Technical Summary
of the

Peach Creek Environmental Park
MSW Permit Application
No. 2406

Type I Municipal Solid Waste Facility
San Jacinto County, Texas

Applicant:
PC-II, LLC

Date Prepared: November 2021

By the
Municipal Solid Waste (MSW) Permits Section
Office of Waste, Waste Permits Division
Texas Commission on Environmental Quality

This summary was prepared in accordance with 30 Texas Administrative Code Section 281.21(c). The information contained in this summary is based upon the permit application and has not been independently verified.

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Name of Applicant:	PC-II, LLC 300 Concourse Boulevard, Suite 101 Ridgeland, MS 39157
Name of Facility:	Peach Creek Environmental Park
Contact Person:	Mr. Jeffery Hobby, Project Manager 300 Concourse Boulevard, Suite 101 Ridgeland, MS 39157 Phone No.: (601) 362-3333
Consulting Engineer:	Mr. David M. Ruhl, P.E., Neel Schaffer, Inc. 13430 Northwest Freeway, Suite 650 Houston, TX 77040 Phone No.: (601) 898-3358, ext. 2405

1. General

1.1 Purpose

The applicant has submitted this application requesting authorization to construct and operate a new Type I MSW landfill in San Jacinto County, Texas. The total permitted facility will include 636 acres of which approximately 115 acres will be used for waste disposal. The final elevation of the waste fill and final cover material will be 385.4 feet above mean sea level (msl).

1.2 Wastes to be Accepted

Solid waste to be disposed of will consist of household waste, yard waste, commercial waste, Class 2 and 3 non-hazardous industrial solid waste, construction-demolition waste, and approved special waste. The proposed landfill will not be authorized to accept wastes other than the wastes mentioned above, and those waste streams that are expressly prohibited by Title 30 Texas Administrative Code (30 TAC) Chapter 330.

1.3 Waste Acceptance Rate and Site Life

Authorized wastes may be accepted at an initial rate of approximately 1,300 tons per day and may increase to approximately 1,970 tons per day. The estimated site life is approximately 21.4 years.

2. Technical Review

The application has been technically reviewed by the Municipal Solid Waste Permits Section to determine its compliance with the applicable requirements in 30 TAC Chapters 305 and 330. Chapter 330 contains the minimum regulatory criteria for

municipal solid waste facilities. A site assessment pursuant to 30 TAC 330.73(c) was conducted on May 24, 2021. The results of the assessment are documented in Attachment 1 to this Technical Summary.

It has been determined that the information in the permit application, along with the draft permit, demonstrates compliance with these regulatory requirements. A draft permit has been prepared; the technical review has been declared complete.

3. Location and Size

3.1 Location

The proposed facility is located in San Jacinto county and does not have street address. Its physical location is from the intersection of FM 1725 and Fostoria Tram, south 1.9 miles on Fostoria Tram Road to Jayhawker Road, west approximately 0.7 mile to Rajak Road, north 0.3 mile to facility entrance road.

3.2 Elevation and Coordinates of Permanent Benchmark

Elevation: 206.99 feet above mean sea level (msl) (NAVD88 – GEOID18)

Coordinates: N 10,142,891.41
E 3,919,027.91

Reference Frame: NAD83 (2011) (EPOCH:2010.0000) Texas Central Zone

Site Coordinates:

Latitude: 30° 23’ 20” N
Longitude: 95° 11’ 25” W

3.3 Size

The total area within the permit boundary under the proposed permit is approximately 636 acres.

4. Facility Design, Construction, and Operation

4.1 Facilities Authorized

The permit will authorize the operation of a Type I municipal solid waste landfill with a total net disposal volume (waste and daily cover) of approximately 16.3 million cubic yards in addition to support structures and facilities as described in the permit application and subject to the limitations contained in the permit and commission rules

The facility consists of a site entrance with security fencing, a gatehouse, scales, an all-weather entrance road to the site, all-weather access roads, soil stockpiles, landfill gas monitoring and (if necessary) collection system, leachate collection system, groundwater monitoring system, and the solid waste disposal area. Structures for surface drainage and stormwater run-on/runoff control include a perimeter drainage system to convey stormwater runoff around the site, berms, ditches, detention ponds and associated drainage structures. The site also consists of a Citizen's Convenience Center and other auxiliary waste management areas as identified in Part IV of the application.

4.2 Waste Placement

The maximum elevation of waste placement will be approximately 381.9 feet above msl. The minimum elevation of waste placement will be approximately 178.5 feet above msl. The deepest excavation elevation for the liner and sumps is approximately 170.0 feet above msl.

4.3 Liner

A liner system meeting the requirements of 30 TAC Chapter 330 Subchapter H will be constructed. It will consist of the following components (listed in order from top to bottom of liner system):

- 270 mil geocomposite leachate collection layer
- 60 mil HDPE geomembrane
- 24 inches compacted clay (permeability no greater than $1x10^{-7}$ cm/s)

The liner system will be overlaid by 2 feet of soil protective cover.

4.4 Final Cover System

The final cover system is designed to meet the requirements of 30 TAC Chapter 330 Subchapter K and will be placed on the above-grade waste. Each cell or phase will be covered with a composite final cover consisting of the following components (listed in order from top to bottom):

- 24 inches of erosion layer with the top 6-inch layer capable of sustaining native plant growth
- 200 mil double-sided drainage geocomposite on sideslope; and 8 oz/sy cushion geotextile layer on topslope
- 40 mil LLDPE textured geomembrane
- 18-inch infiltration layer (permeability no greater than $1x10^{-5}$ cm/s)

4.5 Leachate Collection System

The leachate collection system consists of a leachate collection layer (geocomposite drainage layer), leachate collection trenches, pipes, sumps, risers, and pumps. Leachate re-circulation is not proposed for this facility. Leachate must be transported off-site for treatment and disposal. The leachate collection system is designed to meet the requirements of 30 TAC §330.333 and will be placed on top of the liner system.

5. Land Use

Land use in the vicinity of the site was evaluated in accordance with 30 TAC §330.61(h).

5.1 Zoning

The proposed facility would be located outside of the territorial and extraterritorial limits of any city. There is no zoning at the site.

5.2 Surrounding Land Uses

The predominant land use within one mile of the facility is classified as Open, consisting of silviculture (timber and forest land), agriculture (small farms and pastures), vacant, and floodplain. The land use within one mile is open (97.7%), residential (1.6%), cooperative (0.6%), and water bodies 0.1%). No cemeteries, churches, daycares, or other special-use facilities special-use facilities were observed on mapping, in database searches, during literature reviews, or during the field inventory survey conducted in January 2019.

5.3 Residences and Businesses

There are 90 acres of residential land (90 residences) within one mile of the facility. The nearest residence is approximately 2,700 feet west of the landfill permit boundary.

5.4 Schools, Churches, and Historical Sites

There are no known cemeteries, churches, daycares, or other special-use facilities within one mile of the permit boundary. The Texas Historical Commission in its July 17, 2020 correspondence stated that no historical properties are present or affected by the proposed project; and there is no effect on identified archaeological sites or other cultural resources.

5.5 Growth Trends

The proposed site is in San Jacinto County near the borders of Liberty County and Montgomery County. Major population growth has been taking place in the neighboring Montgomery County, south and southwest of the landfill site. The population in San Jacinto County increased by 7.2% from 2010 to 2017,

compared to 10.6% in Liberty County and 25.3% in Montgomery County for the same period. Within five miles of the site, the population growth trends from 2012 to 2017 are 1.03% per year in San Jacinto County, 0.4% in area to the southeast in Liberty County, and 2.87% to 3.17% in areas to the west and south in Montgomery County.

6. Location Restrictions

Location restrictions for municipal solid waste landfills are set forth in 30 TAC Chapter 330 Subchapter M.

6.1 Airport Safety

No airports are located within a six-mile radius of the facility.

6.2 Floodplains

The proposed waste disposal and other waste management activities are not located within a 100-year floodplain. The facility is considered to be in compliance with 30 TAC §330.547.

6.3 Wetlands

Section 11.2 of Parts I&II of the application states that on December 15, 2020, the U.S. Army Corps of Engineers made a preliminary jurisdictional determination that 1.58 acres of the site are jurisdictional waters of the U.S.; and the applicant is not proposing any disturbance or activities in those areas.

6.4 Fault Areas and Seismic Impact Zones

The application indicates that based on literature review and field inspection, no evidence was found for any fault on the facility or within 200 feet of the facility boundary; and there is no active fault known to exist on or within ½ mile of the facility. Per Railroad Commission GIS information, there are only two oil wells and one gas well located within 1 mile of the facility (the nearest well is approximately one-quarter mile to the northeast). The facility area is also not experiencing withdrawals of significant amounts of groundwater; there are no producing water wells on the facility and fewer than 20 water wells located within 1 mile of the facility. The facility is not located within a seismic impact zone as defined in 30 TAC §330.557. Therefore, the facility is considered to be in compliance with 30 TAC §330.555 and §330.557.

6.5 Unstable Areas

No known unstable areas as defined in 30 TAC §330.559 were found at the site. The facility is considered to be in compliance with 30 TAC §330.559.

6.6 Protection of Endangered Species

Coordination letters with the United States Fish and Wildlife Service and the Texas Parks and Wildlife Department are included in Appendix B of Parts I&II of the application. A biological assessment prepared to evaluate potential impacts to endangered and threatened species and to provide measures for protection such species is included in Appendix H. The biological assessment determined that no area on or near the site has been identified as critical habitat for any threatened or endangered species. A species protection plan has been developed and included as Appendix IVC in Part IV of the application. Section 12 of Parts I&II concludes that no adverse impact to such species or any critical habitat is anticipated because of construction and operation of the landfill.

7. Transportation and Access

The primary access route to the site will be from I-69 northbound to Business SH 150 west, to FM 1725 north, to Fostoria Tram Road south, to Jayhawker Road west, to Rajak Road north. Business SH 150, FM 1725 and Fostoria Tram Road are paved roads. Jayhawker Road is of paved and granular surface. Rajak Road has a granular surface over 2" paving. A new entrance road within the Peach Creek property will be built to connect the facility to Rajak Road. The new entrance road will be an all-weather road constructed of appropriate materials. Section 8.1 of Parts I&II states that at the August 11, 2021 meeting of the San Jacinto County Commissioners Court, the Court accepted a donation from an affiliate of PC-II, LLC that sufficient to cover the Court's cost to improve Rajak Road.

Information provided in the application indicates that traffic counts in 2016 are 10,411 vehicles per day for Business SH 105 near the intersection of FM 1725 and Business SH 105; and 2,568 vehicles per day on FM 1725 along the route from Business SH 105. The application predicts that the initial traffic associated with the landfill is 168 vehicles per day; and the traffic using this facility will increase to 181 vehicles per day in five years. By the expected end of the Phase I life, the number of vehicles using the facility is estimated to increase to 270 vehicles per day.

A letter dated November 12, 2020 from the Texas Department of Transportation (TxDOT), contained in Part II, Appendix B, states that TxDOT has no issues or concerns regarding FM 1725; and TxDOT is planning to correct some minor roadway issues in Fiscal Year 2023.

The TxDOT letter, dated September 10, 2019 and contained in Part II, Appendix B, indicates that the Texas Department of Motor Vehicles (TDMV) website lists limits on vehicle size and weight on FM 1725. Section 8.1 of Parts I&II of the application indicates that vehicles using the facility will all be within the standard size and weight limits (80,000 lbs) listed on the TDMV website.

The application indicates that based on the Traffic Impact Analysis (TIA) included in Appendix L of Part II of the application, the existing roadways are considered to be

adequate to handle the site generated traffic. The only improvement identified in the TIA is the need for sight distance improvements at intersections of Fostoria Tram Road/FM 1725, Jayhawker Road/Fostoria Tram Road, and Rajak Road/Jayhawker Road.

8. Surface Water Protection

As defined in 30 TAC §330.3, contaminated water is water which has come into contact with waste, leachate, or gas condensate. Stormwater which comes into contact with solid waste will be considered contaminated water. Temporary berms will be constructed to minimize the amount of surface water that comes into contact with the waste. Contaminated stormwater at the working face will be contained by run-on/runoff berms. Contaminated surface water and groundwater will not be placed in or on the landfill. Contaminated water will be transported offsite to an authorized facility for treatment and disposal. A minimum 50-feet buffer will be maintained along the stream channels on the site for heavy equipment movement or construction activities. Equipment staging areas will be outside of riparian corridors.

9. Groundwater Protection

9.1 Groundwater Protection

The liner system and leachate collection system will provide protection of groundwater from contamination.

9.2 Monitoring Wells

The groundwater monitoring system which will provide for detection of potential releases from the facility will consist of 22 monitor wells. The groundwater monitoring network will be sampled, analyzed, and monitored in accordance with the procedures in the Groundwater Sampling and Analysis Plan (Attachment F of the Permit Application), which is part of the facility permit.

10. Landfill Gas Management

Landfill gas migration will be monitored along the perimeter of the disposal unit utilizing permanent landfill gas monitoring probes. Gas monitoring will be conducted quarterly to detect migration of methane gas beyond the facility property boundary and in enclosed structures within the facility property boundary.

11. Site Development Plan and Site Operating Plan

The Site Development Plan (SDP) is Part III of the permit application and sets forth the engineering design and other technical aspects of the facility. The Site Operating Plan (SOP) is Part IV of the permit application. The SOP provides operating procedures for the site management and the site operating personnel for the daily operation of the facility

to maintain the facility in compliance with the engineering design and applicable regulatory requirements. These documents become part of the permit.

12. Financial Assurance

Authorization to operate this facility is contingent upon the maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter L and Chapter 37 (Financial Assurance) for closure and post-closure care.

13. Public Participation Process.

The public can participate in the final decision on the issuance of a permit as follows:

13.1 The TCEQ will hold a public meeting if the executive director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the commission accepts formal comments on the application. There is also an informal question and answer period.

13.2 Technical review of the application is completed, a final draft permit is prepared, and the application is declared technically complete. Information for the application, the draft permit, the notice, and summaries are sent to the chief clerk's office for processing.

13.3 A *Notice of Application and Preliminary Decision* is sent to the applicant and published in a newspaper. This notice provides a 30-day period, from the date of publication, for the public to submit comments about the application or draft permit. The notice also allows the public to request a public meeting for the proposed facility.

13.4 After the 30-day comment period has ended, a *Response to Comments* (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is then sent to all persons who commented on the application. Persons who receive the RTC have a 30-day period after the RTC is mailed in which to request a public hearing.

13.5 After the 30-day period to request a hearing is complete, the matter is placed on an agenda meeting for the TCEQ commissioners to make a determination to grant any of the hearing requests and refer the matter to the State Office of Administrative Hearings for a public hearing.

13.6 A public hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant party(ies) present witnesses and testimony to support or dispute information contained in the application. When all of this is complete, the ALJ will issue a Proposal for Decision (PFD). This PFD is placed on an agenda meeting of the TCEQ commissioners for consideration of issuance or denial of a permit.

13.7 After the commission has approved or denied an application, a motion for rehearing may be made by a party that does not agree with the decision. Any motion for rehearing must be filed no later than 25 days after the party or the party's attorney of record is notified of the decision. The matter could be set on another agenda for consideration by the commission or allowed to expire by operation of law.

13.8 Applications for which no one requests a contested case hearing are considered uncontested matters after the 30-day comment period. The application is placed on the executive director's signature docket and a permit is issued. Any motion to overturn the executive director's decision must be filed no later than 23 days after the agency mails notice of the signed permit.

14. Additional Information

For information concerning the regulations covering this application, contact the Municipal Solid Waste Permits Section:

Mr. Frank Zeng, Project Manager
Municipal Solid Waste Permits Section, MC 124
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711
Email: Frank.Zeng@tceq.texas.gov

For more detailed technical information concerning any aspect of this application or to request a copy of the Site Development Plan, please contact the consulting engineer or the applicant at the address provided at the beginning of this summary.

The application can be viewed on the internet at http://www.tceq.texas.gov/permitting/waste_permits/msw_permits/msw_posted_apps.html

For information concerning the legal aspects of the hearing process, agency rules, and submitting public comments, please contact the Texas Commission on Environmental Quality's Office of the Public Interest Counsel at (512) 239-6363.

Attachment 1: Site Assessment Report

Texas Commission on Environmental Quality

Municipal Solid Waste Site Assessment Form

Facility Information

Regulated Entity Name: Peach Creek Environmental Park	RN: 110843042
Customer Name: PC-II, LLC	CN: 605694611
Permit Number: 2406	Application Type: ☑ New Permit ☐ Amendment
Facility Type (check all that apply): ☑ Type I ☐ Type IV ☐ Arid Exempt	
Physical Address: approximately 7.0 miles northwest of the intersection of State Highway 105 and FM 1725 in San Jacinto Co.	

Facility Representative

Present (check all that apply): ☐ Applicant ☐ Consultant ☐ Other:	
Name: Mr. Jeffery Hobby, Project Manager	
Email: info@peachcreekep.com	Phone: (601) 362-3333
Additional Names (if applicable):	

TCEQ Reviewer

Name: William Larcade	Date of Site Assessment: 5/24/2021
Email: william.larcade@tceq.texas.gov	Phone: 409-898-3838
Is the location consistent with physical address? ☑ Yes ☐ No If No, provide location description:	

Consistency with Application

Check **Yes** or **No** if an item is present or has been constructed, and if it is consistent with the application. If an item is not consistent with the application, explain briefly why in the *Comments* column. If an item is not applicable, skip to the *Comments* column and indicate **NA**. Use the Additional Comments section at end of this form for more comment space.

Item	Constructed?	Consistent?	Comments
Application Notice Signs	☐ Yes ☑ No	☑ Yes ☐ No	N/A
Facility Access Controls	☐ Yes ☑ No	☑ Yes ☐ No	N/A
Facility Entrance Roads	☐ Yes ☑ No	☐ Yes ☑ No	Rajack Road observed to be dirt road. Not consistent with permit application 2406.
Facility Buildings	☐ Yes ☑ No	☑ Yes ☐ No	N/A
Landfill Gas Monitoring Wells	☐ Yes ☑ No	☑ Yes ☐ No	N/A

Item	Constructed?	Consistent?	Comments
Groundwater Monitoring Wells	☐ Yes ☑ No	☑ Yes ☐ No	N/A
Existing or Abandoned Water Wells	☐ Yes ☐ No	☑ Yes ☐ No	Consistent with permit application 2406.
Existing or Abandoned Oil, Gas, or RRC Wells	☐ Yes ☐ No	☑ Yes ☐ No	Consistent with permit application 2406.
Surface Water Features	☑ Yes ☐ No	☑ Yes ☐ No	Observed Jayhawker Creek.
Permanent Benchmark	☑ Yes ☐ No	☑ Yes ☐ No	Consistent with permit application 2406.
Permit Boundary Markers	☐ Yes ☑ No	☑ Yes ☐ No	
Buffer Zone Markers	☐ Yes ☑ No	☑ Yes ☐ No	
Easement Markers	☑ Yes ☐ No	☑ Yes ☐ No	
Floodplain Markers	☐ Yes ☑ No	☑ Yes ☐ No	
Property Boundary	☑ Yes ☐ No	☑ Yes ☐ No	Consistent with permit application 2406.
Easements Within or Adjacent to Permit Boundary	☐ Yes ☑ No	☑ Yes ☐ No	
Existing Structures Within 500 feet of Permit Boundary	☐ Yes ☑ No	☑ Yes ☐ No	

Additional Comments:

25 piezometers had been constructed at the time of the on-site assessment.