will be accepted, with the understanding that the facility may in the future provide on-site stabilization or solidification of certain types of industrial sludge to render these wastes suitable for landfill disposal. Grease and grit trap wastes will be accepted for processing from commercial sources (restaurants, fast food facilities, car wash and vehicle maintenance facilities), industrial sources (food processing plants, manufacturing plants) and institutional sources (hospitals, schools, prisons). Class I Industrial Waste amounts will not exceed 20 percent of the total amount of all waste accepted for disposal. Special design considerations will be made in accordance with 30 TAC §330.173 to properly manage any Class I waste that is proposed to be accepted for disposal at the landfill. Before accepting wastes that require stabilization, the facility will obtain a permit modification or amendment to add an on-site solidification facility. Special wastes will be accepted only to the extent that any given category or type of special waste can be properly managed by the facility and/or readily disposed into the landfill.

Class I Industrial Waste will be disposed only in landfill cells lined with the industrial waste default design composite liner. The upper component shall consist of a minimum 30-mil (0.75 mm) flexible membrane liner and the lower component shall consist of at least a three-foot layer of compacted soil with a hydraulic conductivity of no more than 1×10^{-7} cm/sec. Flexible membrane liner components consisting of high density polyethylene shall be at least 60-mil thick. The flexible membrane liner component shall be installed in direct and uniform contact with the compacted soil component. Class I Industrial Waste cells shall have a leachate-collection system designed and constructed to maintain less than a 30-cm depth of leachate over the liner.

2.1.4 Soil and Groundwater – The soils encountered during drilling and described in the literature are dominantly clays. While the bottom and sides of the landfill excavation could encounter thin, isolated sand/silt units with a Unified Soil Classification of “SM” or “SP,” these soil units do not appear to be sufficiently thick and laterally continuous to provide a significant pathway for waste migration. In addition, most of these units will not exhibit hydraulic conductivity greater than 1×10^{-5} cm/sec. However, any effect of the sand/silt units is minimized because the average annual evaporation exceeds average annual rainfall by more than 40 inches. The nearest “regional aquifer” is located approximately 1,000 feet below the site, according to regional cross-sections, the literature, geophysical log data obtained from the ranch water well located ~~1,575~~⁹⁰⁰ feet from the facility, and geophysical log interpretations for gas wells in the site area. The ranch water well produces water from that depth. As a consequence of the prevailing soil

3.0 GENERAL LOCATION MAPS [330.61 (c)]

The General Location Map is presented as Figure 1 in Part II. This map is used to present the following described features, to the extent they exist within the distances from the proposed facility as defined by 30 TAC 330.61(c). For clarity, certain of these features are presented elsewhere in this permit application. The prevailing wind direction with a wind rose is presented on Figure 2 of Part II.

There are no water wells on the proposed site or within 500 feet of the proposed permit boundary, except for temporary piezometers and / or groundwater monitoring wells that were installed as part of the development of this permit application. There is one water well within two miles of the proposed site, located about ~~1,575~~⁹⁰⁰ feet southwest of the site. This is the water supply well for the ranch. Its location is shown on Figure 1 in Part II.

There are no structures and inhabitable buildings within 500 feet of the proposed facility. There are several structures and inhabitable buildings about 2,100 feet from the facility; these are shown on Figure 1 of Part II. These include one house, one mobile home, and several ranch buildings (one machine storage building and two sheds used as stables). On occasion, one travel trailer may also be temporarily parked in this area. All residents of these structures are ranch workers employed by Yugo Ranch.

There are no schools, licensed day-care facilities, churches, or cemeteries within one mile of the facility. Several man-made ponds (stock tanks) exist within one mile of the site, and these are shown on the map. There are no other residential, commercial or recreational areas within one mile of the facility, so none are shown; there also are no hospitals in this area. The nearest known airport used for commercial or general aviation is the Laredo International Airport, located more than 20 miles west of the facility.

The location and surface type of roads that will be used to access the facility are shown.

The latitude and longitude of the facility is shown.

Area streams are shown.

There are no airports within six miles of the facility, so none can be shown.

The property boundary of the facility is shown.

Easements within or adjacent to the facility cannot be clearly shown on Figure 1 of Part II. Consequently, for the sake of clarity, all known easements are shown on Figure 4 of Part I. Figure 4 was prepared by Mejia Engineering Company, and consists of Sheets ~~1 to 4 of 2 and Sheet 2~~ of ~~42~~.

4.0 FACILITY LAYOUT MAPS [330.61 (d)]

A Facility Layout Map and an Operations Area Layout Map are provided as Figures 3 and 4 of Part II. These maps provide:

The maximum outline of the landfill unit(s);

General locations of main facility access roadways;

General locations of buildings;

Explanatory notes;

Fencing and lockable gates will be provided along the facility boundary, as shown on Figure 4, Part II; and

Natural amenities and plans for screening the facility from public view.

Easements are shown on Figure 4, Sheets 1 ~~to 4~~^{and 2}, in Part I. These easements will be protected in accordance with TCEQ rules until such time as they may be voided or relocated outside the waste fill area.

The site entrance road can be accessed from public access roads.

An initial Class I waste cell location is shown on Figure 4. Additional Class I waste cells may be designated and constructed throughout the landfill as future landfill cells are designed. All Class I waste cells will be designed, constructed, and operated in accordance with TCEQ rules.

Locations of monitoring wells are generally shown on the Monitoring System and Cell Layout Plan, Figure 5. In accordance with 30 TAC §330.403(a)(2), default spacing for groundwater monitoring wells is a maximum of 600 feet. Figure 5 shows a proposed facility perimeter of approximately 28,000 feet. On this default spacing basis, 48 wells are proposed with a maximum spacing of 600 feet.

Locations of gas monitoring probes are generally shown on Figure 5. In accordance with 30 TAC §330.371(h)(2), permanent gas monitoring probes are required to monitor for subsurface migration of landfill gas. Although, 1,000-foot spacing is typical, 600-foot spacing is recommended along the southwest corner of the perimeter due to habitable structures within 3,000 feet. This spacing can be accommodated at the location shown on Figure 5.

The proposed facility is completely isolated from all land use except cattle ranching and oil and gas production, and is provided with an effective separation distance of more than one-quarter mile on three sides and 300 feet on the fourth side.

11.0 GROUNDWATER AND SURFACE WATER [330.61 (k)]

11.1 Groundwater [330.61(k)(1)]

Groundwater conditions at the site are known from a combination of on-site soil boring data and the published literature. Groundwater is localized in sandier sediments encountered, but these sediments, as expected from the nature of the depositional environment, are not necessarily continuous across the site. There appears to be enough ultimate connectivity between water bearing materials, however, to allow this shallow groundwater to approach an equilibrium, or coherent potentiometric surface across the site. Water levels range from about 550 feet [msl] in the north part of the proposed landfill footprint to about 530 feet [msl] in the south--and generally follow the area slope, and consequently the drainage as well.

The near surface sediments at the site are part of the Yegua-Jackson Aquifer, a TWDB designated Minor Aquifer, and named for the geology involved. Parts of this Eocene aquifer, one that serpentines from Webb County and the Mexico border to Louisiana, are productive of freshwater, but that is apparently not the case near the surface at the Pescadito site. Water quality tests on ground water samples from six site borings were analyzed for constituents that include the maximum contaminant levels (MCLs) as established in the national primary drinking water regulations by U.S. EPA. All these ground water samples exceeded the secondary MCLs for total dissolved solids (TDS) and chloride by orders of magnitude. The Yegua-Jackson dips gently toward the coast, is about 1,000 to 1500 feet thick according to a nearby cross-section (Baker, 1995), and is recharged along its outcrop. There are six water wells within about five miles of the site. The geophysical log of the Yugo Ranch well, about ~~1,575~~⁹⁰⁰ feet from the site, indicates clays and some sands continuing to its total depth of about 1100 feet [bgs], where it is screened in the lower part of the Yegua. This well, sampled as part of the site study, also showed TDS and chloride values somewhat above the secondary MCLs. The site is a part of this Yegua-Jackson recharge zone and is situated on or near the contact between its elements. However, soil characteristics and groundwater chemistry at the site indicate groundwater recharge in the area is limited.

The Laredo Aquifer underlies the Yegua-Jackson. It too, dips coastward and consists of sands and clays. Its recharge zone that is outcropped, trends in a generally north-south direction, inland of and parallel to the Yegua-Jackson outcrop. This aquifer is an important part of Webb County, for it is capable of producing significant quantities of freshwater, particularly for the sandier lower portion of the Laredo Formation. The Laredo Aquifer provides a portion of Laredo's water supply and has been the subject of Aquifer Storage and Recovery research (Lambert, 2004). The Laredo Formation is about

13.0 FLOODPLAINS AND WETLANDS STATEMENT [330.61 (m)]

Portions of the proposed facility are currently located within the 100-year floodplain, as indicated on the replication of the most current available floodplain map, or Flood Insurance Rate Map (FIRM), presented in Figure 11. The design of the proposed landfill and related facilities will include design of a comprehensive storm water management system of dikes, drainage channels and detention ponds. Collectively, this system will remove the area of the landfill and proposed buildings from the 100-year floodplain. TRC has performed all the necessary hydrological and hydraulic engineering analysis and design to accomplish this. The results of this engineering design along with an application for a Conditional Letter of Map Revision (CLOMR) have been submitted to the Webb County Planning Department (WCPD) for review and were approved (see Attachment G). WCPD is the local agency responsible for floodplain management. With concurrence from WCPD, the CLOMR application ~~will be~~ has been submitted to the Federal Emergency Management Agency (FEMA) for review and approval. The CLOMR when issued will verify that the proposed site drainage plans will, in fact, remove areas of the site proposed for the landfill, processing and storage areas and related development from the 100-year floodplain.

Construction of the landfill will impact a named reservoir, Burrito Tank, and possibly several smaller stock tanks. All affected reservoirs are owned by the applicant or by its parent, Rancho Viejo Cattle Company, Ltd. In order to approximate effects of the tanks, storage and discharge relationships were developed and utilized for simulation of the pre-project conditions in the CLOMR analysis. Therefore, all existing features were included in the pre-project conditions analysis. It should be noted that, after reviewing the delineation of the FEMA floodplain with respect to the tanks, the tanks will likely not have any significant attenuation effect on the peak discharge. The 100-year flood is so broad in the vicinity of the tanks it appears there is sufficient area to carry the flows which will bypass the tanks' zones of impact.

The proposed landfill is located in an ideal location considering soil, groundwater, land use, and oil and gas activities (past, present, and future). No other location is equally plausible. It is difficult to find an area of appropriate size in Eastern Webb County that does not have floodplain issues due to the prevailing flat topography and rapid runoff soil conditions. Applicant endeavored to find an upland location that was reasonably close to the headwater conditions to minimize any impacts to floodplains and/or wetlands.

aci Consulting performed an extensive Jurisdictional Determination at the site and downstream of the site. The U.S. Army Corps of Engineers approved the Jurisdictional Determination and the U.S. Environmental Protection Agency concurred that the site contains only “intra-state, isolated, non-navigable waters” under 33 CFR 328.3 (a)(3). Correspondence was subsequently received from the U.S. Army Corps of Engineers stating that this project will not involve activities subject to the requirements of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899 and that no permit was necessary to comply with Section 404 or Section 10 as there are no Waters of the United States at the site. See Part II, Attachment A.

~~TRC performed a wetland evaluation at the facility site in 2009 (see Attachment A). The results of this evaluation indicate jurisdictional wetlands in and near the livestock watering tanks discussed in the preceding paragraph. TRC then performed a wetland determination in 2011. The results of this determination were evaluated in accordance with current Federal rules and guidelines for the protection of jurisdictional waters, and found certain areas that met these criteria. TRC then submitted its findings to the U.S. Army Corps of Engineers (USACE). The USACE concurred that jurisdictional waters exist on site. Therefore, TRC intends to prepare an application of a Section 404 permit once the facility design is more advanced than it is currently. An application for a Section 404 permit will be prepared and submitted to the USACE. No construction or development in jurisdictional wetland areas will be undertaken without appropriate authorization from the USACE.~~

~~No Jurisdictional waters at the location of the proposed facility will be disturbed by the proposed construction or operation of the facility without prior authorization under a permit.~~

14.0 ENDANGERED OR THREATENED SPECIES [330.61 (n)]

A site reconnaissance and evaluation was performed by TRC in 2009 to assess the potential for the facility to harbor endangered and threatened species, or to provide critical habitat for such species. This evaluation included obtaining current lists of both federal- and state-listed species for Webb County and identifying the habitat and range or occurrence characteristics of all such listed species. ~~TRC's report of this assessment is presented in Part II, Attachment A.~~

Based on the results of ~~their~~^s evaluation, TRC ~~has~~ concluded that the site of the proposed facility may contain habitat or range conditions that may result in the occurrence of endangered or threatened species. By comparing the characteristics of the site to surrounding areas, it ~~was~~^{is} clear that habitat and environmental conditions of the site are not significantly different from conditions for many miles surrounding the site. No unique or critical habitat conditions were observed. A biological evaluation was completed and provided to TPWD and USFWS. TPWD has responded and a copy of its response letter is contained in Attachment A. ~~TRC awaits response from USFWS.~~

Subsequent to TRC's studies, aci Consulting performed an extensive Biological Assessment and received notice from the U.S. Fish and Wildlife Service that the proposed project had complied with section 7(a)(2) of the Endangered Species Act, and concurred that the project would have no effect on four of the species identified (ocelot, interior least tern, ashy dogweed and Johnston's frankenia) and would not adversely affect the jaguarundi due to its closest observation being 44 miles to the north and the proposed conservation measures that will benefit the species should they be in the vicinity of the project site. See Part II, Attachment A.

18.0 GENERAL OPERATIONAL CONSIDERATIONS [330.15]

The PERC landfill facility will not operate in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission, or in such a manner that causes:

- (1) The discharge or imminent threat of discharge of MSW into or adjacent to the waters in the state without obtaining specific authorization for the discharge from the commission;
- (2) The creation and maintenance of a nuisance; or
- (3) The endangerment of the human health and welfare or the environment.

The open burning of solid waste, except for the infrequent burning of waste generated by land-clearing operations, agricultural waste, silvicultural waste, diseased trees, emergency cleanup operations as authorized by the commission or executive director as appropriate, is prohibited. The operation of an air curtain incinerator other than for the exceptions noted above is prohibited.

The following wastes will not be accepted [for disposal](#) at this facility:

- (1) Lead acid storage batteries;
- (2) Do-it-yourself used motor vehicle oil;
- (3) Used oil filters from internal combustion engines;
- (4) Whole used or scrap tires, unless processed prior to disposal in a manner acceptable to the executive director;
- (5) Refrigerators, freezers, air conditioners, and any other items containing chlorinated fluorocarbon (CFC);
- (6) Liquid waste, except as allowed in 30 TAC §330.177 (relating to Leachate and Gas Condensate Recirculation), and/or except household liquid waste as allowed by 30 TAC §330.15(e)(6) will not be accepted for disposal in any MSW landfill unit;
- (7) Regulated hazardous waste as defined in 30 TAC §330.3;
- (8) Polychlorinated biphenyls (PCB) wastes, as defined under 40 Code of Federal Regulations Part 761, unless authorized by the United States Environmental Protection Agency and the MSW permit; and
- (9) Radioactive materials as defined in 30 TAC Chapter 336 (relating to Radioactive Substance Rules), except as authorized in Chapter 336 or that are subject to an exemption of the Department of State Health Services.

The facility will receive sewage sludge only in compliance with commission requirements and the requirements of the Federal Clean Water Act, §309 and §405(e).

Attachment C
Revised Pages for Replacement
June 2014

PART I

APPLICATION FOR PERMIT TYPE I MUNICIPAL SOLID WASTE FACILITY

MSW PERMIT NO. 2374

PESCADITO ENVIRONMENTAL RESOURCE CENTER SOLID WASTE MANAGEMENT AND DISPOSAL FACILITY

**RANCHO VIEJO WASTE MANAGEMENT, LLC
LAREDO, WEBB COUNTY, TEXAS**

Originally Prepared By:

TRC Environmental Corporation

TBPE Firm Registration No. 3775

March 28, 2011; Revised May 20, 2011; Revised September 14, 2011; Revised December 14, 2011

Part I was signed by James F. Neyens, P.E. on December 14, 2011 for all changes through that date

Revised on June 12, 2014 By:



Shaw Environmental, Inc. (a CB&I company)

TBPE Firm Registration No. F-5650



Michael W. Oden
6-12-2014

Table of Contents

	Page
Part I	
1.0 REQUIREMENTS OF §305.45 [330.59(a)]	3
1.1 Form TCEQ-0650 [305.45(a)(1)-(5)]	3
1.2 Maps [305.45(a)(6)]	3
1.3 Permits or Construction Approvals [305.4(a)(7)]	3
1.4 Supplementary Technical Report [305.45 (a) (8)]	4
1.4.1 General Description of the Facilities	4
1.4.2 Volumes, Rates and Characteristics of Wastes	11
1.4.3 Other Information	12
2.0 FACILITY LOCATION [330.59(b)]	14
3.0 MAPS [330.59 (c)]	15
4.0 PROPERTY OWNER INFORMATION [330.59 (d)]	20
4.1 Legal Description	20
4.2 Property Owner Affidavit	20
5.0 LEGAL AUTHORITY [330.59 (e)]	21
6.0 EVIDENCE OF COMPETENCY [330.59 (f)]	22
7.0 APPOINTMENTS [330.59 (g)]	23
8.0 APPLICATION FEE [330.59 (h)]	24

Figures

Figure 1	General Location Map
Figure 2	Detailed Location Map
Figure 3	Land Ownership Map
Figure 4	Boundary Survey (Sheets 1 to 4 of 4)

Attachments

Attachment A	Legal Description
Attachment B	Certificate of Incorporation
Attachment C	Payment Demonstration



Michael W. Oden
 6-12-2014
 TBPE F-5650

Nonattainment Program under the FCAA - not applicable to proposed facility,

National emission standards for hazardous air pollutants preconstruction approval under the FCAA - not applicable to proposed facility,

Ocean dumping permits under the Marine Protection Research and Sanctuaries Act - not applicable to proposed facility,

Dredge or fill permits under the FCWA – an application for a permit under Section 404 of the FCWA will be filed, as necessary, in the future,

Licenses under the Texas Radiation Control Act - not applicable to proposed facility,

Subsurface area drip dispersal system permits under Texas Water Code, Chapter 32 - not applicable to proposed facility, and

Other environmental permits –a permit will be obtained for an on-site sewage facility (OSSF) if required by Webb County rules.

1.4 Supplementary Technical Report [305.45 (a) (8)]

1.4.1 General Description of the Facilities

Rancho Viejo Waste Management, LLC (RVWM) owns a 952.89 acre tract of land (site) about 20 miles east of Laredo in Webb County, Texas and proposes to establish a solid waste management facility on this site. The proposed facility is known as Pescadito Environmental Resource Center (PERC). The site is ideally located for such a facility because of the favorable soil and geological conditions, its isolation from groundwater, absence of neighbors or potentially conflicting land uses, and transportation access. The site is located entirely within the 12,194 acre Yugo Ranch that is owned by Rancho Viejo Cattle Company, Ltd. and has been family-owned for generations, and has been used for cattle ranching and oil and gas production for many years. The owners of the Yugo Ranch support the development of PERC. They view the proposed solid waste management and landfill disposal as the next stage in land use at the site, one that is fully compatible with historic and ongoing extraction of oil and gas, as well as cattle ranching.

PERC will be a comprehensive waste management facility that will provide municipal and industrial solid waste landfill disposal, processing of recyclable materials to extract reusable commodities, processing of liquid wastes from grease and grit traps, and disposal of liquid waste from the oilfield in an injection well. The largest part of the site will be devoted to a landfill up to as much as 650-700 acres. The landfill will be designed and permitted as a Type I municipal solid waste (MSW) landfill that will accept essentially all categories of MSW, Class 2 and 3 industrial solid waste, and certain types of Class 1 non-hazardous wastes. The landfill will be designed for recirculation of

4.0 PROPERTY OWNER INFORMATION [330.59 (d)]

4.1 Legal Description

The legal description of the PERC site is a tract of land containing 952.89 acres, more or less, out of and being a part of a 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access instrument, as recorded in Volume 704, Pages 827 – 852, of the Plat Records of Webb County, Texas.

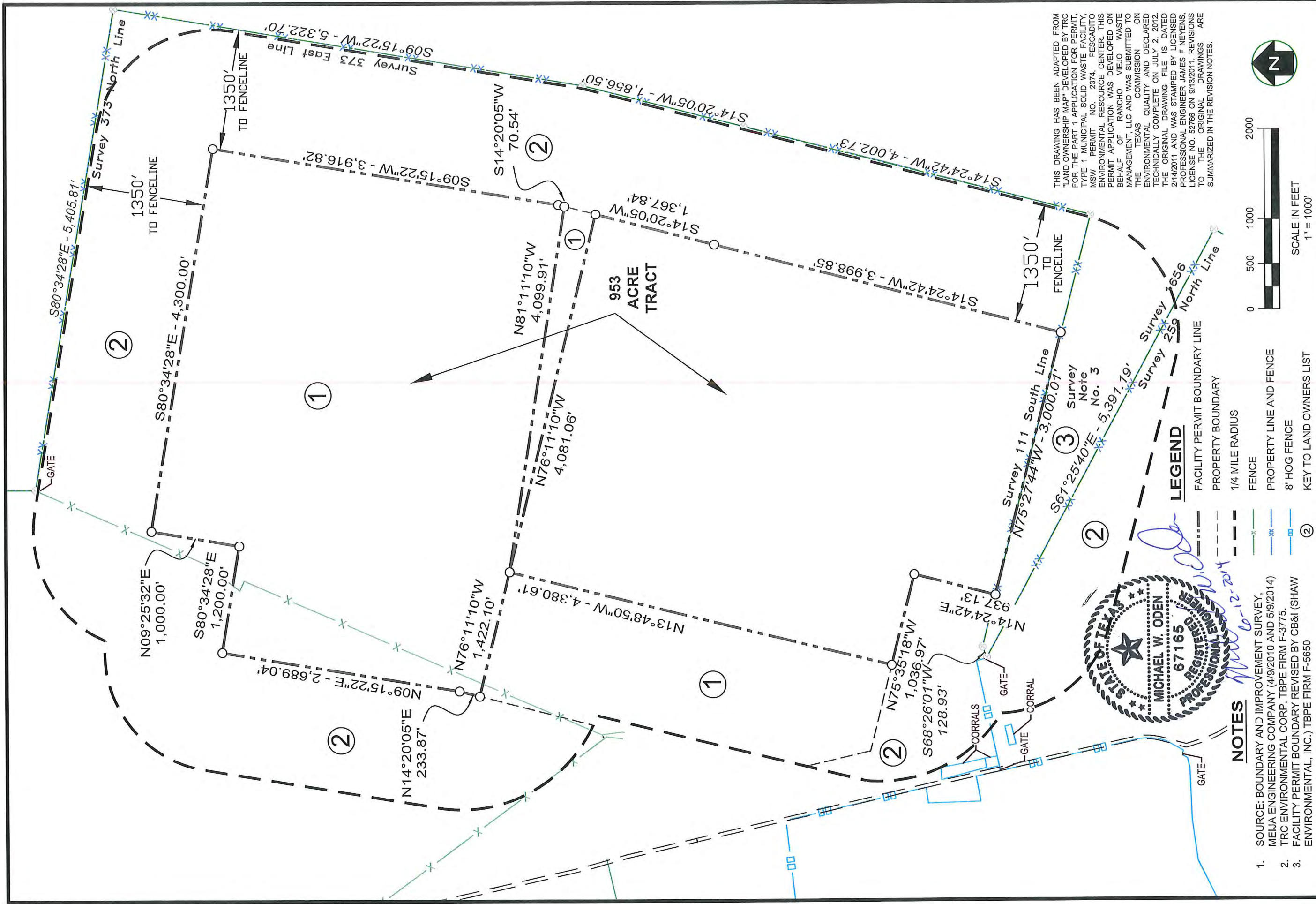
The 952.89 acre tract is situated in Webb County, Texas and is a part of Survey 373, Abstract 1718; Survey 111, Abstract 1616; and Survey 1654, Abstract 3104. The boundary metes and bounds description of the property and a drawing of the property description are shown on Figure 4 titled Boundary Survey (Sheets 1 of 4 and 2 of 4) and Legal Description (Sheets 3 of 4 and 4 of 4). This legal description is also provided in Attachment A. The record information for the 952.89 acre tract is Volume 3071 Pages 426-432, Official Public Records, Webb County Texas as part of a larger 1,109.48 acre tract.

The 952.89 acre tract is not platted.

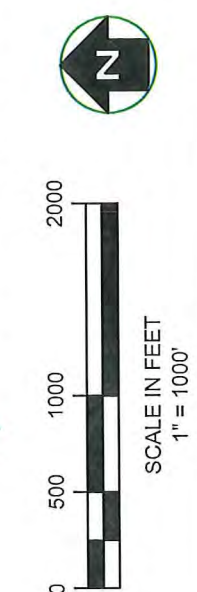
4.2 Property Owner Affidavit

The signed property owner affidavit for this application is provided on Page 9 of the Part I Application Form (Form TCEQ – 0650) contained in this permit application.

FIGURES

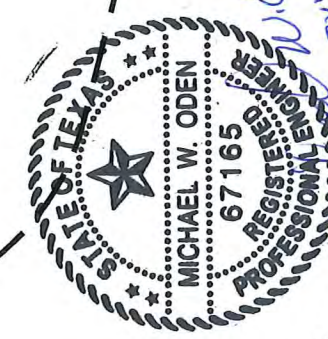


THIS DRAWING HAS BEEN ADAPTED FROM
"LAND OWNERSHIP MAP" DEVELOPED BY TRC
FOR THE PART 1 APPLICATION FOR PERMIT,
TYPE 1 MUNICIPAL SOLID WASTE FACILITY,
MSW PERMIT NO. 2374, PESCADITO
ENVIRONMENTAL RESOURCE CENTER. THIS
PERMIT APPLICATION WAS DEVELOPED ON
BEHALF OF RANCHO VIEJO WASTE
MANAGEMENT, LLC AND WAS SUBMITTED TO
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY AND DECLARED
TECHNICALLY COMPLETE ON JULY 2, 2012.
THE ORIGINAL DRAWING FILE IS DATED
2/14/2011 AND WAS STAMPED BY LICENSED
PROFESSIONAL ENGINEER JAMES F NEVENS,
LICENSE NO. 52786 ON 9/13/2011. REVISIONS
TO THE ORIGINAL DRAWINGS ARE
SUMMARIZED IN THE REVISION NOTES.

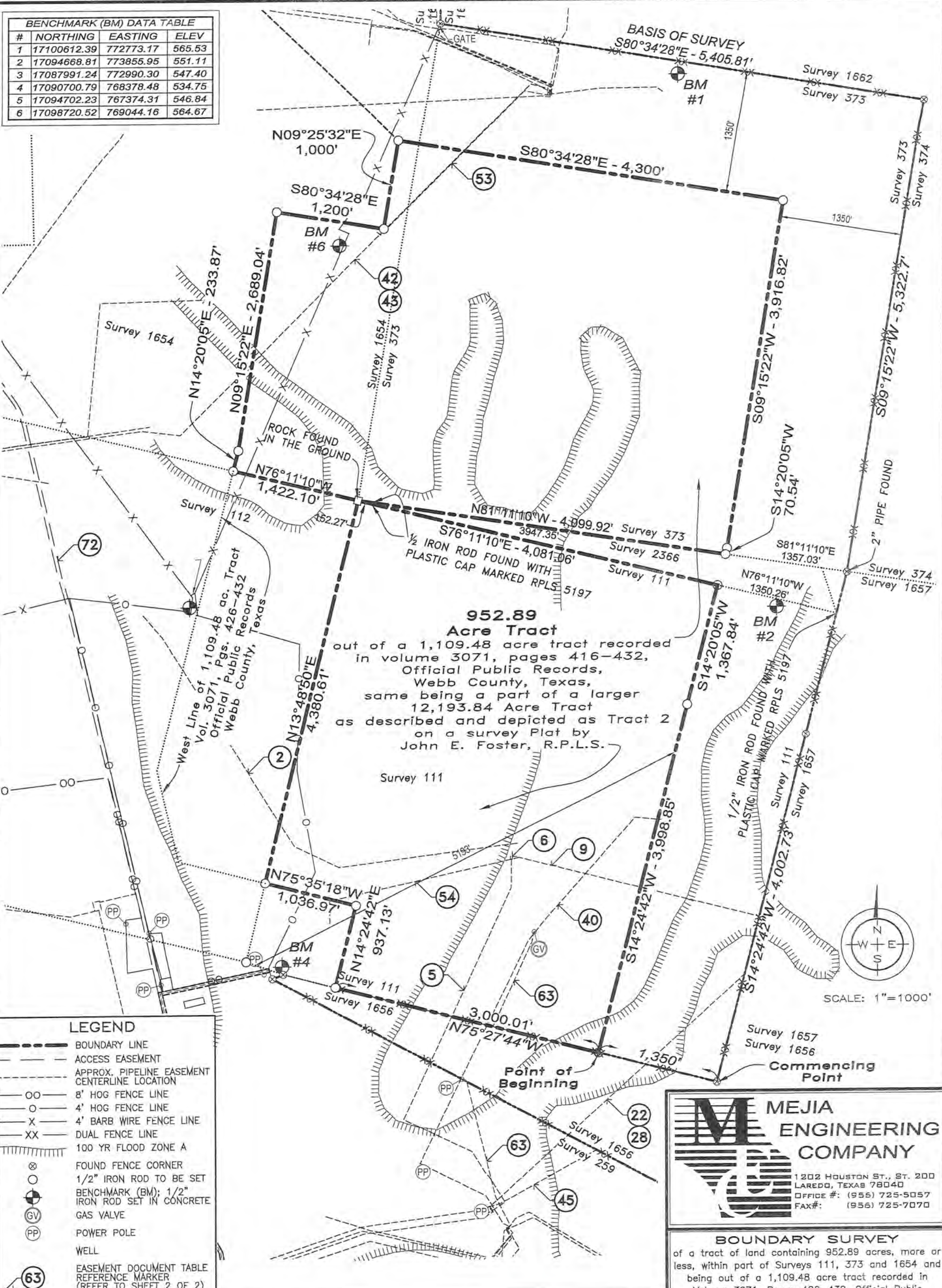


- LEGEND**
- FACILITY PERMIT BOUNDARY LINE
 - PROPERTY BOUNDARY
 - 1/4 MILE RADIUS
 - FENCE
 - PROPERTY LINE AND FENCE
 - 8' HOG FENCE
 - KEY TO LAND OWNERS LIST

- NOTES**
1. SOURCE: BOUNDARY AND IMPROVEMENT SURVEY, MEJIA ENGINEERING COMPANY (4/9/2010 AND 5/9/2014)
 2. TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
 3. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650



BENCHMARK (BM) DATA TABLE			
#	NORTHING	EASTING	ELEV
1	17100612.39	772773.17	565.53
2	17094668.81	773855.95	551.11
3	17087991.24	772990.30	547.40
4	17090700.79	768378.48	534.75
5	17094702.23	767374.31	546.84
6	17098720.52	769044.16	564.67



LEGEND

BOUNDARY LINE

ACCESS EASEMENT

APPROX. PIPELINE EASEMENT CENTERLINE LOCATION

OO

8' HOG FENCE LINE

O

4' HOG FENCE LINE

X

4' BARB WIRE FENCE LINE

XX

DUAL FENCE LINE

|||||

100 YR FLOOD ZONE A

⊗

FOUND FENCE CORNER

○

1/2" IRON ROD TO BE SET

●

BENCHMARK (BM); 1/2" IRON ROD SET IN CONCRETE

GV

GAS VALVE

PP

POWER POLE

WELL

WELL

63

EASEMENT DOCUMENT TABLE REFERENCE MARKER (REFER TO SHEET 2 OF 2)

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF WEBB

I, GILBERT L. CADE III, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPARED FROM MAPS, DEEDS AND OTHER DOCUMENTS OF RECORD MADE AVAILABLE AND IS CORRECT TO MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION.

GILBERT L. CADE III, R.P.L.S. No. 5060

06/09/2014
DATE

Part I, Figure 4, Page 1 of 4

MEJIA ENGINEERING COMPANY
1202 HOUSTON ST., ST. 200
LAREDO, TEXAS 78040
OFFICE #: (956) 725-5057
FAX#: (956) 725-7070

BOUNDARY SURVEY
of a tract of land containing 952.89 acres, more or less, within part of Surveys 111, 373 and 1654 and being out of a 1,109.48 acre tract recorded in Volume 3071, Pages 426-432, Official Public Records, Webb County, Texas, same being part of a larger 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access instrument recorded in v. 704, p. 827-852, R.P.R.W.C.T. Webb County, Texas

F:\SURVEYS\Benavides Ranch\dwg\Base-Survey5-05052014.dwg - 5/9/14

DRAWN BY: E.G.
CHECKED BY: A.A.
APPROVED BY: G.L.C.

SHEET
1 OF 2

Easement Document Table (Provided by Others)	
2	30' Right of Way Easement, Carlos Y Benavides Sr to United Texas Transmision Co, v. 695, p. 329-334, May 21, 1982
5	30' Right of Way Easement, Carlos Y Benavides Sr to United Texas Transmision Co, v. 696, p. 140-144, May 26, 1982
6	Surface Site Easements and a 12' Access Road Easement, Carlos Y Benavides Sr to United Texas Transmision Co, v. 696, p. 145-156, May 26, 1982
9	30' Easement and Right of Way Agreement, Carlos Y Benavides Sr to United Texas Transmision Co, v. 1039, p. 343-347, Nov 21, 1983
22	30' Easement and Right of Way Agreement, Carlos Y Benavides Sr to Kosh Gathering Systems Inc, v. 1220, p. 374-382, Feb 23, 1987
28	Cathodic Protection Facility Easement, Carlos Y Benavides Sr to Kosh Gathering Systems Inc, v. 1438, p. 47-49, Aug 08, 1990
40	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 348, p. 798-804, Sep 20, 1995
42	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 357, p. 480-485, Oct 26, 1995
43	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 392, p. 96-101, Mar 19, 1996
45	30' Right of Way, Carlos Y Benavides Jr to Chevron USA Inc, v. 421, p. 530-534, Jul 08, 1996
53	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 485, p. 812-816, Mar 14, 1997
54	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 517, p. 32-36, Jun 03, 1997
63	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco-Phillips Co, v. 2343, p. 271-277, Apr 24, 2007
72	40' Road Easement, v. 704, p. 848-852, O.P.R.W.C.T.; MAY OR MAY NOT BE ALL EASEMENT DOCUMENTS THAT AFFECTS THIS TRACT

SURVEY NOTES

1. BASIS OF BEARING:
BOUNDARY DATA ON STATE
PLANE NAD 83, NAVD 88 4205
TEXAS SOUTH

2. BY GRAPHICAL PLOTTING
ONLY, PARTS OF THIS TRACT
ARE LOCATED WITHIN ZONE A
AS DEFINED BY THE FEMA
FLOOD INSURANCE RATE MAP,
COMMUNITY PANEL 48479C
1275C WITH AN EFFECTIVE DATE
OF APRIL 2, 2008.

3. THIS SURVEY WAS DONE
WITHOUT THE BENEFIT OF TITLE
COMPANY RESEARCH. THERE
MAY BE EASEMENTS OF RECORD
NOT SHOWN ON THIS SURVEY
OF WHICH THE SURVEYOR IS
UNAWARE OF AND AS SUCH
ASSUMES NO LIABILITY HEREIN.

4. USGS BENCHMARK
REFERENCE CONTROL DATA: NO.
526, N 17081242.78, E
758021.71, ELEV. 526.28

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF WEBB


I, GILBERT L. CADE III, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO
HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPARED FROM MAPS,
DEEDS AND OTHER DOCUMENTS OF RECORD MADE AVAILABLE AND IS
CORRECT TO MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL SURVEY
MADE ON THE GROUND UNDER MY DIRECTION.


GILBERT L. CADE III, R.P.L.S. No. 5060

06/09/2014
DATE



Part I, Figure 4, Page 2 of 4



MEJIA
ENGINEERING
COMPANY

1202 HOUSTON ST., ST. 200
LAREDO, TEXAS 78040
OFFICE #: (956) 725-5057
FAX#: (956) 725-7070

BOUNDARY SURVEY
of a tract of land containing 952.89 acres, more or
less, within part of Surveys 111, 373 and 1654 and
being out of a 1,109.48 acre tract recorded in
Volume 3071, Pages 426-432, Official Public
Records, Webb County, Texas, same being part of a
larger 12,193.84 acre tract as described and
depicted as Tract 2 on a Survey Plat by John E.
Foster, R.P.L.S. on a Stipulation Conforming Surface
Ownership, Agreed Boundary Line and Roadway
Access instrument recorded in v. 704, p. 827-852,
R.P.R.W.C.T.
Webb County, Texas

F:\SURVEYS\Benavides Ranch\dwg\Base-Survey5-05052014.dwg - 8/15/2011

DRAWN BY: E.G.
CHECKED BY: A.A.
APPROVED BY: G.L.C.

SHEET
2 OF 2

Legal Description
952.89 Acre Tract

A tract of land containing **952.89 acres, more or less**, situated within part of Surveys 111, 373 and 1654 and being out of a 1,109.48 acre tract recorded in Volume 3071, Pages 426 – 432, Official Public Records, Webb County, Texas, same being part of a larger 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access instrument recorded in Volume 704, Page 827-852, R.P.R.W.C.T, Webb County, Texas. Said 952.89 acre tract being more particularly described as follows:

Commencing at an existing fence post being an exterior corner on the east boundary line of said aforementioned 12,193.84 acre tract, fence corner being the southeast corner of Survey 111 and an interior corner of Survey 1656; Thence, N 75°27'44" W, along the boundary line of said 12,193.84 acre tract and the common line of Survey 111 and Survey 1656, a distance of 1,350 feet along a fence to a ½ inch iron rod to be set being the southeast corner and **POINT OF BEGINNING** of this 952.89 acre tract;

Thence, N 75°27'44" W, continuing along a fence, the boundary line of said 12,193.84 acre tract and the common line of Survey 111 and Survey 1656, a distance of **3,000.01 feet** to an exterior corner of this tract;

Thence, N 14°24'42" E, a distance of **937.13 feet** to an interior corner of this tract;

Thence, N 75°35'18" W, a distance of **1,036.97 feet** to a ½ inch iron rod set for the southwest corner of this tract;

Thence, N 13°48'50" E, a distance of **4,380.61 feet** to a rock found in the ground, being the common corner of Surveys 111, 112, 373, 1654 and 2366 as described in field notes by E.J. Foster, Surveyor filed at the Texas General Land Office File Number 012687 for an interior corner of this tract;

Thence, N 76°11'10" W, along the extended north line of Survey 111, a distance of **1,422.10 feet** to a ½ inch iron rod to be set for an interior corner of this tract;

Thence, the following courses:

N 14°20'05" E, a distance of **233.87 feet** to a ½ inch iron rod to be set for a point of deflection to the left;

N 09°15'22" E, a distance of **2,689.04 feet** to a ½ inch iron rod to be set for an exterior corner of this tract;

S 80°34'28" E, a distance of **1,200 feet** to a ½ inch iron rod to be set for an interior corner of this tract;

N 09°25'32" E, a distance of **1,000 feet** to a ½ inch iron rod to be set for the northwest corner of this tract;

S 80°34'28" E, parallel to the south approximately 1,350 feet from northeast line of said aforementioned 12,193.84 tract being the boundary fence line and the north line Survey 373, a distance of **4,300 feet** to a ½ inch iron rod to be set for the northeast corner of this tract;

S 09°15'22" W, parallel to the west approximately 1,350 feet from the east boundary line of said aforementioned 12,193.84 acre tract and the common line of Survey 373 and Survey 374, a distance of **3,916.82 feet** for a point of deflection to the right;

Thence, S 14°20'05" W, same parallel to the west approximately 1,350 feet from the east boundary line said aforementioned 12,193.84 acre tract and the common line of Survey 373 and Survey 374, a distance of **70.54 feet** to a ½ inch iron rod to be set on the common line of Survey 373 and Survey 2366. Said ½ inch iron rod to be set bears N 81°11'10" W, a distance of 1,357.03 feet from a found 2 inch pipe found;

Thence, N 81°11'10" W, along the common line of Survey 373 and Survey 2366, pass a ½ inch iron rod found with plastic cap marked RPLS 5197 at a distance of 3,947.35 feet, continuing same course a **total distance of 4,099.92 feet** to a rock found in the ground, being the common corner of Surveys 111, 112, 373, 1654 and 2366 as described field notes by E. J. Foster, Surveyor filed at the Texas General Land Office File Number 012687 for and interior corner of this tract;

Thence S 76°11'10" E, along the common line of Survey 2366 and Survey 111, pass a ½ inch iron rod found with plastic cap marked RPLS 5197 at a distance of 152.27 feet, continuing same course a **total distance of 4,081.06 feet** to a ½ inch iron rod to be set which bears N 76°11'10" W, a distance of 1,350.26 feet from a ½ inch iron found with plastic cap marked RPLS 5197;

Thence, S 14°20'05" W, parallel approximately 1,350 feet from the east line of said 12,193.84 acre tract and the common line of Surveys 2366, Survey 111 and Survey 1657, a distance of **1,367.84 feet** to a set ½ inch iron rod for a point of deflection to the right;

Thence, S 14°24'42" W, parallel approximately 1,350 feet from the east line of said aforementioned 12,193.84 acre tract and common line of Survey 111 and Surveys 1656 and 1657, a distance of **3,998.85 feet** to the **POINT OF BEGINNING** of this **952.89 acre tract of land, more or less.**

Basis of Bearing: Boundary Data on State Plane NAD 83 4206 Texas South

NOTE:

This survey was done without the benefit of a Title Company Research. There may be Easements of Record not shown on this Survey of which Surveyor is unaware of and as such assumes no liability herein.

**STATE OF TEXAS
COUNTY OF WEBB**

I, Gilbert L. Cade III, a Registered Professional Land Surveyor, do hereby certify that the foregoing legal description was prepared from Maps, Deeds and Other Documents of record made available and is correct to my best knowledge and was prepared from an actual survey made on the ground under my direction.


GILBERT L. CADE III, R.P.L.S. #5060

06/09/2014
DATE



Attachment A

Legal Description

Legal Description
952.89 Acre Tract

A tract of land containing **952.89 acres, more or less**, situated within part of Surveys 111, 373 and 1654 and being out of a 1,109.48 acre tract recorded in Volume 3071, Pages 426 – 432, Official Public Records, Webb County, Texas, same being part of a larger 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access instrument recorded in Volume 704, Page 827-852, R.P.R.W.C.T, Webb County, Texas. Said 952.89 acre tract being more particularly described as follows:

Commencing at an existing fence post being an exterior corner on the east boundary line of said aforementioned 12,193.84 acre tract, fence corner being the southeast corner of Survey 111 and an interior corner of Survey 1656; Thence, N 75°27'44" W, along the boundary line of said 12,193.84 acre tract and the common line of Survey 111 and Survey 1656, a distance of 1,350 feet along a fence to a ½ inch iron rod to be set being the southeast corner and **POINT OF BEGINNING** of this 952.89 acre tract;

Thence, N 75°27'44" W, continuing along a fence, the boundary line of said 12,193.84 acre tract and the common line of Survey 111 and Survey 1656, a distance of **3,000.01 feet** to an exterior corner of this tract;

Thence, N 14°24'42"E, a distance of **937.13 feet** to an interior corner of this tract;

Thence, N 75°35'18" W, a distance of **1,036.97 feet** to a ½ inch iron rod set for the southwest corner of this tract;

Thence, N 13°48'50" E, a distance of **4,380.61 feet** to a rock found in the ground, being the common corner of Surveys 111, 112, 373, 1654 and 2366 as described in field notes by E.J. Foster, Surveyor filed at the Texas General Land Office File Number 012687 for an interior corner of this tract;

Thence, N 76°11'10" W, along the extended north line of Survey 111, a distance of **1,422.10 feet** to a ½ inch iron rod to be set for an interior corner of this tract;

Thence, the following courses:

N 14°20'05" E, a distance of **233.87 feet** to a ½ inch iron rod to be set for a point of deflection to the left;

N 09°15'22" E, a distance of **2,689.04 feet** to a ½ inch iron rod to be set for an exterior corner of this tract;

S 80°34'28" E, a distance of **1,200 feet** to a ½ inch iron rod to be set for an interior corner of this tract;

N 09°25'32" E, a distance of **1,000 feet** to a ½ inch iron rod to be set for the northwest corner of this tract;

S 80°34'28" E, parallel to the south approximately 1,350 feet from northeast line of said aforementioned 12,193.84 tract being the boundary fence line and the north line Survey 373, a distance of **4,300 feet** to a ½ inch iron rod to be set for the northeast corner of this tract;

S 09°15'22" W, parallel to the west approximately 1,350 feet from the east boundary line of said aforementioned 12,193.84 acre tract and the common line of Survey 373 and Survey 374, a distance of **3,916.82 feet** for a point of deflection to the right;

Thence, S 14°20'05" W, same parallel to the west approximately 1,350 feet from the east boundary line said aforementioned 12,193.84 acre tract and the common line of Survey 373 and Survey 374, a distance of **70.54 feet** to a ½ inch iron rod to be set on the common line of Survey 373 and Survey 2366. Said ½ inch iron rod to be set bears N 81°11'10" W, a distance of 1,357.03 feet from a found 2 inch pipe found;

Thence, N 81°11'10" W, along the common line of Survey 373 and Survey 2366, pass a ½ inch iron rod found with plastic cap marked RPLS 5197 at a distance of 3,947.35 feet, continuing same course a **total distance of 4,099.92 feet** to a rock found in the ground, being the common corner of Surveys 111, 112, 373, 1654 and 2366 as described field notes by E. J. Foster, Surveyor filed at the Texas General Land Office File Number 012687 for and interior corner of this tract;

Thence S 76°11'10" E, along the common line of Survey 2366 and Survey 111, pass a ½ inch iron rod found with plastic cap marked RPLS 5197 at a distance of 152.27 feet, continuing same course a **total distance of 4,081.06 feet** to a ½ inch iron rod to be set which bears N 76°11'10" W, a distance of 1,350.26 feet from a ½ inch iron found with plastic cap marked RPLS 5197;

Thence, S 14°20'05" W, parallel approximately 1,350 feet from the east line of said 12,193.84 acre tract and the common line of Surveys 2366, Survey 111 and Survey 1657, a distance of **1,367.84 feet** to a set ½ inch iron rod for a point of deflection to the right;

Thence, S 14°24'42" W, parallel approximately 1,350 feet from the east line of said aforementioned 12,193.84 acre tract and common line of Survey 111 and Surveys 1656 and 1657, a distance of **3,998.85 feet** to the **POINT OF BEGINNING** of this **952.89 acre tract of land, more or less.**

Basis of Bearing: Boundary Data on State Plane NAD 83 4206 Texas South

NOTE:

This survey was done without the benefit of a Title Company Research. There may be Easements of Record not shown on this Survey of which Surveyor is unaware of and as such assumes no liability herein.

**STATE OF TEXAS
COUNTY OF WEBB**

I, Gilbert L. Cade III, a Registered Professional Land Surveyor, do hereby certify that the foregoing legal description was prepared from Maps, Deeds and Other Documents of record made available and is correct to my best knowledge and was prepared from an actual survey made on the ground under my direction.


GILBERT L. CADE III, R.P.L.S. #5060

06/09/2014
DATE



PART II

APPLICATION FOR PERMIT
TYPE I MUNICIPAL SOLID WASTE FACILITY

MSW PERMIT NO. 2374

**PESCADITO ENVIRONMENTAL
RESOURCE CENTER**

**SOLID WASTE MANAGEMENT AND
DISPOSAL FACILITY**

RANCHO VIEJO WASTE MANAGEMENT, LLC
LAREDO, WEBB COUNTY, TEXAS

Sections 1.1, 1.2, 2.1.4, 10.1—10.4, 11.1 –
Signed by H.C. Clark, P.G., Ph.D. on Feb. 7,
2012

Except for Sections 1.1, 1.2, 2.1.4,
10.1—10.4 and 11.1 – remaining
portions of Part II through February 17,
2012 revisions were signed/sealed by
James F. Neyens, P.E. on February 24,
2012.

**Originally
Prepared By:**

TRC Environmental Corporation
TBPE Firm Registration No. 3775

March 28, 2011; Revised May 20, 2011; Revised September 14, 2011; Revised December 14, 2011; Revised February 17, 2012

Revised on June 12, 2014 by:



Shaw Environmental, Inc. (a CB&I company)
TBPE Firm Registration No. F-5650
and

H.C. Clark P.G., Ph.D. for Sections 1.2, 2.1.4 and 11.1



Table of Contents

	Page
PART II	
1.0 EXISTING CONDITIONS SUMMARY – [330.61 (A)].....	5
1.1 Soils and Geology	5
1.2 Groundwater	5
1.3 Site Size and Topography	6
1.4 Rainfall, Hydrology and Storm Water Runoff.....	7
1.5 Floodplains.....	7
1.6 Threatened and Endangered Species	8
1.7 Land Use	8
1.8 Oil and Gas Production.....	9
2.0 WASTE ACCEPTANCE PLAN [330.61 (B)]	10
2.1 General.....	10
2.1.1 Type of Facility and Wastes to be Accepted	10
2.2 Sources and Characteristics of Waste	12
2.3 Quantity of Waste	13
3.0 GENERAL LOCATION MAPS [330.61 (C)].....	15
4.0 FACILITY LAYOUT MAPS [330.61 (D)].....	17
5.0 GENERAL TOPOGRAPHIC MAPS [330.61 (E)]	18
6.0 AERIAL PHOTOGRAPH [330.61 (F)]	19
7.0 LAND-USE MAP [330.61 (G)].....	20
8.0 IMPACT ON SURROUNDING AREA [330.61 (H)]	21
8.1 Potential Impact on Human Health.....	21
8.2 Potential Impact on the Environment	23
8.3 Compatibility with the Surrounding Area.....	23
9.0 TRANSPORTATION [330.61 (I)]	26
10.0 GENERAL GEOLOGY AND SOILS STATEMENT [330.61 (J)]	28
10.1 General Geology [330.61(j)(1)]	28
10.2 General Soils [330.61(j)(1)].....	28
10.3 Fault Areas [330.61(j)(2) and 330.555]	28
10.4 Seismic Impact Zones [330.61(j)(3) and 330.557]	29
10.5 Unstable Areas [330.61(j)(4) and 330.559]	30
11.0 GROUNDWATER AND SURFACE WATER [330.61 (K)]	32
11.1 Groundwater [330.61(k)(1)]	32
11.2 Surface Water [330.61(k)(2)].....	33

12.0	ABANDONED OIL AND WATER WELLS [330.61 (L)].....	35
13.0	FLOODPLAINS AND WETLANDS STATEMENT [330.61 (M)].....	36
14.0	ENDANGERED OR THREATENED SPECIES [330.61 (N)]	38
15.0	TEXAS HISTORICAL COMMISSION REVIEW [330.61 (O)]	39
16.0	COUNCIL OF GOVERNMENTS AND LOCAL GOVERNMENT REVIEW [330.61 (P)]	40
17.0	AIR POLLUTION CONTROL [330.371].....	41
18.0	GENERAL OPERATIONAL CONSIDERATIONS [330.15].....	42

Sections 1.1, 1.2, 2.1.4, 10.1—10.4,
11.1 – Signed by H.C. Clark, P.G.,
Ph.D. on Feb. 7, 2012

Except for Sections 1.1, 1.2, 2.1.4,
10.1—10.4 and 11.1 – remaining
portions of Part II through February
17, 2012 revisions were signed/sealed
by James F. Neyens, P.E. on
February 24, 2012.

Revised June 12, 2014

H.C. Clark P.G., Ph.D. for Sections 1.2, 2.1.4 and 11.1

And

CB&I (Shaw Environmental, Inc.) for other revised pages

TRPE F-5650



Figures

Figure 1	General Location Map
Figure 2	Wind Rose Map
Figure 3	Facility Layout Map
Figure 4	Operations Area Layout Map
Figure 5	Future Operations Area Layout Map
Figure 6	General Topographic Map
Figure 7	Aerial Photograph
Figure 8	Land Use Map
Figure 9	Supplemental Land Use Map
Figure 10	USGS Seismic Hazard Map
Figure 11	Flood Insurance Rate Map

Attachments

Attachment A	T&E Species and Wetlands Assessment
Attachment B	TxDOT Coordination
Attachment C	Texas Historical Commission Review
Attachment D	Cultural Resources Review
Attachment E	Local Agency Coordination
Attachment F	Federal Aviation Administration Coordination
Attachment G	100-Year Floodplain Coordination
Attachment H	TPDES Certification



Sections 1.1, 1.2, 2.1.4, 10.1—10.4,
11.1 – Signed by H.C. Clark, P.G.,
Ph.D. on Feb. 7, 2012

Except for Sections 1.1, 1.2, 2.1.4,
10.1—10.4 and 11.1 – remaining
portions of Part II through February
17, 2012 revisions were signed/sealed
by James F. Neyens, P.E. on February
24, 2012.

Revised June 12, 2014

H.C. Clark P.G., Ph.D. for Sections 1.2, 2.1.4 and 11.1

And

CB&I (Shaw Environmental, Inc.) for other revised pages

TBPE F-5650



1.0 EXISTING CONDITIONS SUMMARY – [330.61 (a)]

This section discusses site-specific conditions that require special design considerations and mitigation of conditions that exist at the site of the proposed 952.89-acre Pescadito Environmental Resource Center (PERC), located about 20 miles east of Laredo in Webb County, Texas (see Figure 1, Part I and Figure 1, Part II).

1.1 Soils and Geology

A series of 56 soil borings were completed to evaluate the characteristics of soil encountered in the upper 160 feet at the site. These soils are predominantly clays, with some interbedded sand, sandstone, and claystone or shale. Based on review of published reports and geophysical logs, these or similar soils are believed to extend to much greater depths. Laboratory testing of these soils confirms that they are well suited for the location of a solid waste landfill and to be used for the construction of the proposed landfill's liners and cover systems, and for storm water management structures such as channels, detention ponds and dikes. These soils have very low permeability characteristics and are resistant to erosion, both in the natural or *in situ* condition and when constructed into compacted clay liner systems. These soils also are resistant to erosion.

The geology of the site area is also suitable for landfill development, as the soil strata are laterally very extensive with relatively thick layers of very low permeability soils that prevent vertical migration of water. Consequently, the area geology is very protective of the quality of water in the aquifers that lie below the proposed facility. There are no recognized geological hazards at the site, as there are no geologic faults in the immediate area, the risk of seismic activity is extremely low, and there is no known incidence of instability due to subsidence, poor foundation conditions, or karst terrains.

1.2 Groundwater

Groundwater was encountered beneath the site within soils of the Jackson and Yegua Groups. These soils are part of the Jackson-Yegua Aquifer, which is classified as a minor aquifer by the Texas Water Development Board (TWDB). This classification is due to the relatively low yield and marginal quality of water in the aquifer. The ground water below the site was encountered in several water-bearing zones or layers that are generally characterized by gradational changes to sandy or silty soil classifications. These water-bearing zones are generally on the order of several feet thick and are found at several depth intervals across the site. These water-bearing zones may also be found layered as a transition between two highly impermeable layers of clay soil or at the top of a relatively impermeable layer of rock-like indurate material, and may also be associated with secondary porosity in the over-consolidated clay soils. These water bearing zones exhibit the characteristics of a confined aquifer. However, the hydraulic characteristics or

relative thinness of these zones severely limit their ability to produce water in potentially useful quantities. The quality of this water is very poor to unacceptable for most domestic or agricultural uses. Regional aquifers exist beneath the site, but at significant depth. The Laredo Aquifer is expected to occur at a depth of about 1,000 feet or more below the ground surface. Water in this aquifer is generally slightly saline, with total dissolved solids in the range of 1,000-2,500 milligrams per liter (mg/l), about two to five times the U.S. EPA's secondary drinking water regulation (SDWR) standard of 500 mg/l. Published reports indicate the groundwater produced by some wells contain some metals and trace elements in excess of SDWR limits. This and other deeper aquifers in south central Webb County dip towards the southeast towards the Gulf of Mexico and generally crop out in relatively narrow bands that trend northeast-southwest.

Groundwater usage in the general area of the site is very limited. Only one water well is known to exist within a one-mile radius of the facility boundary. This is the private water well that is located near the Yugo Ranch headquarters buildings and serves the general needs of the ranch. This well is located roughly 1,575 feet southwest of the proposed facility. The ranch well was geophysically logged as part of this study and the caliper log indicates that the well is screened in the Yegua from about 1020 feet to 1136 feet where the diameter is reduced to final log depth [1160 feet], suggesting a smaller screen or sediment trap. According to TWDB records and information developed during the preparation of this permit application, there are only 6 water wells within a five-mile radius of the facility, including this ranch well. The next closest well is about 2.5 miles northwest of the facility. Four wells are located between 4.3 and 5 miles northwest of the facility, in the community of Ranchitos Las Lomas. One of these is a well located nearly 5 miles away that is owned and operated by Webb County. This well was intended as a public water supply well to make dispensed water available to the residents of Ranchitos Las Lomas. Water quality from this well is so poor that the majority of the water dispensed at this site is hauled by tanker trucks from the Webb County maintenance facility near U.S. Highway 59 and Loop 20 in Laredo. The source of this hauled water is the Laredo public water system. Of the total quantity of water Webb County dispenses at this location, relatively little water comes from this well, and that follows extensive treatment.

1.3 Site Size and Topography

The site contains approximately 953 acres and is roughly rectangular in shape, as shown on Figure 3, Part II. It is nearly one mile measured east to west and less than two miles measured north to south. For the most part, the site topography is gently sloped from north to south at about 0.5 to 1 percent. Several shallow swales gather storm water runoff and convey it southward. Several stock tanks have been constructed within the site

This floodplain is depicted in Figure 11, Part II. The FIRM can also be found in Attachment G of Part II. It is important to realize that the surface topography used to create the FIRM does not appear to include the existing dikes and surface impoundments at the site and in the watershed upslope from the site. TRC is engaged in engineering studies of the actual surface topography as it currently exists. TRC is also performing an engineering analysis of drainage at the site and all watersheds above and immediately below the site. TRC will design a series of drainage channels and detention structures that will result in the removal of the proposed landfill area from the 100-year floodplain. Furthermore, a Conditional Letter of Map Revision (CLOMR), has been submitted to FEMA requesting correction of the existing FIRM to take into account the related drainage and floodplain improvements. We expect this action will result in documentation that construction of the proposed watershed improvements at and adjacent to the site will remove the landfill from the 100-year floodplain.

1.6 Threatened and Endangered Species

TRC has performed an initial assessment of threatened and endangered (T&E) species at the site, and subsequently conducted a more detailed biological evaluation. These studies will assure compliance with federal and state requirements for the protection of T&E species and their habitats. These studies have been submitted to the Texas Parks and Wildlife Department (TPWD) and the U.S. Fish and Wildlife Survey (USFWS), as discussed in Section 4.0. Subsequent to these studies, aci Consulting performed a Biological Assessment and received notice from the U.S. Fish and Wildlife Service that the proposed project had complied with section 7(a)(2) of the Endangered Species Act, and concurred that the project would have no effect on four of the species identified (ocelot, interior least tern, ashy dogweed and Johnston's frankenia) and would not adversely affect the jaguarundi due to its closest observation being 44 miles to the north and the proposed conservation measures that will benefit the species should they be in the vicinity of the project site. See Part II, Attachment A.

1.7 Land Use

Land use at and within one mile of the facility is exclusively devoted to cattle ranching and oil and gas exploration and production. This same land use extends generally for many miles in every direction. The only exceptions are an area of residential land use about four miles to the northwest and two transportation corridors. The residential land use is in the community of Ranchitos Las Lomas, which is located along Highway 59 and had a population of 334 in the 2000 census. The transportation corridors include U.S. Highway 59, which passes through Ranchitos Las Lomas four miles to the northwest, and the Kansas City Southern Railroad about two miles to the south of the facility, which will provide rail service to the site.

1.8 Oil and Gas Production

While some oil but mostly gas production has been prevalent in the area, very little has actually occurred on the proposed site of the facility. Several wells were attempted on or adjacent to the site, but have been sealed and abandoned. The width of the landfill was selected to allow possible future development of gas reserves beneath the landfill by using directional drilling methods. Existing practices employed by energy companies in

2.1.3 Management of Industrial and Special Wastes – The facility will accept certain Class 1 non-hazardous, Class 2 and Class 3 industrial wastes, as well as many special wastes that are regulated as municipal solid waste (MSW). Only those Class 1 non-hazardous wastes that are allowed to be disposed into Type I MSW landfills in restricted locations will be accepted, with the understanding that the facility may in the future provide on-site stabilization or solidification of certain types of industrial sludge to render these wastes suitable for landfill disposal. Grease and grit trap wastes will be accepted for processing from commercial sources (restaurants, fast food facilities, car wash and vehicle maintenance facilities), industrial sources (food processing plants, manufacturing plants) and institutional sources (hospitals, schools, prisons). Class I Industrial Waste amounts will not exceed 20 percent of the total amount of all waste accepted for disposal. Special design considerations will be made in accordance with 30 TAC §330.173 to properly manage any Class I waste that is proposed to be accepted for disposal at the landfill. Before accepting wastes that require stabilization, the facility will obtain a permit modification or amendment to add an on-site solidification facility. Special wastes will be accepted only to the extent that any given category or type of special waste can be properly managed by the facility and/or readily disposed into the landfill.

Class I Industrial Waste will be disposed only in landfill cells lined with the industrial waste default design composite liner. The upper component shall consist of a minimum 30-mil (0.75 mm) flexible membrane liner and the lower component shall consist of at least a three-foot layer of compacted soil with a hydraulic conductivity of no more than 1×10^{-7} cm/sec. Flexible membrane liner components consisting of high density polyethylene shall be at least 60-mil thick. The flexible membrane liner component shall be installed in direct and uniform contact with the compacted soil component. Class I Industrial Waste cells shall have a leachate-collection system designed and constructed to maintain less than a 30-cm depth of leachate over the liner.

2.1.4 Soil and Groundwater – The soils encountered during drilling and described in the literature are dominantly clays. While the bottom and sides of the landfill excavation could encounter thin, isolated sand/silt units with a Unified Soil Classification of “SM” or “SP,” these soil units do not appear to be sufficiently thick and laterally continuous to provide a significant pathway for waste migration. In addition, most of these units will not exhibit hydraulic conductivity greater than 1×10^{-5} cm/sec. However, any effect of the sand/silt units is minimized because the average annual evaporation exceeds average annual rainfall by more than 40 inches. The nearest “regional aquifer” is located approximately 1,000 feet below the site, according to regional cross-sections, the literature, geophysical log data obtained from the ranch water well located 1,575 feet from the facility, and geophysical log interpretations for gas wells in the site area. The ranch water well produces water from that depth. As a consequence of the prevailing soil

3.0 GENERAL LOCATION MAPS [330.61 (c)]

The General Location Map is presented as Figure 1 in Part II. This map is used to present the following described features, to the extent they exist within the distances from the proposed facility as defined by 30 TAC 330.61(c). For clarity, certain of these features are presented elsewhere in this permit application. The prevailing wind direction with a wind rose is presented on Figure 2 of Part II.

There are no water wells on the proposed site or within 500 feet of the proposed permit boundary, except for temporary piezometers and / or groundwater monitoring wells that were installed as part of the development of this permit application. There is one water well within two miles of the proposed site, located about 1,575 feet southwest of the site. This is the water supply well for the ranch. Its location is shown on Figure 1 in Part II.

There are no structures and inhabitable buildings within 500 feet of the proposed facility. There are several structures and inhabitable buildings about 2,100 feet from the facility; these are shown on Figure 1 of Part II. These include one house, one mobile home, and several ranch buildings (one machine storage building and two sheds used as stables). On occasion, one travel trailer may also be temporarily parked in this area. All residents of these structures are ranch workers employed by Yugo Ranch.

There are no schools, licensed day-care facilities, churches, or cemeteries within one mile of the facility. Several man-made ponds (stock tanks) exist within one mile of the site, and these are shown on the map. There are no other residential, commercial or recreational areas within one mile of the facility, so none are shown; there also are no hospitals in this area. The nearest known airport used for commercial or general aviation is the Laredo International Airport, located more than 20 miles west of the facility.

The location and surface type of roads that will be used to access the facility are shown.

The latitude and longitude of the facility is shown.

Area streams are shown.

There are no airports within six miles of the facility, so none can be shown.

The property boundary of the facility is shown.

Easements within or adjacent to the facility cannot be clearly shown on Figure 1 of Part II. Consequently, for the sake of clarity, all known easements are shown on Figure 4 of Part I. Figure 4 was prepared by Mejia Engineering Company, and consists of Sheets 1 to 4 of 4.

4.0 FACILITY LAYOUT MAPS [330.61 (d)]

A Facility Layout Map and an Operations Area Layout Map are provided as Figures 3 and 4 of Part II. These maps provide:

The maximum outline of the landfill unit(s);

General locations of main facility access roadways;

General locations of buildings;

Explanatory notes;

Fencing and lockable gates will be provided along the facility boundary, as shown on Figure 4, Part II; and

Natural amenities and plans for screening the facility from public view.

Easements are shown on Figure 4, Sheets 1 to 4, in Part I. These easements will be protected in accordance with TCEQ rules until such time as they may be voided or relocated outside the waste fill area.

The site entrance road can be accessed from public access roads.

An initial Class I waste cell location is shown on Figure 4. Additional Class I waste cells may be designated and constructed throughout the landfill as future landfill cells are designed. All Class I waste cells will be designed, constructed, and operated in accordance with TCEQ rules.

Locations of monitoring wells are generally shown on the Monitoring System and Cell Layout Plan, Figure 5. In accordance with 30 TAC §330.403(a)(2), default spacing for groundwater monitoring wells is a maximum of 600 feet. Figure 5 shows a proposed facility perimeter of approximately 28,000 feet. On this default spacing basis, 48 wells are proposed with a maximum spacing of 600 feet.

Locations of gas monitoring probes are generally shown on Figure 5. In accordance with 30 TAC §330.371(h)(2), permanent gas monitoring probes are required to monitor for subsurface migration of landfill gas. Although, 1,000-foot spacing is typical, 600-foot spacing is recommended along the southwest corner of the perimeter due to habitable structures within 3,000 feet. This spacing can be accommodated at the location shown on Figure 5.

The proposed facility is completely isolated from all land use except cattle ranching and oil and gas production, and is provided with an effective separation distance of more than one-quarter mile on three sides and 300 feet on the fourth side.

11.0 GROUNDWATER AND SURFACE WATER [330.61 (k)]

11.1 Groundwater [330.61(k)(1)]

Groundwater conditions at the site are known from a combination of on-site soil boring data and the published literature. Groundwater is localized in sandier sediments encountered, but these sediments, as expected from the nature of the depositional environment, are not necessarily continuous across the site. There appears to be enough ultimate connectivity between water bearing materials, however, to allow this shallow groundwater to approach an equilibrium, or coherent potentiometric surface across the site. Water levels range from about 550 feet [msl] in the north part of the proposed landfill footprint to about 530 feet [msl] in the south--and generally follow the area slope, and consequently the drainage as well.

The near surface sediments at the site are part of the Yegua-Jackson Aquifer, a TWDB designated Minor Aquifer, and named for the geology involved. Parts of this Eocene aquifer, one that serpentines from Webb County and the Mexico border to Louisiana, are productive of freshwater, but that is apparently not the case near the surface at the Pescadito site. Water quality tests on ground water samples from six site borings were analyzed for constituents that include the maximum contaminant levels (MCLs) as established in the national primary drinking water regulations by U.S. EPA. All these ground water samples exceeded the secondary MCLs for total dissolved solids (TDS) and chloride by orders of magnitude. The Yegua-Jackson dips gently toward the coast, is about 1,000 to 1500 feet thick according to a nearby cross-section (Baker, 1995), and is recharged along its outcrop. There are six water wells within about five miles of the site. The geophysical log of the Yugo Ranch well, about 1,575 feet from the site, indicates clays and some sands continuing to its total depth of about 1100 feet [bgs], where it is screened in the lower part of the Yegua. This well, sampled as part of the site study, also showed TDS and chloride values somewhat above the secondary MCLs. The site is a part of this Yegua-Jackson recharge zone and is situated on or near the contact between its elements. However, soil characteristics and groundwater chemistry at the site indicate groundwater recharge in the area is limited.

The Laredo Aquifer underlies the Yegua-Jackson. It too, dips coastward and consists of sands and clays. Its recharge zone that is outcropped, trends in a generally north-south direction, inland of and parallel to the Yegua-Jackson outcrop. This aquifer is an important part of Webb County, for it is capable of producing significant quantities of freshwater, particularly for the sandier lower portion of the Laredo Formation. The Laredo Aquifer provides a portion of Laredo's water supply and has been the subject of Aquifer Storage and Recovery research (Lambert, 2004). The Laredo Formation is about

13.0 FLOODPLAINS AND WETLANDS STATEMENT [330.61 (m)]

Portions of the proposed facility are currently located within the 100-year floodplain, as indicated on the replication of the most current available floodplain map, or Flood Insurance Rate Map (FIRM), presented in Figure 11. The design of the proposed landfill and related facilities will include design of a comprehensive storm water management system of dikes, drainage channels and detention ponds. Collectively, this system will remove the area of the landfill and proposed buildings from the 100-year floodplain. TRC has performed all the necessary hydrological and hydraulic engineering analysis and design to accomplish this. The results of this engineering design along with an application for a Conditional Letter of Map Revision (CLOMR) have been submitted to the Webb County Planning Department (WCPD) for review and were approved (see Attachment G). WCPD is the local agency responsible for floodplain management. With concurrence from WCPD, the CLOMR application has been submitted to the Federal Emergency Management Agency (FEMA) for review and approval. The CLOMR when issued will verify that the proposed site drainage plans will, in fact, remove areas of the site proposed for the landfill, processing and storage areas and related development from the 100-year floodplain.

Construction of the landfill will impact a named reservoir, Burrito Tank, and possibly several smaller stock tanks. All affected reservoirs are owned by the applicant or by its parent, Rancho Viejo Cattle Company, Ltd. In order to approximate effects of the tanks, storage and discharge relationships were developed and utilized for simulation of the pre-project conditions in the CLOMR analysis. Therefore, all existing features were included in the pre-project conditions analysis. It should be noted that, after reviewing the delineation of the FEMA floodplain with respect to the tanks, the tanks will likely not have any significant attenuation effect on the peak discharge. The 100-year flood is so broad in the vicinity of the tanks it appears there is sufficient area to carry the flows which will bypass the tanks' zones of impact.

The proposed landfill is located in an ideal location considering soil, groundwater, land use, and oil and gas activities (past, present, and future). No other location is equally plausible. It is difficult to find an area of appropriate size in Eastern Webb County that does not have floodplain issues due to the prevailing flat topography and rapid runoff soil conditions. Applicant endeavored to find an upland location that was reasonably close to the headwater conditions to minimize any impacts to floodplains and/or wetlands.

aci Consulting performed an extensive Jurisdictional Determination at the site and downstream of the site. The U.S. Army Corps of Engineers approved the Jurisdictional Determination and the U.S. Environmental Protection Agency concurred that the site contains only “intra-state, isolated, non-navigable waters” under 33 CFR 328.3 (a)(3). Correspondence was subsequently received from the U.S. Army Corps of Engineers stating that this project will not involve activities subject to the requirements of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act of 1899 and that no permit was necessary to comply with Section 404 or Section 10 as there are no Waters of the United States at the site. See Part II, Attachment A.

14.0 ENDANGERED OR THREATENED SPECIES [330.61 (n)]

A site reconnaissance and evaluation was performed by TRC in 2009 to assess the potential for the facility to harbor endangered and threatened species, or to provide critical habitat for such species. This evaluation included obtaining current lists of both federal- and state-listed species for Webb County and identifying the habitat and range or occurrence characteristics of all such listed species.

Based on the results of their evaluation, TRC concluded that the site of the proposed facility may contain habitat or range conditions that may result in the occurrence of endangered or threatened species. By comparing the characteristics of the site to surrounding areas, it was clear that habitat and environmental conditions of the site are not significantly different from conditions for many miles surrounding the site. No unique or critical habitat conditions were observed. A biological evaluation was completed and provided to TPWD and USFWS. TPWD has responded and a copy of its response letter is contained in Attachment A.

Subsequent to TRC's studies, aci Consulting performed an extensive Biological Assessment and received notice from the U.S. Fish and Wildlife Service that the proposed project had complied with section 7(a)(2) of the Endangered Species Act, and concurred that the project would have no effect on four of the species identified (ocelot, interior least tern, ashy dogweed and Johnston's frankenia) and would not adversely affect the jaguarundi due to its closest observation being 44 miles to the north and the proposed conservation measures that will benefit the species should they be in the vicinity of the project site. See Part II, Attachment A.

18.0 GENERAL OPERATIONAL CONSIDERATIONS [330.15]

The PERC landfill facility will not operate in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission, or in such a manner that causes:

- (1) The discharge or imminent threat of discharge of MSW into or adjacent to the waters in the state without obtaining specific authorization for the discharge from the commission;
- (2) The creation and maintenance of a nuisance; or
- (3) The endangerment of the human health and welfare or the environment.

The open burning of solid waste, except for the infrequent burning of waste generated by land-clearing operations, agricultural waste, silvicultural waste, diseased trees, emergency cleanup operations as authorized by the commission or executive director as appropriate, is prohibited. The operation of an air curtain incinerator other than for the exceptions noted above is prohibited.

The following wastes will not be accepted for disposal at this facility:

- (1) Lead acid storage batteries;
- (2) Do-it-yourself used motor vehicle oil;
- (3) Used oil filters from internal combustion engines;
- (4) Whole used or scrap tires, unless processed prior to disposal in a manner acceptable to the executive director;
- (5) Refrigerators, freezers, air conditioners, and any other items containing chlorinated fluorocarbon (CFC);
- (6) Liquid waste, except as allowed in 30 TAC §330.177 (relating to Leachate and Gas Condensate Recirculation), and/or except household liquid waste as allowed by 30 TAC §330.15(e)(6) will not be accepted for disposal in any MSW landfill unit;
- (7) Regulated hazardous waste as defined in 30 TAC §330.3;
- (8) Polychlorinated biphenyls (PCB) wastes, as defined under 40 Code of Federal Regulations Part 761, unless authorized by the United States Environmental Protection Agency and the MSW permit; and
- (9) Radioactive materials as defined in 30 TAC Chapter 336 (relating to Radioactive Substance Rules), except as authorized in Chapter 336 or that are subject to an exemption of the Department of State Health Services.

The facility will receive sewage sludge only in compliance with commission requirements and the requirements of the Federal Clean Water Act, §309 and §405(e).

FIGURES

Michael W. Oden



1 MILE RADIUS

FACILITY PERMIT
BOUNDARY

WATER WELL

TWO RESIDENTIAL
AND ONE BARN
STRUCTURES; ONE
MOBILE HOME

PROPOSED ALL-WEATHER
ACCESS ROAD TO SR 359

NOTES

1. NO HOSPITALS WITHIN ONE MILE
2. SITE LOCATED AT (27.559°N, 99.160°W)
3. ROADS USED TO ACCESS THE FACILITY ARE EITHER CONCRETE-PAVED, INCLUDING HWY 59, OR ALL WEATHER CRUSHED ROCK
4. NO AIRPORTS WITHIN 6 MILES
5. SEE FIGURE 4, PART I FOR EASEMENTS
6. SEE FIGURE 1 PART III FOR ACCESS CONTROL FEATURES
7. BASE MAP BY TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
8. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650

LEGEND

- WATER WELL (NONE WITHIN 500')
- STRUCTURE OR INHABITABLE BUILDING (NONE WITHIN 500')
- SCHOOL (NONE WITHIN ONE MILE)
- CHURCH (NONE WITHIN ONE MILE)
- CEMETARY (NONE WITHIN ONE MILE)
- ARCHAEOLOGICAL OR HISTORICAL SITE (NONE)

U.S.G.S. 7.5-MINUTE SERIES TOPOGRAPHIC MAP, BURRITO TANK (1980), TEXAS.



SCALE IN FEET
1" = 2000'

THIS DRAWING HAS BEEN ADAPTED FROM "GENERAL LOCATION MAP" DEVELOPED BY TRC FOR THE PART II APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 2/14/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F NEVENS, LICENSE NO. 52766 ON 9/13/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.

REV. 1 5/22/14 - REVISED FACILITY PERMIT
BOUNDARY



CB&I Environmental
& Infrastructure, Inc.
12005 FORD ROAD, SUITE 600
DALLAS, TEXAS 75244
(972) 773-3400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is the property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in whole or in part, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

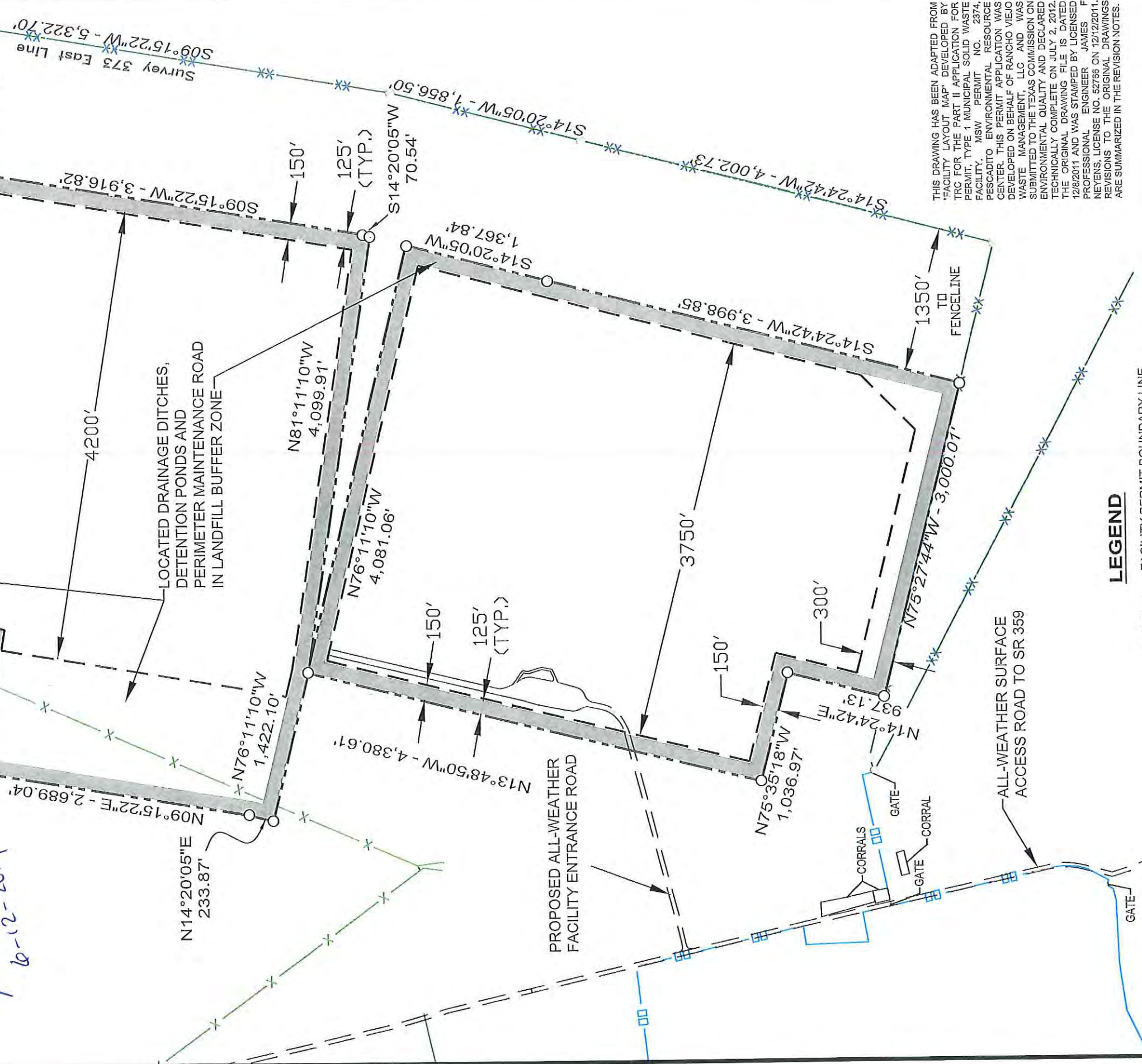
PESCADITO ENVIRONMENTAL RESOURCE CENTER WEBB COUNTY, TEXAS

FIGURE 1 - PART II GENERAL LOCATION MAP

DRAWN BY:	MTE	APPROVED BY:	MWO	PROJ. NO.:	149866	DATE:	MAY 2014
-----------	-----	--------------	-----	------------	--------	-------	----------



6-12-2014

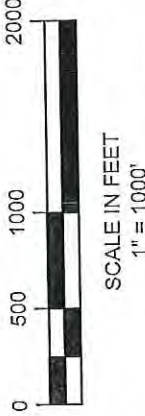


NOTES

1. FACILITY PERMIT AREA APPROXIMATELY 953 ACRES
2. SOURCE: BOUNDARY AND IMPROVEMENT SURVEY, MEJIA ENGINEERING COMPANY (4/9/2010 & 5/9/14)
3. TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
4. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650

LEGEND

- FACILITY PERMIT BOUNDARY LINE
- - - APPROXIMATE LANDFILL BOUNDARY
- - - FENCE
- - - PROPERTY LINE AND FENCE
- - - 8' HOG FENCE
- - - 125' BUFFER ZONE



THIS DRAWING HAS BEEN ADAPTED FROM "FACILITY LAYOUT MAP" DEVELOPED BY TRC FOR THE PART II APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED ENVIRONMENTAL QUALITY AND DECLARED TECHNICAL COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 12/8/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEYENS, LICENSE NO. 52766 ON 12/12/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.

REV. 1.502/14 - REVISED FACILITY PERMIT BOUNDARY



CB&I Environmental
& Infrastructure, Inc.

12005 FORD RD, SUITE 600
DALLAS, TEXAS 75234
(972) 773-9400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is copyrighted and remains intellectual property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in part or in whole, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

PESCADITO ENVIRONMENTAL RESOURCE CENTER WEBB COUNTY, TEXAS

FIGURE 3 - PART II FACILITY LAYOUT MAP

DRAWN BY:

MTE

APPROVED BY:

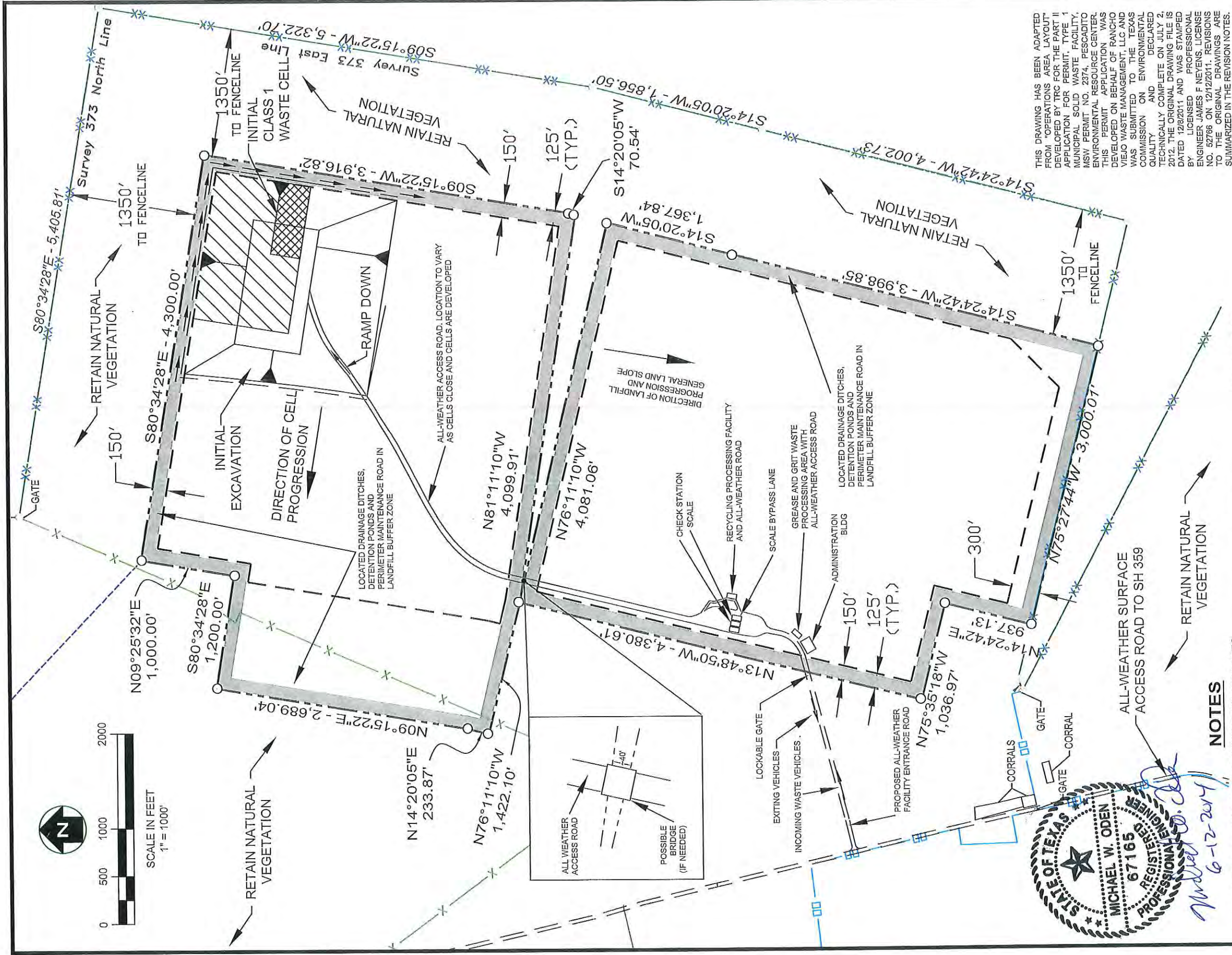
MWO

PROJ. NO.:

148866

DATE:

MAY 2014



THIS DRAWING HAS BEEN ADAPTED FROM "OPERATIONS AREA LAYOUT" DEVELOPED BY TRC FOR THE TYPE II APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 12/8/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEYENS, LICENSE NO. 52766 ON 12/12/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.

LEGEND

- FACILITY PERMIT BOUNDARY LINE & ACCESS CONTROL FENCE
- APPROXIMATE LANDFILL BOUNDARY
- CONSTRUCTED LINER AND LEACHATE COLLECTION SYSTEM
- RUN-ON AND RUN-OFF CONTROL BERM
- DRAINAGE STRUCTURE
- FENCE
- 125' BUFFER ZONE

NOTES

- FACILITY PERMIT AREA APPROXIMATELY 953 ACRES
- SOURCE: BOUNDARY AND IMPROVEMENT SURVEY, MEIJA ENGINEERING COMPANY (4/9/2010 & 5/9/14)
- ACTUAL SIZE OF LANDFILL EXCAVATION TO BE DETERMINED BY INCOMING WASTE QUANTITY.
- SOME FACILITIES MAY BE SHOWN LARGER THAN TRUE SCALE FOR CLARITY
- CONSTRUCT PERIMETER FENCE AND LOCKABLE GATES AT FACILITY PERMIT BOUNDARY TO SURROUND FACILITY.
- NATURAL VEGETATION WILL BE RETAINED FOR AT LEAST 1/4 MILE IN ALL DIRECTIONS FOR VISUAL SCREEN, WINDBREAK, AND WIND-BLOWN LITTER CONTROL
- TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
- FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC) TBPE FIRM F-5650

PESCADITO ENVIRONMENTAL RESOURCE CENTER
WEBB COUNTY, TEXAS

FIGURE 4 - PART II
OPERATIONS AREA LAYOUT

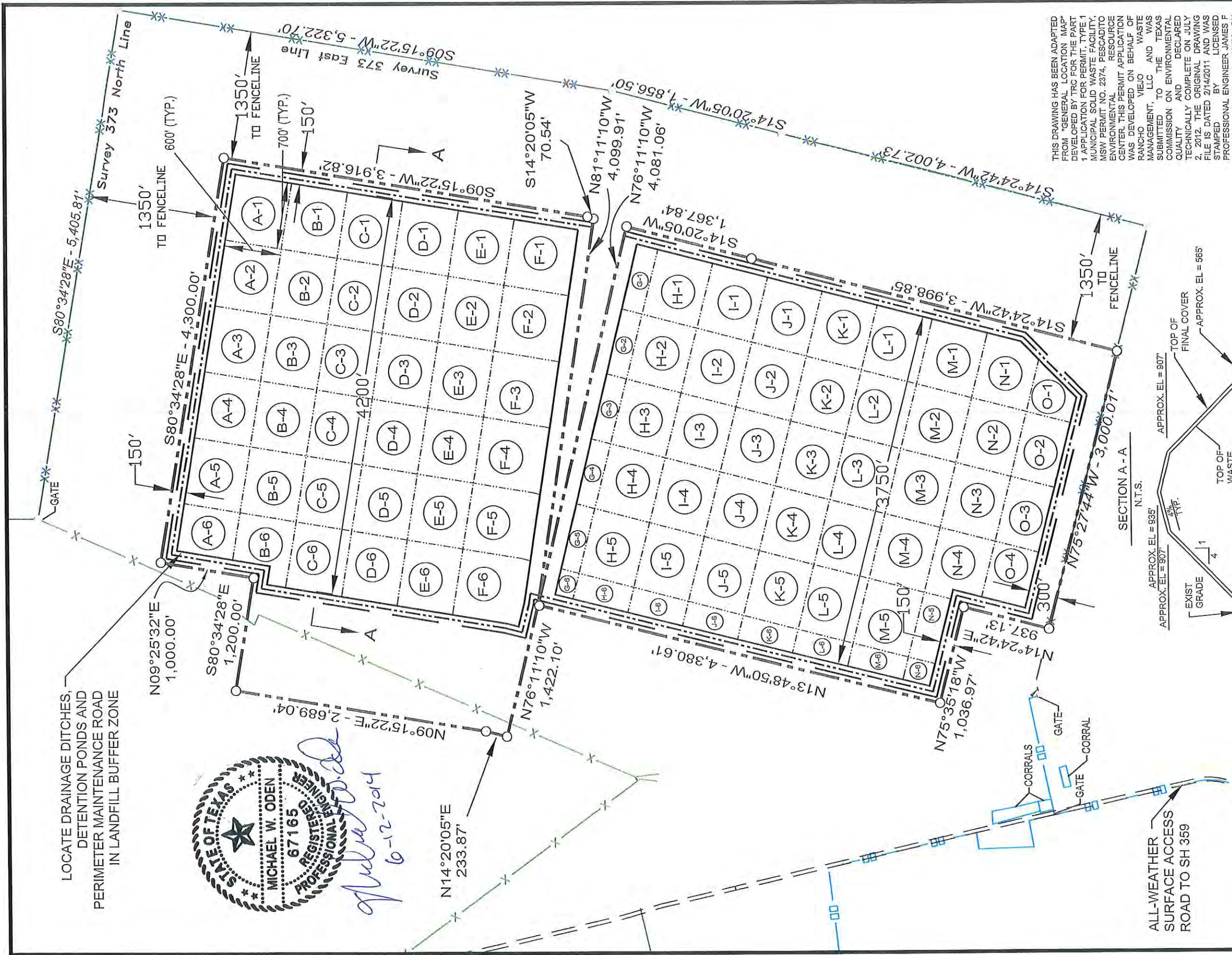
DRAWN BY: MTE APPROVED BY: MWO PROJ. NO.: 148866 DATE: MAY 2014

CB&I Environmental & Infrastructure, Inc.
12005 FORD RD. SUITE 600
DALLAS, TEXAS 75234
(972) 773-8400

REV. 1.502214 - REVISED FACILITY PERMIT BOUNDARY

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is copyrighted and remains intellectual property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in part or in whole, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.





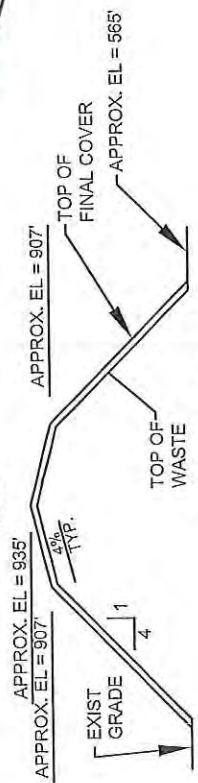
THIS DRAWING HAS BEEN ADAPTED FROM "GENERAL LOCATION MAP" DEVELOPED BY TRC FOR THE PART 1 APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER, THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 2/14/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEYENS, LICENSE NO. 52766 ON 9/14/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.

LEGEND

- (A-1) LANDFILL CELL DESIGNATION
- GROUNDWATER MONITORING ZONE LOCATION
- LANDFILL GAS MONITORING ZONE LOCATION
- TYP. LANDFILL CELL BOUNDARY
- FACILITY PERMIT BOUNDARY LINE
- APPROXIMATE LANDFILL LIMIT FENCE
- PROPERTY LINE AND FENCE
- 8' HOG FENCE

NOTES

1. FACILITY PERMIT AREA APPROXIMATELY 953 ACRES.
2. SOURCE: BOUNDARY AND IMPROVEMENT SURVEY, MEJIA ENGINEERING COMPANY (4/9/10 & 5/9/14).
3. CONSTRUCT SECURITY FENCE AND GATES ALONG FACILITY PERMIT BOUNDARY.
4. TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
5. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650
6. LANDFILL ELEVATIONS ARE PRELIMINARY FOR TOP OF FINAL COVER. SUBTRACT 2.5' FOR TOP OF WASTE ELEVATION.



LOCATE DRAINAGE DITCHES, DETENTION PONDS AND PERIMETER MAINTENANCE ROAD IN LANDFILL BUFFER ZONE

REV. 1 5/22/14 - REVISED FACILITY PERMIT BOUNDARY

CB&I Environmental & Infrastructure, Inc.
13005 FORT MEADOW, SUITE 600
DALLAS, TEXAS 75244
(972) 773-9400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is for informational purposes only and does not constitute a contract. The document may not be used or copied, in whole or in part, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

PESCADITO ENVIRONMENTAL RESOURCE CENTER
WEBB COUNTY, TEXAS

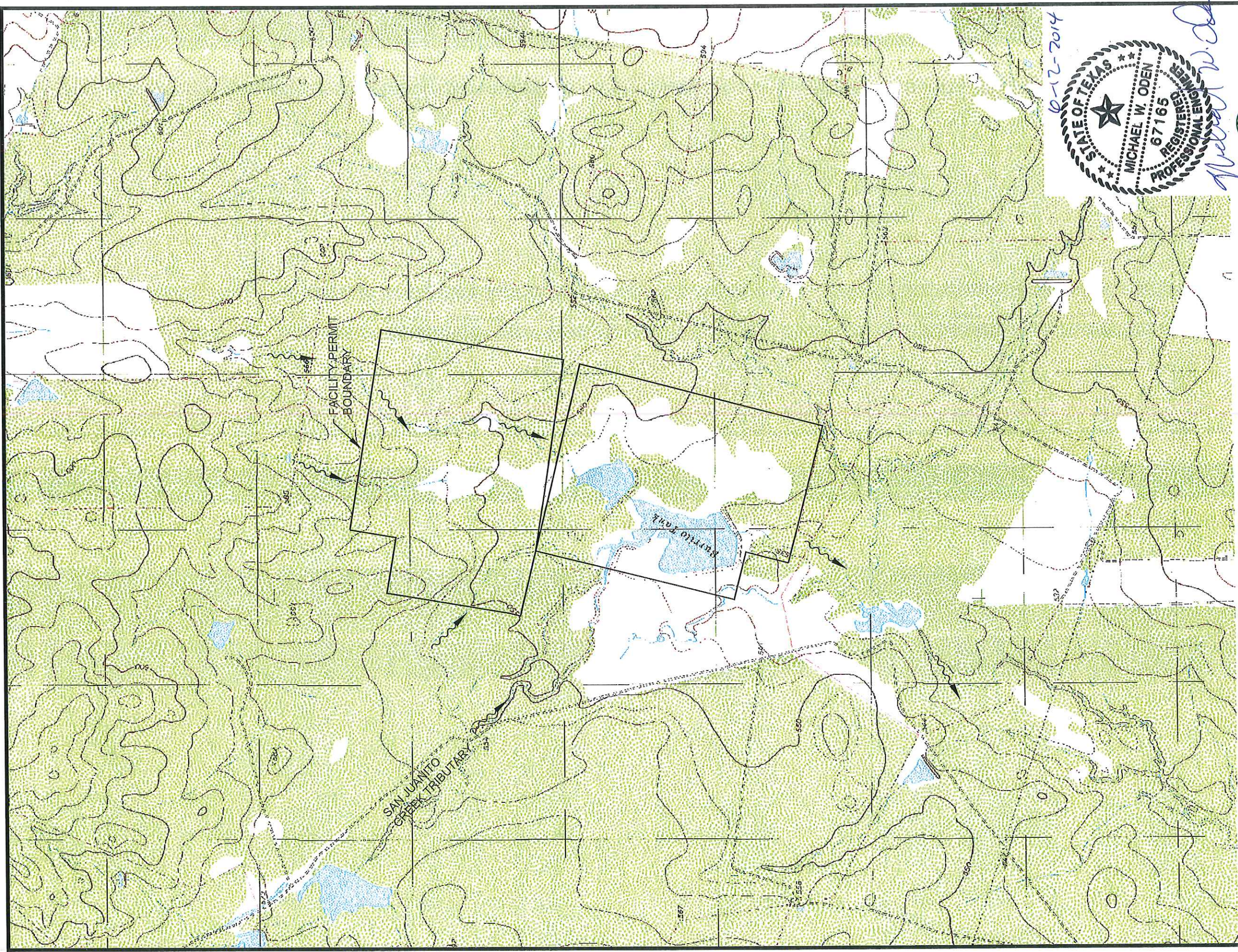
FIGURE 5 - PART 2
MONITORING SYSTEM AND CELL LAYOUT PLAN

DRAWN BY: MTE

APPROVED BY: MWO

PROJ. NO.: 148866

DATE: MAY 2014



NOTES

1. FLOW DIRECTION INDICATED BY ARROWS
2. NO NAMED STREAMS SHOWN ON MAP
3. BASE MAP BY TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
4. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650

THIS DRAWING HAS BEEN ADAPTED FROM "GENERAL TOPOGRAPHIC MAP" DEVELOPED BY TRC FOR THE PART 1 APPLICATION FOR PERMIT, TYPE 1, MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 2/14/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEYENS, LICENSE NO. 52786 ON 9/14/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.

U.S.G.S. 7.5-MINUTE SERIES TOPOGRAPHIC MAP, BURRITO TANK (1980), TEXAS.

REV. 1 5/2014 - REVISED FACILITY PERMIT BOUNDARY



CB&I Environmental & Infrastructure, Inc.
12005 FORD RD, SUITE 600
DALLAS, TEXAS 75234
(972) 773-8400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is copyrighted and remains intellectual property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in part or in whole, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

**PESCADITO ENVIRONMENTAL RESOURCE CENTER
WEBB COUNTY, TEXAS**

**FIGURE 6 - PART II
GENERAL TOPOGRAPHIC MAP**

DRAWN BY:	MTE	APPROVED BY:	MWO	PROJ. NO.:	148966	DATE:	MAY 2014
-----------	-----	--------------	-----	------------	--------	-------	----------



ONE MILE
RADIUS

FACILITY PERMIT
BOUNDARY

LANDFILL
BOUNDARY

NOTES

1. BASE MAP BY TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
2. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650

SOURCE: TEXAS ORTHOIMAGERY PROGRAM (TOP), 2008.

REV. 1 5/22/14 - REVISED FACILITY PERMIT
BOUNDARY



CB&I Environmental
& Infrastructure, Inc.

12005 FORD RD, SUITE 600
DALLAS, TEXAS 75224
(972) 773-8400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is copyrighted and remains intellectual property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in part or in whole, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

THIS DRAWING HAS BEEN ADAPTED FROM "AERIAL PHOTOGRAPH" DEVELOPED BY TRC FOR THE PART II APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 12/8/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEYENS, LICENSE NO. 52766 ON 12/12/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.



SCALE IN FEET
1" = 2000'

PESCADITO ENVIRONMENTAL RESOURCE CENTER WEBB COUNTY, TEXAS

FIGURE 7 - PART II AERIAL PHOTOGRAPH

DRAWN BY:

MTE

APPROVED BY:

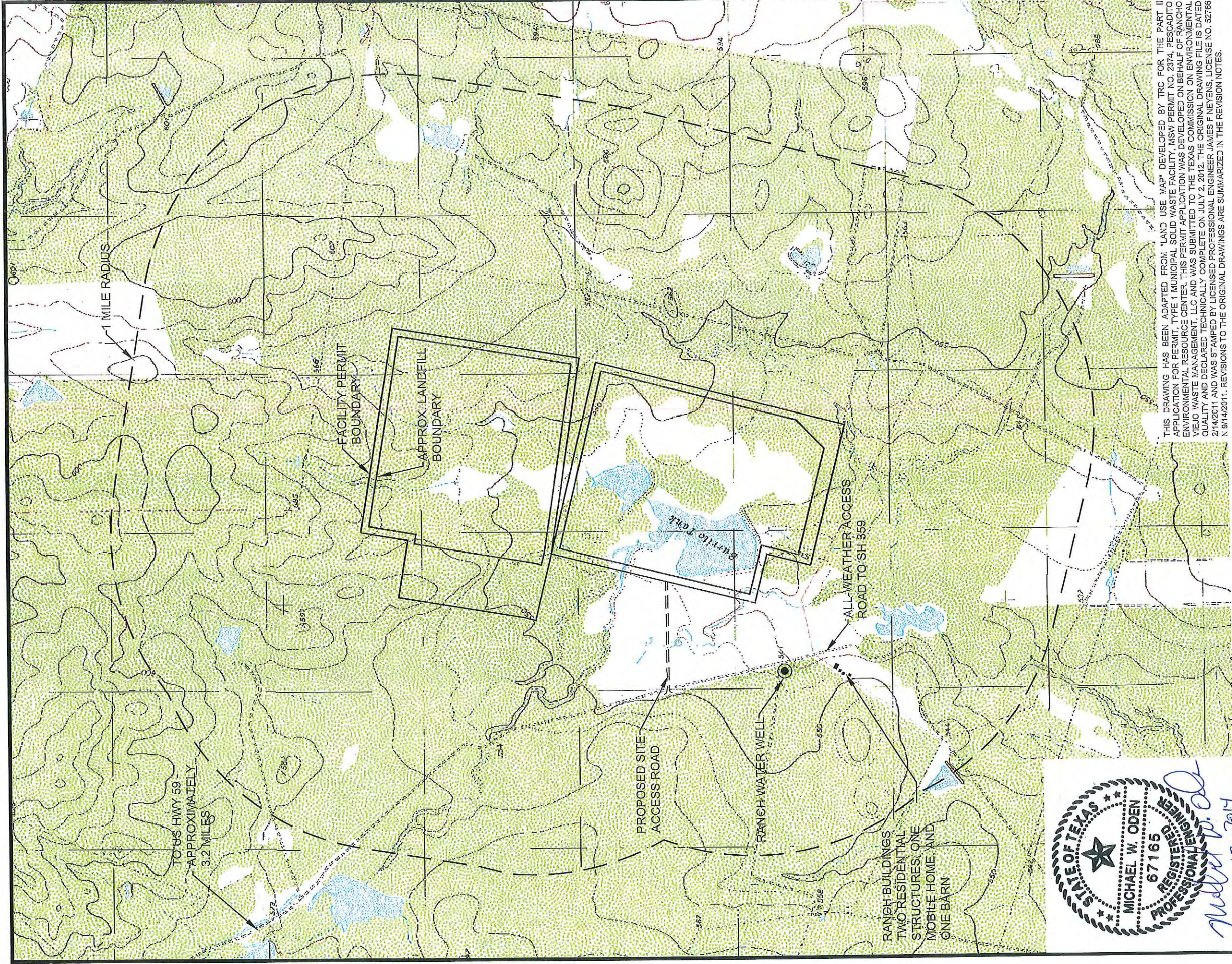
MWO

PROJ. NO.:

148866

DATE:

MAY 2014



THIS DRAWING HAS BEEN ADAPTED FROM "LAND USE MAP" DEVELOPED BY TRC FOR THE PART II APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, NSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 2/14/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEVENS, LICENSE NO. 52766 N 9/14/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.

LEGEND

- WATER WELL (NONE WITHIN 500')
- STRUCTURE OR INHABITABLE BUILDING
- POND OR LAKE

SCALE IN FEET
1" = 2000'

SOURCE
U.S.G.S. 7.5-MINUTE SERIES TOPOGRAPHIC MAP, BURRITO TANK (1980), TEXAS.

NOTES

1. BASE MAP BY TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.
2. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650
3. 100 PERCENT OF LAND USE AT AND WITHIN 1 MILE OF PROPOSED FACILITY IS CATTLE RANCHING INTERMIXED WITH OIL AND GAS PRODUCTION.
4. TWO RESIDENTIAL STRUCTURES & ONE MOBILE HOME FOR RANCH PERSONNEL ARE LOCATED WITHIN ONE MILE.
5. THERE ARE NO COMMERCIAL ESTABLISHMENTS, SCHOOLS, LICENSED DAY CARE FACILITIES, CHURCHES, CEMETARIES, OR RECREATIONAL AREAS WITHIN ONE MILE.
6. ALL PONDS OR LAKES ARE MAN-MADE LIVESTOCK WATERING TANKS.
7. EASEMENTS SHOWN ON FIGURE 4, SHEETS 1 & 2, PART I



6-12-2014

CB&I Environmental
& Infrastructure, Inc.

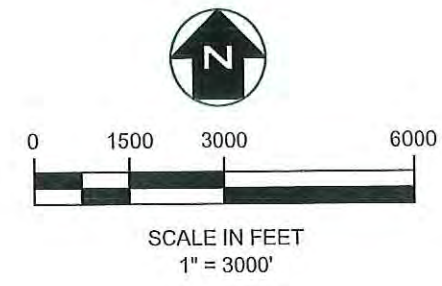
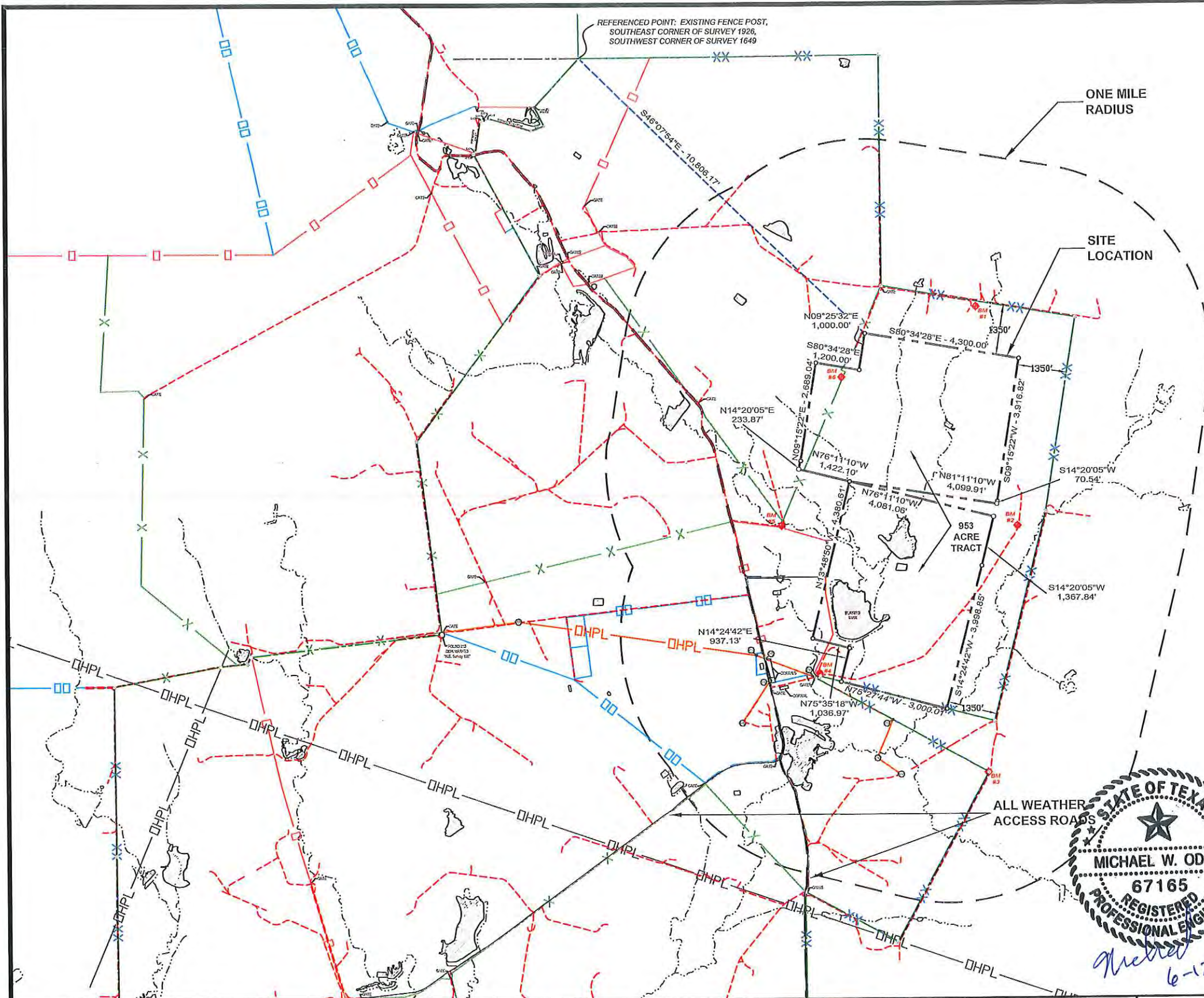
12005 FORD RD, SUITE 600
DALLAS, TEXAS 75234
(972) 773-8400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is copyrighted and remains intellectual property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in part or in whole, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

PESCADITO ENVIRONMENTAL RESOURCE CENTER WEBB COUNTY, TEXAS

FIGURE 8 - PART II LAND USE MAP

DRAWN BY:	MTE	APPROVED BY:	MWO	PROJ. NO.:	148866	DATE:	MAY 2014
-----------	-----	--------------	-----	------------	--------	-------	----------



LEGEND

- FACILITY PERMIT BOUNDARY LINE
- PROPERTY BOUNDARY (FENCE LINE)
- FACILITY ACCESS ROAD EASEMENT
- ALL-WEATHER ACCESS ROAD
- DIRT ROAD
- OHPL --- OVERHEAD ELECTRICAL POWER LINE
- 8' HOG FENCE LINE
- 4' HOG FENCE LINE
- 4" BARB WIRE FENCE LINE
- DUAL FENCE LINE
- POND
- FOUND FENCE CORNER
- o SET 1/2" IRON ROD
- ◆ BENCHMARK
- ⊕ POWER POLE

NOTES

1. SOURCE: BOUNDARY AND IMPROVEMENT SURVEY MEIJA ENGINEERING COMPANY (8/15/11 & 5/9/14)
2. WELLS SHOWN INCLUDE ACTIVE AND ABANDONED OIL AND GAS WELLS
3. TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775
4. FACILITY PERMIT BOUNDARY REVISED BY CB&I (SHAW ENVIRONMENTAL, INC.) TBPE FIRM F-5650

THIS DRAWING HAS BEEN ADAPTED FROM "SUPPLEMENTAL LAND USE MAP" DEVELOPED BY TRC FOR THE PART II APPLICATION FOR PERMIT, TYPE 1 MUNICIPAL SOLID WASTE FACILITY, MSW PERMIT NO. 2374, PESCADITO ENVIRONMENTAL RESOURCE CENTER. THIS PERMIT APPLICATION WAS DEVELOPED ON BEHALF OF RANCHO VIEJO WASTE MANAGEMENT, LLC AND WAS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND DECLARED TECHNICALLY COMPLETE ON JULY 2, 2012. THE ORIGINAL DRAWING FILE IS DATED 2/14/2011 AND WAS STAMPED BY LICENSED PROFESSIONAL ENGINEER JAMES F. NEYENS, LICENSE NO. 52766 ON 9/13/2011. REVISIONS TO THE ORIGINAL DRAWINGS ARE SUMMARIZED IN THE REVISION NOTES.



1	5/22/2014	REVISED FACILITY PERMIT BOUNDARY
REV. NO.	DATE	DESCRIPTION

CB&I Environmental & Infrastructure, Inc.

12005 FORD RD, SUITE 600
DALLAS, TEXAS 75234
(972) 773-8400

CB&I Environmental and Infrastructure, Inc. has prepared this document for a specific project or purpose. All information contained within this document is copyrighted and remains intellectual property of CB&I Environmental and Infrastructure, Inc. This document may not be used or copied, in part or in whole, for any reason without expressed written consent by CB&I Environmental and Infrastructure, Inc.

**PESCADITO ENVIRONMENTAL RESOURCE CENTER
WEBB COUNTY, TEXAS**

**FIGURE 9 - PART II
SUPPLEMENTAL LAND USE MAP**

DRAWN BY:	MTE	APPROVED BY:	MWO	PROJ. NO.:	148866	DATE:	MAY 2014
-----------	-----	--------------	-----	------------	--------	-------	----------

Attachment A

T&E Species and Wetlands Assessment



DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P.O. BOX 17300
FORT WORTH, TEXAS 76102-0300

December 19, 2013

Regulatory Division

SUBJECT: Project Number SWF-2011-00398, Pescadito Environmental Resource Center

Mr. Kevin Ramberg
aci consulting
1001 Mopac Circle
Austin, Texas 78746

Dear Mr. Ramberg:

Thank you for your letter received December 6, 2013, concerning the proposal by Rancho Viejo Waste Management, LLC, to establish a solid waste management facility on a 1,110-acre tract of the Yugo Ranch located in Webb County, Texas. This project has been assigned Project Number SWF-2011-00398. Please include this number in all future correspondence concerning this project.

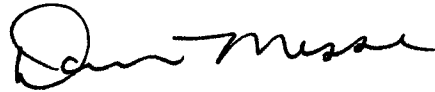
Under Section 404 of the Clean Water Act the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. USACE responsibility under Section 10 of the Rivers and Harbors Act of 1899 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, and other information available to us, we have determined this project will not involve activities subject to the requirements of Section 404 or Section 10. Therefore, it will not require Department of the Army authorization pursuant to Section 404 and/or Section 10.

The USACE based this decision on an approved jurisdictional determination (JD) that there are no waters of the United States on the project site. This approved JD is valid for a period of no more than five years from the date of this letter unless new information warrants revision of the delineation before the expiration date.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Mr. Darvin Messer at the address above or telephone 817-886-1744 and refer to your assigned project number.

Please help the Regulatory Program improve its service by completing the survey on the following website: http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen L Brooks".

for Stephen L Brooks
Chief, Regulatory Division

Kevin Ramberg

From: Messer, Orville Darvin SWF <Darvin.Messer@usace.army.mil>
Sent: Tuesday, September 03, 2013 1:50 PM
To: Mullins, Donna; Parrish, Sharon; kwok.rose@epa.gov; Isolated Waters
Cc: Dixon, Vicki G SWD; Kevin Ramberg; Steve Paulson; Madden, David E SWF; Walker, Jennifer R SWF
Subject: SWF-2011-00398; Rancho Viejo; Webb County, Texas (UNCLASSIFIED)
Attachments: Final JD Form_Rancho_Viejo.docx; AJD_supplemental_info_Rancho_Viejo.pdf

Classification: UNCLASSIFIED

Caveats: NONE

All,

Based on guidance provided by USACE and USEPA headquarters, it appears the subject project area contains intra-state, isolated, non-navigable waters whose jurisdiction could be supported based solely on links to interstate commerce under 33 CFR 328.3(a)(3).

A) Project Manager: Darvin Messer-Fort Worth District; 817-886-1744

B) Project Name: Rancho Viejo

C) The JD is being coordinated as intra-state, isolated, non-navigable waters under 33 CFR 328.3(a)(3). The JD is not associated with a permit application. The potential isolated waters consist of excavated upland stock tanks, historically (50+ years ago) dammed drainage swales and fringe emergent wetlands that are not adjacent to a water of the U.S.

D) Joint HQ review must be initiated within 21 calendar days. If neither the USACE or USEPA HQ chooses to initiate a joint review within 21 calendar days, and the USEPA regional office does not elevate within 15 calendar days, the District will proceed and finalize the JD. The end date for review is September 25, 2013.

E) The property is located in Webb County, Texas. See attached figures.

Thank you!

Darvin Messer
Regulatory Project Manager
USACE Fort Worth District
PO Box 17300
819 Taylor Street
Fort Worth, TX 76102
817-886-1744
817-886-6493 - fax
darvin.messer@usace.army.mil

Please help the Regulatory Program improve its service by completing the survey on the following website:
<http://per2.nwp.usace.army.mil/survey.html>

Classification: UNCLASSIFIED

Kevin Ramberg

From: Messer, Darvin O SWF <Darvin.Messer@usace.army.mil>
Sent: Wednesday, October 23, 2013 11:07 AM
To: Kevin Ramberg; Steve Paulson
Cc: Madden, David E SWF; Walker, Jennifer R SWF
Subject: FW: Rancho Viejo (SWF-2011-00398) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Concurrence from USEPA...

-----Original Message-----

From: Mullins, Donna [<mailto:mullins.donna@epa.gov>]
Sent: Wednesday, October 23, 2013 10:51 AM
To: Messer, Darvin O SWF
Cc: Parrish, Sharon
Subject: [EXTERNAL] Rancho Viejo (SWF-2011-00398)

Darvin,

Thank you for the opportunity to review the jurisdictional determination for Rancho Viejo, Webb County, Texas. Based upon our review, we concur that this site is a intra-state, isolated, non-navigable waters under 33 CFR 328.3 (a)(3). If you have any questions concerning this response, please call me at (214) 665-7576.

Donna

Classification: UNCLASSIFIED
Caveats: NONE



In Reply Refer To:
FWS/R2/CLES/

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Coastal Ecological Services Field Office
3325 Green Jay Road
Alamo, TX 78516
956/784-7560/ (Fax) 956/787-8338



January 27, 2014

Kevin Ramberg
ACI Consulting
1001 Mopac Circle
Austin, TX 78746

Consultation No. 02ETCC00-2012-I-0032

Dear Mr. Ramberg;

Thank you for your letter and Revised Biological Assessment regarding the effects of the proposed issuance of a Conditional Letter of Map Revision (CLOMR) for the Pescadito Environmental Resource Center (PERC) in Webb County, Texas. The proposed PERC site includes 1,110 acres in rural Webb County approximately 20 miles east of Laredo, Texas. In order for the construction and operation of a municipal solid waste landfill to commence, modifications to the 100-year floodplan will be needed. Your client, Rancho Viejo Waste Management, proposes to construct and maintain various infrastructure flood control features north and west of the PERC site.

There are five species federally listed as threatened or endangered in Webb County: jaguarundi, ocelot, interior least tern, ashy dogweed and Johnston's frankenia. While the Biological Assessment concluded "no effect" determinations for ocelot, interior least tern, ashy dogweed and Johnston's frankenia, a "may affect, not likely to adversely affect" determination was made for the jaguarundi. Proposed Conservation Measures to benefit the jaguarundi include a conservation easement on a 75-foot buffer on either side of a drainage corridor (total length approximately 7,500 linear feet) as well as revegetation, light limitations, vehicular traffic control, and a lowered speed limit.


Based on project discussions, information in your letter, and the proposed conservation measures for the jaguarundi, we concur with the not likely to adversely affect call. The Service does not provide concurrence for "no effect" determinations but by making determinations we believe that section 7(a)(2) of the Endangered Species Act has been complied with. Should project plans change or new species information become available, this determination can be reconsidered.


The Migratory Bird Treaty Act implements various treaties and conventions for the protection of migratory birds, and under the Act, taking, killing or possessing migratory birds is unlawful. We recommend activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests or eggs. If project activities

must be conducted during this time, we recommend surveying for nests prior to commencing work and if a nest is found, and if possible, we recommend a buffer of vegetation (≥ 50 ft) remain around the nest until young have fledged or the nest is abandoned.

Thank you for your concern for endangered and threatened species, migratory birds, and other wildlife resources and we appreciate the opportunity to review and comment on the proposed project. If we can be of further assistance, please contact Brunilda Fuentes-Capozello (956)784-7631.

Sincerely,

A handwritten signature in dark ink, appearing to read "Edith Erfling". The signature is fluid and cursive, with a large initial "E".

 Edith Erfling
Field Supervisor