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Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 1, 2015

Mr. Carlos Y. Benavides, III  
Manager  
Rancho Viejo Waste Management, LLC  
1116 Calle del Norte  
Laredo, Texas 78041

Re: Declaration of Administrative Completeness  
Rancho Viejo Waste Management, LLC – Pescadito Environmental Resource Center  
Laredo, Webb County, Texas  
Municipal Solid Waste Permit Number: 2374  
CN603835489/RN106119639  
Bifurcated Type I Permit Application

Dear Mr. Benavides:

The Executive Director has declared Parts III and IV of the above referenced bifurcated application administratively complete. By your letter dated March 5, 2015, you have requested that Parts III and IV of the application be processed with Parts I and II of the application rather than continuing under the bifurcated permit application process. In response, TCEQ has consolidated the review and processing of all parts of the application.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Public Notice Verification Form
- Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

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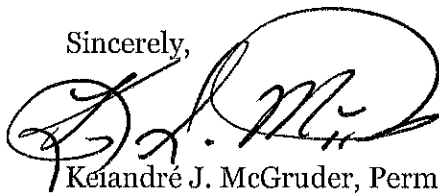
Re: Proposed Municipal Solid Waste Permit Number: 2374

2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.
3. For each publication, return proof of publication of the newspaper notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with **all** the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at (512) 239-3300. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,



Kelandré J. McGruder, Permit Application Reviewer  
Business & Program Services Section  
Waste Permits Division  
Texas Commission on Environmental Quality

Enclosures

cc: Mr. Michael Oden, CB&I Environmental and Infrastructure, Inc., Dallas

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN MUNICIPAL SOLID WASTE PERMIT

PROPOSED PERMIT NO. 2374

**APPLICATION.** Rancho Viejo Waste Management, LLC, 1116 Calle del Norte, Laredo, Webb County, Texas 78041, a waste management facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a proposed Permit No. 2374, to authorize the Pescadito Environmental Resource Center, a new MSW Type I Landfill, Recycling, and Processing Facility. The facility is located at approximately 5 miles southeast of U.S. Highway 59 at Ranchitos Las Lomas, Laredo, Webb County, Texas 78043. The land use compatibility portion of the application was received by the TCEQ on March 28, 2011 under a bifurcated permit application process and declared administratively complete June 1, 2011. Portions of the permit application, Parts III and IV, were received by TCEQ on March 9, 2015. These parts have been consolidated with the pending application addressing land use, and the entire application will now be considered in one proceeding. The permit application is available for viewing and copying at the Laredo Public Library, 1120 East Calton Road, Laredo, Webb County, Texas 78041-7328 and may be viewed online at <http://www.pescaditoerc.com>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice:

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=27.558888&lng=-99.16&zoom=13&type=r>. For exact location, refer to application.

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined Parts III and IV of the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application.

**Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

**PUBLIC COMMENT/PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. A public meeting will be held by the Executive Director if requested by a member of the legislature who represents the general area where the facility is to be located or there is substantial public interest in the proposed activity. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments and the Executive Director's decision on the application will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.** If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**AGENCY CONTACTS AND INFORMATION.** All public comments and requests for public meeting, contested case hearing, or reconsideration of the Executive Director's decision must be submitted either electronically at [www.tceq.texas.gov/about/comments.html](http://www.tceq.texas.gov/about/comments.html) or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087.

If you choose to communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record.

For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Rancho Viejo Waste Management, LLC at the address stated above or by calling Mr. Carlos Y. Benavides, III, Manager at (956) 523-1400.

Issuance Date: May 1, 2015