

## **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**

**April 20, 2015**

**September 2015 By:**



CB&I Environmental and Infrastructure, Inc.

TBPE Firm Registration No. F-5650



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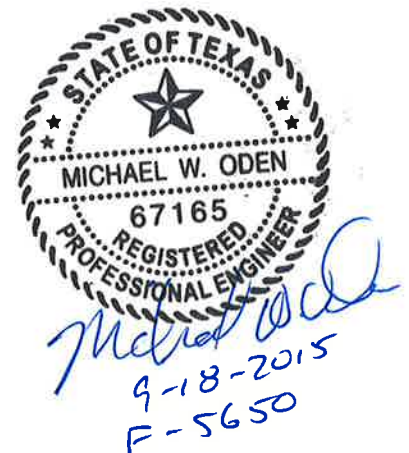
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## **1.0 REQUIREMENTS OF §305.45 [330.59(a)]**

### **1.1 Form TCEQ-0650 [305.45(a)(1)-(5)]**

Form TCEQ-0650 provides names, addresses, locations, contact information, and other required information for the facility, owner, and applicant. It also contains a brief description of the nature of the business and activities to be conducted by the applicant that require a permit. Additional information on these activities may be found in Section 1.4.1 below.

### **1.2 Maps [305.45(a)(6)]**

A topographical map is provided as Figure 6, Part II. The landowner's map is provided as Figure 3, Part I. County highway maps were used to prepare Figures 1 and 2, Part I. The Facility Layout Map and Operations Area Layout Map, Figures 3 and 4 in Part II, portray the location of regulated facilities and associated activities to the extent currently known. Locations of specific facilities may change somewhat during the detailed design of the facility, but will remain in the same general location presently shown.

Existing wells and surface water bodies are shown by the Land Use Map, Figure 8, Part II. There are no springs. This figure, the Supplemental Land Use Map, and the Aerial Photograph, collectively Figures 7, 8, and 9, Part II, show the general character of areas adjacent to the Facility. There are no existing waste disposal activities at or near the facility, so none can be shown. The ownership of all tracts of land adjacent to and within ¼ mile of the Facility is shown on the Land Ownership Map, Figure 3, Part I.

### **1.3 Permits or Construction Approvals [305.4(a)(7)]**

Following is the status of permits or construction approvals received, applied for (or anticipated to be applied for):

Hazardous Waste Management Program under the Texas Solid Waste Disposal Act – not applicable to proposed facility,

Underground Injection Control Program under the Texas Injection Well Act – an application for a Class 2 injection well permit will be submitted in the future, for disposal of oil field wastewater,

National Pollutant Discharge Elimination System Program under the Clean Water Act and Waste Discharge Program under the Texas Water Code, Chapter 26 – an NOI will be submitted to TCEQ for coverage by a storm water discharge general permit,

Prevention of Significant Deterioration Program under the Federal Clean Air Act (FCAA) – not applicable to proposed facility,

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

leachate and for recovery of landfill gas for beneficial use. Because the site area already contains many natural gas wells, it is expected that landfill gas will be processed and/or scrubbed as it is generated to produce gas of marketable quality, which will then be metered and introduced into the nearby existing natural gas gathering system. Other facilities planned for the site include a material recovery facility (known in the waste industry as a “clean MRF”) to process co-mingled recyclables, such as those collected in the single-stream curbside collection programs that have become popular in many cities in the U.S. The clean MRF will process these recyclable materials to separate them into various commodities for sale. Potentially, a MRF for electronic waste (e-waste) may also be established at the site.

**Transportation Access** - One characteristic of the site that is favorable for the development of PERC is the site’s access to a relatively inexpensive bulk transportation system, a nearby railroad. The majority of the waste and recyclable materials to be brought to PERC will be hauled by rail, and this waste and material will not travel on public roads in any highly populated area in or near Laredo. The site is accessible for waste hauled by truck, as it is located about four miles from U.S. Highway 59 (Hwy 59) and about five miles from Texas Highway 359 (SH 359), and about 25 miles from Interstate 35 (I-35) in Laredo. Both highways provide suitable access to the site from Laredo, Corpus Christi (110 miles), San Antonio (130 miles), Austin (250 miles) and Houston (325 miles). The access route to the site from Laredo will be SH 359 via Jordan Road, which is an all-weather surface roadway managed by Webb County. Jordan Road “dead ends” at Yugo Ranch about 5.1 miles north of SH 359. There is no vehicle weight limits posted on this road. The access road from Hwy 59 will be used only in case of emergency, not for the routine traffic by trucks hauling solid waste. The owners of Yugo Ranch will convey an easement generally along existing all-weather ranch roads to RVWM, as necessary to ensure access to the landfill site, and RVWM will improve and maintain this road as its main access route. The existing all-weather access roadway between PERC and Hwy 59 is proposed to be maintained strictly as a secondary, emergency use only, access route into the facility. In the event that road maintenance is being performed on the primary access road, or unusual weather has disrupted access, the secondary access road could be used temporarily to keep the facility in service.

The main line of the Kansas City Southern Railway Co. (KCS) between the United States and Mexico passes through Yugo Ranch about two miles from the site. KCS acquired this portion of its rail system from the Texas Mexican Railway Company (Tex Mex) through a merger in 1995. Through this and other mergers and acquisitions over the years, KCS now owns or has direct access to rail lines in the United States that extend from Chicago and the Twin Cities in the north, through Illinois and Missouri south to Texas, east into Tennessee and Alabama, and throughout Louisiana. Significantly, the KCS rail lines also

extend throughout the industrialized portions of Mexico. Additionally, KCS has established formal marketing agreements with Norfolk Southern RR in the northeast U.S., CSX in the southeast, Union Pacific in the Midwest to the West Coast, and BNSF in the Midwest, northwest, and southwest. KCS marketing agreements also include the Canadian Pacific RR and Canadian National RR. Having these partnership agreements in addition to its owned tracks gives KCS access to all population and industrial centers in North America, allowing it to benefit from international trade and shipping under the North American Free Trade Agreement (NAFTA).

The rail network of KCS and the presence of the KCS main line within two miles of the site provide a significant advantage to this facility. Railroads have re-established a prominent role in the U.S. shipping industry, particularly for long-distance and bulky or heavy commodity shipping. High diesel fuel costs in recent years redefined shipping in the U.S. High fuel costs have adversely impacted the profitability of the trucking industry and made railroads much more economical than trucks hauling heavy loads long distances. Marketing agreements between railroads, such as those put in place by KCS, and computerized programming of routes and rail car shipments have helped railroads become much more cost effective than in the past. There is probably no better endorsement of the renewed viability of railroads than the purchase of the Burlington Northern and Santa Fe RR (BNSF) by Warren Buffet in November 2009. Mr. Buffet is traditionally ranked as one of the two or three wealthiest persons in the world by Forbes Magazine. Many investors believe Mr. Buffet is wealthy because of his sound investments.

**Favorable Site Conditions** - A second characteristic that is favorable for the development of PERC is the suitability of the site. The site offers excellent land use compatibility, highly favorable soil, groundwater and climatological conditions, and absence of any other potentially detrimental environmental issues. Conditions at the site are either highly favorable or capable of being properly addressed through appropriate facility design or other reasonable precautions. Only two permanent residential structures, including one house and one mobile home, are located within a one-mile radius of the site. These are located at the headquarters of Yugo Ranch, the host ranch. The human population within a five-mile radius of the site is estimated to be about 350 persons, essentially all living in the small community of Ranchitos Las Lomas located along Hwy 59 about four miles northwest of the site.

Soil in the upper 160 feet at the site was found to be predominantly clay, occasionally interbedded with claystone, sandstone and shale, and these soil types are believed to extend much deeper. The soils exist in nearly horizontal beds that exhibit very low vertical permeability. These soil conditions provide a naturally favorable site setting, and



the clay will provide excellent material for construction of liners, caps and cover systems. Surficial soils are stable and resist erosion, as evidenced by the absence of stream beds or other drainage features cut into the surface topography.

While groundwater is encountered in thin layers of sandy or silty material within otherwise highly impermeable clay, this groundwater is essentially not usable due to its very low production potential and poor water quality. The uppermost aquifer beneath the site that is capable of producing water in potentially useful quantities to wells is the Jackson-Yegua Aquifer, which is expected to be encountered in the upper 750 feet below ground surface at the facility area. Water in this aquifer is poor to very poor in quality, due to concentrations of total dissolved solids, chloride and sulfate that exceed Federal drinking water standards. The Jackson-Yegua Aquifer is classified as a minor aquifer, because it produces relatively low yields of highly mineralized water. These water quantity and quality issues limit the usefulness of Jackson-Yegua Aquifer water for human consumption and agricultural uses such as livestock watering or crop irrigation. The site area is geologically stable, with no evidence of faults and a historical earthquake incidence rate significantly below the Texas state average. Rainfall averages about 20 inches per year, and will favor a water balance final cover system. Historically for this area, 3.1 inches of rain falls in May and 3 inches in September, the two wettest periods of the year. Some rainfalls are relatively intense, and this combines with the very low permeability of the site's soils and very flat slopes to produce relatively broad areas that are subject to inundation during the 100-year frequency rainfall event. However, the site is situated in a mostly upland area near the top of the watershed, and existing or proposed livestock watering tanks capture and store a portion of the area's storm water runoff. As a result, the quantity of storm water runoff that will flow across the site is relatively low. Such runoff volumes can be readily contained in the perimeter drainage system that will be designed to remove the entire landfill footprint from the 100-year flood plain.

**National Trend for Regional Landfills and Longer Hauling Distances-** A third factor that supports the proposed facility is the national trend to fewer but larger landfills that serve more distant waste generators through long hauling. This trend is not nearly as evident in Texas as it is in other areas of the country such as the Northeast, the Northwest and California. For years many landfills in these parts of the country have been reaching capacity and closing. Conflicting land use and too many nearby neighbors made expanding many existing landfills uneconomical or virtually impossible. In many areas of the country there is also a scarcity of potential new landfill sites that meet all the necessary criteria, including: sufficiently large land area; suitable soil, geology, and groundwater conditions; acceptable neighboring land use; and access to economical transportation.

**Description of Facilities and Systems** – PERC will be designed and permitted to accept a variety of waste types. However, regulated hazardous waste and regulated radioactive wastes will not be accepted. Types of wastes that will be accepted for landfill disposal include:

Municipal solid waste,

Non-hazardous industrial waste,

Construction and demolition waste,

Coal combustion ash and pollution control sludges,

Filter cake and process sludge from industrial and municipal water and wastewater treatment plants,

Non-hazardous industrial waste from maquiladora industries in Mexico, and

Event-type waste from disaster clean-ups.

Materials that will be received for processing may include:

Unsorted or mixed recyclables for processing and recovery of commodities,

Scrap tires for processing and beneficial reuse,

Electronic waste for processing and beneficial reuse, and

Grease trap and grit trap wastes for processing and potentially beneficial reuse.

Materials that will be received for deep well injection include liquids from oil and gas exploration and production under the regulatory jurisdiction of the Railroad Commission of Texas (RCT).

Waste for landfill disposal at PERC is anticipated to be between 1,000,000 and 2,000,000 tons per year (tpy) in the first few years after the landfill is permitted and constructed. This is between about 2,750 and 5,500 tons per day (tpd), based on receiving waste seven days per week. Going forward, the facility might receive a higher rate of waste, and will have ample capacity to accept larger quantities, but it is difficult to estimate what the future quantity may be. It is expected that almost all incoming waste will be received based on multi-year contracts with generating sources, which will be a combination of local governmental entities, private waste companies with local hauling contracts but no local landfill, and industries. Waste sources are not yet completely determined, as the facility will need to be much closer to being ready to operate before contracts for waste disposal can be put into effect. Consequently, the points of origin of incoming waste have not yet been determined. It is anticipated that PERC will receive solid waste



generated in the City of Laredo, as that city's existing landfill is reported to have less than 10 years of remaining capacity and is not likely to be expanded. The City of Laredo landfill received 378,000 tons of solid waste in FY 2008, and waste receipts should increase over the near future as the Laredo population continues to grow. For planning purposes, it is assumed that PERC will receive approximately half of Laredo's solid waste when its landfill closes in the future, and that the amount of future waste will be about 235,000 tpy, or about 750 tpd (six days per week basis). This waste will be brought to the site by trucks. PERC intends to offer the City of Laredo the opportunity to deliver its solid waste to a proposed transfer station that PERC would construct and operate in or near the city, to facilitate transportation of the City's waste to the facility. Additionally, municipal solid waste, construction and demolition (C&D) waste, and water and wastewater treatment sludge are expected to be between 1,250 and 4,000 tpd, and various industrial wastes are estimated to average about 750 tpd, all transported by rail. Industrial waste from the maquiladora industries in Mexico will also be rail-hauled to the site. KCS owns and operates the rail line on the International Bridge between Laredo and Nuevo Laredo, Tamaulipas.

Waste from Laredo will be trucked to the site via Hwy 359. It is anticipated that a waste transfer station will be established in the city, so that the city waste collection trucks will not need to drive to and from the facility. Instead, waste will be hauled by semi-tractor trailer units dedicated to the transfer station operation. About 30 to 35 transfer truck trips per day are anticipated to carry the 750 tpd to the site. The transfer station will be subject to obtaining a permit or registration from TCEQ. Until the permit or registration is issued, waste collection trucks would haul waste directly to the landfill.

Rail-hauled waste will be transported by several methods. The most common transportation method for the municipal solid waste will involve loading the waste into intermodal shipping containers at the waste generators' transfer stations. Once they are filled, either the containers will be directly loaded onto flat-bed rail cars if the transfer station has rail access, or they will be transported on flatbed trucks to an intermodal rail yard for loading onto rail cars. This method of shipment is commonly used for shipping a wide variety of commodities across the country and internationally, and is also used in most waste-by-rail operations. Some bulk-type industrial wastes, coal combustion waste, most municipal and industrial sludges, and many C&D waste streams may be hauled by gondola cars, provided the particular waste is not subject to odors, wind-blown release of waste, or has similar restrictions. Some generators may establish waste transfer stations that employ balers. Baled waste is readily transportable, as a baler produces a cube of highly compressed waste wrapped in wires. Baled waste is quite stable, and can be moved and stacked inside intermodal containers by conventional fork-lifts, in the same manner as many commodities. Some waste baling operations include wrapping the bale

in polyethylene film which seals in odors and any liquids that might be present, and keeps out rainwater and insects, making shipping the waste to the landfill very secure and unobjectionable.

Initially, PERC may receive waste in intermodal shipping containers at the new KCS container facility east of Laredo. If this option is employed, the intermodal containers with waste will be off-loaded from rail cars to flatbed tractor trailers that will be driven to the landfill. As the volume of waste received increases over time, PERC will construct a rail siding along the KCS main line on Yugo Ranch. The facility will employ a container moving equipment to off-load the intermodal containers from rail cars to flat bed tractor-trailer units which will haul the containers to the working face area of the landfill. A long boom crane with a container lifting mechanism will remove each container from the truck and place it near the working face, where a worker will unseal and open the doors. The crane operator will then tip the container to dump the waste into the working face, where the waste will be compacted into the landfill. The crane operator will remove the container for cleaning, and then replace the empty container on the truck bed so it can be returned to the rail car and eventually returned to a waste generator for re-use. As waste volume increases, a rail spur may be constructed into the landfill area to eliminate the step of off-loading containers onto flat-bed trailers. Also, if the disposal market offers sufficient opportunity for accepting waste in gondola cars, a rail car tipper will be added to the rail siding or spur. Car tippers are commonly used to unload coal at power plants, and are also used for waste transfer at waste-by-rail landfill sites, such as at the ECDC landfill near East Carbon, Utah.

The landfill will include a conventional RCRA Subtitle D design with a composite liner and leachate collection system. Provisions will be made for leachate recirculation, to create a bioreactor that will speed the decomposition of organics in the waste and encourage the production of landfill gas. If landfill gas recovery is authorized by a future registration, the landfill gas will be collected and treated to the degree necessary for sale of the gas into one of the natural gas collection systems that exist in the general area of the site. Gas treatment is anticipated to include drying to remove excessive water vapor and treatment to remove carbon dioxide to increase its BTU content.

Ancillary facilities proposed for PERC may include a processing facility for recyclable materials, often called a clean materials recovery facility or "clean MRF. This facility will function to separate and recover all re-usable or recyclable components that have economic value from their respective source streams. The source stream for the clean MRF will be materials collected in curbside recycling programs and citizen drop-off centers offered in most cities. The MRF will use a combination of manual picking and mechanical sorting to produce as many recyclable commodities as possible. The

recovered commodities will be baled or containerized and shipped to markets for these commodities. The site's rail access will provide economical transport of the incoming recyclables and shipment of the recovered commodities to their markets. Unrecoverable materials, or materials that have no use or value as recycled commodities will be landfilled. In addition, it is proposed that grease and grit wastes from the Laredo area will be processed to reduce the water content and then landfilled, with the expectation that recovered grease may be used for energy recovery in the form of methane gas production, depending on volumes and the availability of suitable equipment or technology. Landfill gas recovery will only occur after a future registration through TCEQ to authorize this activity.

PERC will seek a permit from the Railroad Commission of Texas (RRC) to construct and operate a Class 2 underground injection well at the site. This type of injection well is limited to the injection of liquids originating in oil and gas exploration and production, which basically is limited to condensate, produced water and brine. Plans for this facility are still being formed, but the injection facility is expected to include one or more above-grade storage tanks, a pre-injection filter system to remove solid matter, an injection pump, and the well itself. The application for this injection well permit, and further details of the plans and specifications for the system, are being prepared as a separate regulatory process through the RRC. Discussion of this aspect of PERC is included here in the interests of providing a complete picture of the total anticipated development of the site. The Class 2 well, or a separate Class 5 well may also be used for the disposal by underground injection of shallow groundwater produced during the construction and initial operation of the landfill.

#### **1.4.2 Volumes, Rates and Characteristics of Wastes**

Types of wastes that will be accepted for landfill disposal, along with their volume or rate include:

Municipal solid waste by rail – estimated to be between 1,250 and 4,000 tpd,

Municipal solid waste by truck – estimated to be 750 tpd,

Non-hazardous industrial waste – estimated to be 750 tpd,

Construction and demolition waste – included with municipal solid waste,

Coal combustion ash and pollution control sludges – included with industrial waste,

Filter cake and process sludge from industrial and municipal water and wastewater treatment plants – included with municipal solid waste,

Non-hazardous industrial waste from maquiladora industries in Mexico – included with industrial waste, and

Event-type waste from disaster clean-ups – varies from none to occasionally up to 2,000 tpd.

The types of materials that will be received for processing, along with their volume or rate, may include:

Unsorted or mixed recyclables for processing and recovery of commodities – up to 500 tpd, and

Liquid waste, including grease trap and grit trap wastes for processing and solidification (ultimately for beneficial reuse) – up to 50,000 gallons per day.

The characteristics of these wastes and materials are provided in the definitions found at 30 TAC §330.3 (1) through (181). No regulated hazardous wastes will be accepted. Special wastes as defined by 30 TAC §330.3 (148) and Class 2 and Class 3 industrial wastes will be accepted, except for any such wastes that cannot be effectively processed, handled or disposed at this facility. Class 1 non-hazardous wastes will also be accepted. Class I Industrial Waste amounts will not exceed 20 percent of the total amount of all waste (not including Class 1 Waste) accepted for disposal during the current or previous year.

Materials that will be received for deep well injection include liquids from oil and gas exploration and production under the regulatory jurisdiction of the RRC.

Waste for landfill disposal at PERC is anticipated to be between 1,000,000 and 2,000,000 tons per year (tpy) in the first few years after the landfill is permitted and constructed. This is between about 2,750 and 5,500 tons per day (tpd), based on receiving waste seven days per week. The facility expects to receive a higher rate of waste, and will have ample capacity to accept larger quantities. The landfill units have a total disposal capacity currently estimated to be about 175-225,000,000 tons, and have a capacity to receive and dispose of as much as 10,000 tpd.

The above volumes and rates are estimates, and it should be understood that it is difficult to accurately estimate what the future volumes and rates of waste receipts may be. Almost all incoming waste will be received based on multi-year contracts with various waste generators, which will be a combination of local governmental entities, private waste companies with local hauling contracts but no local landfill, and industries.

#### **1.4.3 Other Information**

This permit application has been prepared to demonstrate compliance with the requirements established in 30 TAC 330.57 through 330.65, and related or referenced

rules that are in effect as of the date of this application. The application is formatted to be in general conformance with these rules.

## **2.0 FACILITY LOCATION [330.59(b)]**

The location of the facility with respect to known or identifiable landmarks can be determined by Figures 1 and 2 in Part I. These figures also show the access routes to the facility from United States and state highways. The location of the site is at North 27.559 degrees latitude and West 99.160 degrees longitude.



### 3.0 MAPS [330.59 (c)]

The maps presented as figures in Parts I and II show the elements required by §305.45, as discussed in Section 1.2 above. The General and Detailed Location Maps, the Land Ownership Map, and the Metes and Bounds drawing are presented in Figures 1, 2, 3, and 4 of Part I, respectively. The landowners' list corresponding to Figure 3 is presented below.

Following is a list of all owners of record of real property located within ¼ mile of the proposed facility site boundary, along with a numeric key that identifies the property they own. This key is the same as shown on the Land Ownership Map, Figure 3. This list of landowners and those shown on the Land Ownership Map were obtained from the Webb County Appraisal District deed records, and are the most current available records as of the date of this permit application. Parcel 1 is the proposed PERC site. This parcel is owned by the Applicant, Rancho Viejo Waste Management, LLC.

Parcel 1 -      Rancho Viejo Waste Management, LLC  
                     1116 Calle del Norte  
                     Laredo, TX 78041

Parcel 2 -      Rancho Viejo Cattle Company, LTD  
                     1116 Calle del Norte  
                     Laredo, TX 78041

Parcel 3 -      Volz Arthur C. Jr.  
                     4072 Sucia Dr.  
                     Ferndale, WA 98248-9506

Volz James Richard  
 310 Westmont Dr.  
 Laredo TX 78041-2745

Zuck Sally Ann Volz  
 1609 Matamoros St.  
 Laredo, TX 78040-7714

Martin Margaret Lucille  
 215 W. Bandera Rd. Ste 114-619  
 Boerne, TX 78006-2820

Dammier Martin Catherine  
2901 Teckla Blvd.  
Amarillo, TX 79106-6137

Martin Robert Henry  
3005 Wincrest Cir.  
Laredo, TX 78045-8149

Martin Thomas Frederick  
P.O. Box 430184  
Laredo, TX 78043-0184

Dammier Jordan Trust  
2901 Teckla Blvd.  
Amarillo, TX 79106-6137

Martin John M. III  
414 Plymouth Ln.  
Laredo, TX 78041-2735

Martin Kristell L. Trust  
3005 Wincrest Cir.  
Laredo, TX 78045-8149

Martin Catherine Marie Trust  
1301 Kimberly Dr.  
Laredo, TX 78045-7558

Martin Michael Trust  
414 Plymouth Ln.  
Laredo, TX 78041-2735

Martin John M IV Trust  
414 Plymouth Ln.  
Laredo, TX 78041-2735

Martin Matthew Trust  
P.O. Box 430184  
Laredo, TX 78043-184

Martin Melissa Marie Trust  
P.O. Box 430184  
Laredo, TX 78043-0184

Martin Thomas F. Jr.  
P.O. Box 430184  
Laredo, TX 78043-184

Following are owners of the mineral interest beneath the facility:

Amcon Resources  
P.O. Box 3025  
Oklahoma City, OK 73101-3025

Benavides Family Mineral Trust  
Arturo Benavides  
P.O. Box 217  
Laredo, TX 78042-0217

Hausser, Robert  
405 Terrell Rd.  
San Antonio, TX 78209-5919

Horvet, Elizabeth Ann Sentz  
125 Bridgeway Cir.  
Longwood, FL 32779-4902

Hurd Enterprises Ltd.  
% L B Walker & Associates  
13111 NW Frwy. Ste. 125  
Houston, TX 77040

Killiam Oil Company, Ltd.  
Royalty Accounts  
% L B Walker & Associates  
13111 NW Frwy. Ste. 125  
Houston, TX 77040

Mitchell Minerals, LLC  
P.O. Box 448  
Henryetta, OK 74437

Sentz, Charles Christopher  
P.O. Box 160548  
Altamonte Springs, FL 32716

Sentz, James N.L. Trust  
FBO S L Sentz, Robert W. Sentz, Trustee  
5501 Wayne Ave. Apt. 201  
Philadelphia, PA 19144-3326

Sentz, John Thomas  
234 Rainbow Dr. Ste. 13420  
Livingston, TX 77399-2034

Sentz, Robert Winston  
5501 Wayne Ave. Apt. 201  
Philadelphia, PA 19144-3326

Sentz, Suzanne Louise  
22156 NW 9<sup>th</sup> Pl.  
Gainesville, FL 32605-5201

Warren, Andrea R. Trust  
J.P. Bradley & David Purdy Co-Trustee  
2490 Black Rock Tpke. #307  
Fairfield, CT 06825-2400

Warren, Wendy U. Trust  
James P Bradley, Trustee  
% David E. Purdy CPA  
2490 Black Rock Tpke. #307  
Fairfield, CT 06825-2400

ConocoPhillips Company  
Property Tax Division – Mineral  
% Rpa-Ptrrc Dept.  
P.O. Box 2197, 2 WL 8024F  
Houston, TX 77252

Following are the easement holders of record for the facility according to Webb County Appraisal District (WCAD):

United Texas Transmission Co.  
NO ADDRESS AVAILABLE AT WCAD

Conoco, Inc.  
NO ADDRESS AVAILABLE AT WCAD

Conoco-Phillips Co.  
NO ADDRESS AVAILABLE AT WCAD

However, United Texas Transmission Co. has been acquired by Kinder Morgan Energy Partners, L.P. and Conoco, Inc. merged with Phillip Petroleum to form Conoco-Phillips Inc. These two remaining easement holders may be contacted as follows:

Conoco-Phillips Inc.  
4298 Mangana Hein Road  
Laredo, TX 78043

Kinder Morgan Pipeline Co.  
1902 Bob Bullock Loop  
Laredo, TX 78043

## **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.



## **5.0 LEGAL AUTHORITY [330.59 (e)]**

The applicant, Rancho Viejo Waste Management, LLC., is a Texas limited liability company. It will own and operate the proposed municipal solid waste landfill and related facilities under the name of Pescadito Environmental Resource Center. A copy of the certificate of formation issued to Rancho Viejo Waste Management, LLC., by the Secretary of State is provided as Attachment B. As a manager of, Rancho Viejo Waste Management, LLC., Mr. C.Y. Benavides, III has authority to sign documents on behalf of the company. No person has over a twenty percent (20%) ownership in the proposed facility. Rancho Viejo Waste Management, LLC. is owned by Rancho Viejo Cattle Company, Ltd.

## **6.0 EVIDENCE OF COMPETENCY [330.59 (f)]**

The owner or operator of the proposed MSW facility currently does not own or operate any other solid waste facilities in Texas or elsewhere.

Either a properly licensed solid waste facility supervisor will be hired or an existing officer, partner, or employee of PERC will become licensed as a solid waste facility supervisor prior to commencing the operation of the proposed facility, in accordance with Title 30 of the Texas Administrative Code Chapter 330.59(f) [30 TAC 330.59(f)].

A preliminary schedule of construction and operating equipment that is currently proposed to conduct the operations proposed in this permit application is as follows: Landfill Compactor – Cat 836G or equivalent (minimum one), Bulldozer – Cat D-9R or equivalent (minimum one), Hydraulic Excavator – Cat 330B or equivalent (minimum one), Articulated Dump Truck – Cat 730 or equivalent (minimum one). Additional equipment for construction and operation will be added as necessary.

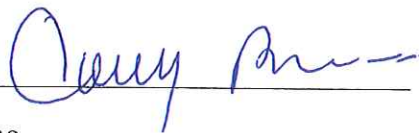
The owner or operator has the financial means to purchase or lease all of the equipment necessary to construct and operate all of the waste management units covered by this permit application. Prior to the commencement of operations, the owner or operator will acquire all such equipment and have it on site. Likewise, the owner or operator will hire a trained and experienced staff of supervisors, equipment operators, technicians, laborers and other categories of employees as needed to construct and operate the facility in accordance with this permit application and the applicable TCEQ rules. At a minimum class the facility will be operated under the supervision of a landfill manager who holds a Class A municipal solid waste facility supervisor license.

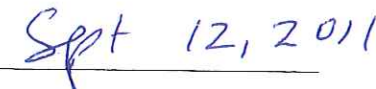
## 7.0 APPOINTMENTS [330.59 (g)]

The following documentation demonstrates that the permit application for the Pescadito Environmental Resource Center by has been signed by a person having authority to do so as required by 30 TAC §305.44.

I, C.Y. Benavides, III, certify under penalty of law that I am a manager of the Applicant Rancho Viejo Waste Management, LLC, and that I am a responsible corporate officer of the Applicant, and as such that I have the authority to sign this permit application on behalf of Rancho Viejo Waste Management, LLC.

This will further certify that I have the authority to state that Rancho Viejo Waste Management, LLC will operate the proposed facility under the TPDES general permit, and that this permit will be obtained when required.

  
Name

  
Date

## **8.0 APPLICATION FEE [330.59 (h)]**

The application fee for this registration application was submitted separately to the TCEQ Office of Finance and Administration. A copy of the payment documentation is provided as Attachment C.