

## **RESPONSE 7**

## 1.0 EXISTING CONDITIONS SUMMARY

The Temple Recycling and Disposal Facility is an active, 269-acre Type I municipal solid waste (MSW) facility owned by the City of Temple, Texas (City) and operated by Waste Management of Texas, Inc. (WMTX) under Permit No. MSW-692A. The Temple Recycling and Disposal Facility site entrance is located at 706 Landfill Road, approximately 0.25 miles east of the intersection of Loop 363 and Little Flock Road in Bell County, Texas as shown on Figures II-1 and II-2.

The original municipal solid waste facility permit for the site, Permit No. MSW-692, was issued on September 24, 1979. Permit No. MSW-692A, expanding the permitted acreage from approximately 215 to 269 acres, was issued on April 7, 2001.

On August 31, 1993, operation of the facility was transferred to WMTX by a contract to lease and operated the facility.

As part of the contract with WMTX, the City of Temple agreed to complete the closure of the filled portions of Tract 1. Closed Tracts 1A and 1B, encompassing about 75 acres, are west of the MSW-692A and proposed waste footprints. Waste disposal in Tracts 1A and 1B ceased around 1990. Closure of Tracts 1A and 1B were approved by the Texas Natural Resource Conservation Commission (TNRCC) on November 16, 1994. TNRCC required post-closure care for five years for the area. Groundwater monitoring around Tracts 1A and 1B is still being conducted as part of the overall point of compliance monitoring. The locations of Tract 1A and 1B are shown on Figure II-4. Appendix IIE contains the closure documentation of Tracts 1A and 1B.

Reid, there was no TCEQ acknowledge letter for the completion of post closure care period?

The existing 269-acre Temple Recycling and Disposal Facility consists of 108 acres of permitted waste disposal footprint and 161 acres of non-waste disposal areas. The waste disposal footprint includes composite-lined Subtitle D cells and one clay-lined pre-Subtitle D cell. With the exception of Tract 1C, Cell 1, the entire permitted waste disposal footprint has been constructed and waste disposal operations have been conducted within the footprint. Approximately 12.1 acres of final cover have been constructed, including final cover drainage features, leaving an active waste disposal area of 95.9 acres.

An active landfill gas collection and control system was installed at the Temple Recycling and Disposal Facility and has been expanded as new cells have been added and as waste placement has progressed.

As intermediate cover is placed over areas within the active landfill disposal area, erosion and sediment control features are constructed.

The area outside the waste disposal footprint is used for buffer and landfill facilities, including the gatehouse and scales, landfill access road, leachate storage ponds, leachate force main, and landfill gas flare. As part of the MSW Permit 692A overall development, two detention ponds have been constructed. All surface water from the disposal area is routed through a pond prior to exiting the site.

The proposed expansion area is immediately adjacent to and east of the existing MSW 692A permit boundary owned by the City of Temple. The proposed expansion will add 191 acres and remove 17 acres from the existing permit boundary, resulting in a total proposed MSW 692B permit boundary of 443 acres.

The expansion area, purchased by the City of Temple, consists of agricultural land with single-family homes. The surface topography generally slopes radially from the center of the expansion area. There are several easements located on the existing permit boundary and the proposed expansion area. One easement will be moved. The easements will not affect landfill operations.

### 1.1 Easements and Buffer Zones

No solid waste unloading, storage, disposal, or processing operations will occur within any easement, buffer zone, or right-of-way that crosses the site. The existing Temple Recycling and Disposal Facility and proposed expansion is consistent with the provisions of 30 TAC §330.543.

No solid waste disposal shall occur within the easement or within 25 feet of the center line of any utility line or pipeline easement, whichever is greater, unless otherwise authorized by the executive director. All pipeline and utility easements shall be clearly marked with posts that extend at least 6 feet above ground level, spaced at intervals no greater than 300 feet. ~~One power line easement crosses the proposed expansion area; this easement will be relocated. The remaining easements will not affect solid waste unloading, storage, disposal, or processing operations;~~

Site easements are shown on Figure II-4, Site Layout Plan. Easements that are shown within the waste footprint of MSW-692A are in the process of being closed/abandoned by the City of Temple. Documentation is provided in Appendix IG. Existing easements within the expansion area will be abandoned prior to cell construction in the area. The area outside the permit boundary is owned by the City of Temple, thus access is available for a width greater than 50 feet from the Citizens Collection Station. The City of Temple is thereby requesting a variance from the buffer zone requirements of 30 TAC §330.543(b).

The buffer zone distances between the permit boundary and waste disposal area are identified on Figure II-4, Site Layout Plan. There is no proposed increase in the waste disposal footprint in the existing waste disposal area, as such, the existing buffer zone distances comply with the requirements of 30 TAC §330.543(b). Buffer zones will remain in a natural condition. Any litter in the buffer zone will

be collected as part of routine on-site liter collection, as identified in the Site Operating Plan. The buffer zone distances for the expansion area exceed the minimum buffer zone distance of 125 feet, as shown on Figure II-4, Site Layout Plan.

The buffer zone distances between the permit boundary and storage and processing facilities are identified on Figure II-4, Site Layout Plan. Existing permitted storage and processing facilities include the landfill gas flare facility and leachate storage facility, shown on Figure II-4, Site Layout Plan, and meet the requirements of 30 TAC §330.543(b).

The Citizen Collection Station was constructed in 2005 and has been in operation for over 10 years. Along the western boundary of the Citizen Collection Station, the buffer zone distance is less than 50 feet; however, adequate space for access is provided along the northern, eastern, and southern sides of the Citizen Collection Station. The area outside the permit boundary is owned by the City of Temple, thus access is available for a width greater than 50 feet from the Citizen Collection Station citizens collection station. The City of Temple is hereby requesting a variance from the buffer zone requirements of 30 TAC §330.543(b).

A design drawing of the Citizen Collection Station is included in Appendix IIH.

## 1.2 Site-Specific Conditions

Sections 8 through 15 of Part II include detailed discussion of site-specific conditions that potentially require special design considerations, as set forth in 30 TAC §330.61(a), including impact on surrounding area, transportation, geology, soils, groundwater, surface water, abandoned oil and water wells, floodplains, wetlands, endangered or threatened species, and Texas Historical Commission (THC) review. As documented, there are no existing site-specific conditions that require special design considerations or possible mitigation of conditions.

There are two existing leachate storage/evaporation ponds that have been approved by TCEQ:

- Pond A: A modular steel tank constructed of a reinforced steel frame with a geomembrane liner underlain by a clay layer is currently in use. For operating purposes, this tank is called Pond A. Pond A has a capacity of 270,000 gallons, excluding freeboard, and was authorized by a permit modification approved by TCEQ in early 2002.
- Pond B: On November 17, 2004, TCEQ approved a permit modification to the facility's Leachate and Contaminated Water Plan authorizing the construction of up to two additional in-ground ponds labeled Pond A and Pond B. Only one of these in-ground ponds has been constructed to date. For operating purposes, the pond constructed is called Pond B. In accordance with 30 TAC §330.207(b), Pond B was constructed with a two foot thick clay liner overlain by 60-mil HDPE liner and one foot of freeboard for the 25-year, 24-hour rainfall event will be maintained.

Both leachate ponds have been approved by the TCEQ and have been in place and in use for over 10 years. Locations of the leachate ponds are shown on Figure II-4. TCEQ approvals of these leachate ponds are provided in Appendix IIF.

**APPENDIX IIE**

**TRACT 1A AND TRACT 1B DOCUMENTATION**

John Hall, Chairman  
Pat Reed, Commissioner  
Peggy Garner, Commissioner  
Dan Pearson, Executive Director



## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

November 16, 1994

Honorable J.W. Perry  
Mayor of Temple  
Municipal Building  
Temple, Texas 76501

Re: Municipal Solid Waste - Bell County  
City of Temple - Permit No. MSW-692  
SE of Temple, Approx. 2.25 Miles E of US-190, 0.5 Mile S of SH-53  
and S of County Road

Dear Mayor Perry:

This is in response to the receipt of a certified copy of an "Affidavit to the Public" for a 74.96 acre portion of the subject site submitted by letter, dated November 4, 1994, from Ms. Clydette Entzminger, City Secretary. The affidavit, as filed within the Deed Records of Bell County, is acceptable.

On September 27, 1994, Mr. J. Hoyt Childres, P.E., from our regional office, inspected the subject municipal solid waste facility for verification of closure. During this inspection, our representative was accompanied by Messrs. Ken Morgan, City Manager, Wm. Mack Parker, P.E., Roming-Parker Associates, Steve Blackburn, and Ed Myers, Waste Management of Texas.

Based on the results of this inspection and the acceptance of the affidavit the 74.96 acre portion of this site has met all the closure requirements of 30 Texas Administrative Code (TAC) 5330.252. Therefore the above portion of the site shall be considered closed as of the date of this letter and the file will be marked inactive pending completion of the post-closure maintenance period. Post-closure maintenance inspections will be conducted until the post-closure maintenance period has been completed in 1999. All monitoring systems must be maintained throughout the post-closure maintenance period.

Your cooperation in properly closing and maintaining the 74.96 acre portion of this site is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Philip A. Spry, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6794 or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader  
Permits Section  
Municipal Solid Waste Division

MDG/PAS/jad

cc: TNREC Region 9

Office of the City Secretary, City of Temple, Texas

November 4, 1994

Mr. Jerry L. Garnett, P. E.  
Texas Natural Resource Conservation Commission  
P.O. Box 13087  
Austin, Texas 78711-3087

Mr. Garnett:

Please find the enclosed original certified copy of the "Affidavit to the Public," regarding the City of Temple Municipal Landfill. This information was requested by your office to replace the copy received previously, as indicated in the attached copy of correspondence from your office.

Please contact my office if I may provide you with additional assistance in this matter.

Sincerely,

Clydette Entzminger  
City Secretary

CITY OF TEMPLE, TEXAS

cc: TNRCC Region 9  
Attn: Mr. Gene Fulton



**CERTIFICATION**

I, Clydette Entzminger, City Secretary of the City of Temple, Texas, do hereby certify that the foregoing instrument is an original certified copy of the *Affidavit to the Public*, recorded as a *Official Public Record of Real Property of Bell County, Texas, Volume 3220, Page 328*, on *September 29, 1994*.

Dated this 3rd day of November, 1994.

\_\_\_\_\_  
Clydette Entzminger  
City Secretary

**CITY OF TEMPLE, TEXAS**



STATE OF TEXAS  
COUNTY OF BELL

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared David Taylor who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

The undersigned further states that from the year 1980 to the year 1992 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

EXHIBIT "A" (field notes)

EXHIBIT "B" (field notes)

Further, the undersigned, City of Temple, Texas was the operator of such Solid Waste Disposal Site.

Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

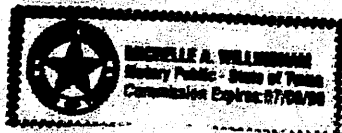
WITNESS MY/OUR HAND(S) on this the 26<sup>th</sup> day of September, 19 94.

David R. Taylor

Owner  
CITY OF TEMPLE, TEXAS  
David Taylor, City Manager

Operator

SWORN TO AND SUBSCRIBED before me on this the 26<sup>th</sup> day of September, 19 94.



Michelle A. Williamson  
Notary Public in and for  
Bell County, Texas

RONALD CARROLL SURVEYORS  
5302 SOUTH 31ST STREET  
TEMPLE TEXAS 76502

EXHIBIT "A"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 1A

Part of the MAXIMO MORENO SURVEY, Abstract Number 14, situated in east Temple, in Bell County, Texas, and embracing a portion of the tract described in the deed to the City of Temple recorded in volume 754, page 395 of the Bell County Deed Records.

Commencing at a 3/4 inch pipe found for the southerly northeast corner of said City tract, being the southeast corner of a tract described in the deed to Texas Utilities Electric Company recorded in volume 2619, page 512 of said Deed Records, and being in the west line of another tract described in the deed to the City of Temple recorded in volume 2586, page 310 of said Deed Records, and then run south 16 degrees-40 minutes-10 seconds west along said common line of both mentioned City tracts, at 367-3/10 feet pass a 5/8 inch iron rod set, and continue in all, 1067-3/10 feet to a 5/8 inch iron rod set for the northeast and beginning corner of the tract being described. (deed call is south 18 degrees-41 minutes west).

Thence south 16 degrees-40 minutes-10 seconds west continuing along said common line of both City tracts, 87-45/100 feet to a 1/2 inch iron rod found for the southwest corner of said second mentioned City tract, for the northwest corner of another tract described in the deed to the City of Temple recorded in volume 1637, page 529 of said Deed Records.

Thence south 16 degrees-22 minutes-55 seconds west continuing along the east line of said first mentioned City tract, for the west line of said last mentioned City tract, 2060 feet to a 1/2 inch iron rod found, (deed call is south 18 degrees-27 minutes west).

Thence north 32 degrees-36 minutes-20 seconds west 610-3/10 feet to a 1/2 inch iron rod found.

Thence north 42 degrees-54 minutes-50 seconds west 456-65/100 feet to a 1/2 inch iron rod found.

Thence north 67 degrees-17 minutes-20 seconds west 372-1/10 feet to a 1/2 inch iron rod found.

Thence north 71 degrees-24 minutes-30 seconds west 388-65/100 feet to a 5/8 inch iron rod found.

Thence north 4 degrees-10 minutes-45 seconds west 623-3/10 feet to a 5/8 inch iron rod found.

Thence north 47 degrees-no minutes-45 seconds east 383-55/100 feet to a 5/8 inch iron rod set.

Thence north 18 degrees-37 minutes-45 seconds east 397-6/10 feet to a 5/8 inch iron rod set.

Thence south 73 degrees-43 minutes east 73-7/10 feet to a 5/8 inch iron rod set.

Thence north 61 degrees-56 minutes-20 seconds east 222-05/100 feet to a 5/8 inch iron rod set.

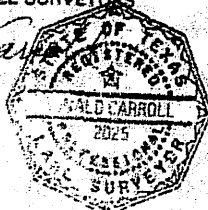
Thence south 73 degrees-15 minutes-30 seconds east 1387-55/100 feet to the place of beginning and containing 63 21/100 acres.

No sketch was made. The basis of the bearings are taken from the Texas State Plane Coordinate System, Central Texas Zone.

Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



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RONALD CARROLL SURVEYORS  
5302 SOUTH 31ST STREET  
TEMPLE TEXAS 76502

EXHIBIT "B"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 1B

Part of the MAXIMO MORENO SURVEY, Abstract Number 14, situated in east Temple, in Bell County, Texas, and embracing a portion of the tract described in the deed to the City of Temple recorded in volume 754, page 395 of the Bell County Deed Records.

Beginning at a 3/4 inch pipe found for the southerly northeast corner of said City tract, being the southeast corner of a tract described in the deed to Texas Utilities Electric Company recorded in volume 2619, page 512 of said Deed Records, and being in the west line of another tract described in the deed to the City of Temple recorded in volume 2586, page 310 of said Deed Records.

Thence south 16 degrees-40 minutes-10 seconds west along the common line of said both mentioned City tracts, 367-3/10 feet to a 5/8 inch iron rod set, (deed call is south 18 degrees-41 minutes west).

Thence north 73 degrees-14 minutes-30 seconds west 1377 feet to a 5/8 inch iron rod set.

Thence north 2 degrees-51 minutes west 346-3/10 feet to a 1/2 inch iron rod found.

Thence north 52 degrees-15 minutes east 22-7/10 feet to a 1/2 inch iron rod found for a re-entrant corner of said first mentioned City tract, being the southeast corner of a tract described in the deed to Texas Power & Light Company of Dallas, Texas recorded in volume 1273, page 227 of said Deed Records, and being the southwest corner of a tract described in the deed to Texas Power & Light Company recorded in volume 649, page 467 of said Deed Records.

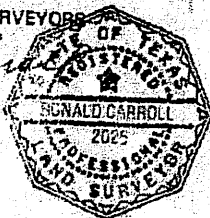
Thence south 74 degrees-07 minutes-10 seconds east along a southerly north line of said first mentioned City tract, for the north line of said last mentioned Texas Power & Light Co. tract, at 534-05/100 feet pass a point for the southeast corner of said last mentioned Texas Power & Light Co. tract, for the southwest corner of a tract described in the deed to Texas Power & Light Company recorded in volume 1254, page 587 of said Deed Records, from said point a 1/2 inch iron rod found bears north 15 degrees-53 minutes east 1-1/10 feet, and continue along the south line of said last mentioned Texas Power & Light Co. tract, at 549-15/100 feet pass a point for the southeast corner of said last mentioned Texas Power & Light Co. tract, for the southwest corner of said Texas Utilities tract, from said point a 1/2 inch iron rod found bears north 15 degrees-53 minutes east 1-1/10 feet, and continue along the south line of said Texas Utilities tract, in all, 1479-65/100 feet to the place of beginning and containing 11-75/100 acres, (deed call is south 71 degrees-58 minutes east).

No sketch was made. The basis of the bearings are taken from the Texas State Plane Coordinate System, Central Texas Zone.

Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



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John Hail, Chairman  
Pam Reed, Commissioner  
Peggy Garner, Commissioner  
Anthony Grigby, Executive Director



**COPY**

**TEXAS NATURAL RESOURCE CONSERVATION COMMISSION**

*Protecting Texas by Reducing and Preventing Pollution*

October 31, 1994

Honorable J.W. Perry  
Mayor of Temple  
Municipal Building  
Temple, TX 76501

Subject: Municipal Solid Waste - Bell County  
City of Temple - Permit No. MSW-692  
SE of Temple, Approximately 2.25 Miles E

Dear Mayor Perry:

This is in response to the receipt of a copy of a certified copy of an "Affidavit to the Public" for Tract 1A and Tract 1B of the subject site submitted by letter, dated October 18, 1994, from Mr. William Mack Parker, P.E., Roming-Parker Associates, Inc. The affidavit appears to be acceptable; however, we need to receive an original certified copy of the filed document for our review and file. Please submit the original certified copy you have in your files or obtain another certified copy from the County Clerk and submit that document.

Your cooperation in this matter is appreciated.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Jerry L. Gannett, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711, telephone number (512) 239-6673, or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807, telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader  
Permits Section  
Municipal Solid Waste Division

MDG/jlg/ff

cc: TNRCC Region 9  
Mr. William Mack Parker, P.E.; Roming-Parker Associates, Inc.  
3613 SW H.K. Dodgen Loop, Suite 103; Temple, Texas 76502  
Bell County Health District  
Temple Director of Public Works ✓

RONALD CARROLL SURVEYORS  
5302 SOUTH 31ST STREET  
TEMPLE TEXAS 76502

EXHIBIT "A"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

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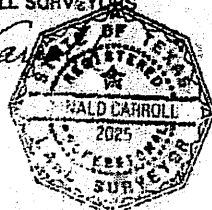
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Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



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RONALD CARROLL SURVEYORS  
5302 SOUTH 31ST STREET  
TEMPLE TEXAS 76502

EXHIBIT "B"

September 8, 1994

Field notes for the City of Temple, Texas Landfill site for:

TRACT 1B

Part of the MAXIMO MORENO SURVEY, Abstract Number 14, situated in east Temple, in Bell County, Texas, and embracing a portion of the tract described in the deed to the City of Temple recorded in volume 754, page 395 of the Bell County Deed Records.

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Thence south 16 degrees-40 minutes-10 seconds west along the common line of said both mentioned City tracts, 367-3/10 feet to a 5/8 inch iron rod set. (deed call is south 18 degrees-41 minutes west).

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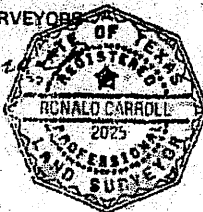
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Surveyed March 23, 1994.

RONALD CARROLL SURVEYORS

Ronald Carroll



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SEP 28 1994

035115



# ROMING-PARKER ASSOCIATES

CONSULTING ENGINEERS

3513 Southwest H.K. Dodgen Loop, Suite 103  
Tempe, Texas 78502

(817) 773-3731

Fax (817) 773-6667

W. CLAY ROMING, P.E.  
WM. MACK PARKER, P.E.  
RICK H. KASBERG, P.E.

October 18, 1994

Mr. Jerry L. Garnett, P.E.  
Texas Natural Resource Conservation Commission  
The Colonnade Building  
12015 Park 35 Circle  
Austin, Texas 78753

Re: City of Temple  
Municipal Landfill - Permit No. MSW-692  
Closure of Tracts 1A and 1B  
Temple, Texas

Dear Mr. Garnett:

Enclosed is a certified copy of the "Affidavit To The Public" regarding the closure of a portion of the above referenced landfill. This submittal should satisfy your request for said document.

Sincerely,

Wm. Mack Parker, P.E.

WMP/tmm  
93-102-40

cc: Mr. Leonard C. Henry, P.E., City of Temple  
Mr. Kenneth Morgan, City of Temple



**CERTIFICATION**

I, Clydette Entzminger, City Secretary of the City of Temple, Texas, do hereby certify that the foregoing instrument is a true and correct copy of the *Affidavit to the Public*, filed in the Bell County Courthouse on September 29, 1994, the original of which is on file in the Office of the City Secretary, City of Temple, Texas.

Dated this 17th day of October, 1994.



Clydette Entzminger  
City Secretary

**CITY OF TEMPLE, TEXAS**

STATE OF TEXAS

COUNTY OF BELL

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared David Taylor who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

The undersigned further states that from the year 1980 to the year 1992 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

EXHIBIT "A" (field notes)

EXHIBIT "B" (field notes)

Further, the undersigned, City of Temple, Texas was the operator of such Solid Waste Disposal Site.

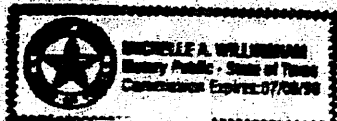
Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

WITNESS MY/OUR HAND(S) on this the 26<sup>th</sup> day of September, 19 94.

David R. Taylor  
Owner CITY OF TEMPLE, TEXAS  
David Taylor, City Manager

Operator

SWORN TO AND SUBSCRIBED before me on this the 26<sup>th</sup> day of September, 19 94.



Michelle A. Williamson  
Notary Public in and for  
Bell County, Texas

VOL. 3220 PAGE 328

35115

AFFIDAVIT TO THE PUBLIC  
CITY OF TEMPLE, TEXAS

Please bill & return to:  
City Attorney's Office  
Municipal Building  
Temple, TX 76501

10-25-10 *File*

STATE OF TEXAS COUNTY OF BELL  
I hereby certify that this instrument was FILED on the  
date and at the time stamped hereon by me, and was  
duly RECORDED in Vol. 3280  
Page 528 of the Official Public Record of  
Real Property of Bell County, Texas, on 10-25-10



VADA SUTTON, County Clerk  
Bell County, Texas  
By: *[Signature]* Deputy

John H. E. Chairman  
Paul Reed, Commissioner  
Peggy Carter, Commissioner  
Don Pearson, Executive Director



1150 612

## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

November 16, 1994

Honorable J.W. Perry  
Mayor of Temple  
Municipal Building  
Temple, Texas 76501

Re: Municipal Solid Waste - Bell County  
City of Temple - Permit No. MSW-692  
SE of Temple, Approx. 2.25 Miles E of US-190, 0.5 Mile S of SH-51  
and S of County Road

Dear Mayor Perry:

This is in response to a letter, dated October 12, 1994, from Mr. Wm. Mark Parker, P.E., Roming-Parker Associates, submitting the soil evaluation for the final cover on an 74.96 acre portion of the subject site. A review of the analytical finds it to be acceptable. The document submitted fulfills the requirements of 30 Texas Administrative Code Sections (51.15) 330.253(b)(2), 330.253(b)(3) and 330.253(a)(6) for the above portion of the subject site.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Mr. Philip A. Gray, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6784 or you may prefer to contact Mr. Gene Fulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807; telephone number (817) 761-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader  
Permits Section  
Municipal Solid Waste Division

MDS:RAS:jed

cc: TNRCC Region 9  
Bell County Health District  
Temple Sanitation Superintendent  
Temple Director of Public Works

OCT-13-94 THU 09:30

TNRC-REG 9-AIR PROG

FAX NO. 8177729241

P. 02/22



**Texas Natural Resource Conservation Commission**  
**Municipal Solid Waste Division**  
**Inspection Report: Closed Site**

Inspection Date: 09/27/94  
 Pictures Taken? ☒ Yes / No

Time: 10:00 A.M.  
 Copy to: Ground Water / Permit

Permit ID: MSW-692      Type: 1      Region: 9      County Name: Bell  
 Permittee / Business Name: City of Temple/Temple Landfill  
 Responsible Person: Mayor of Temple J. W. Perry  
 Operation Description: The City of Temple has recently completed the final cover for Tracts 1 and 1A.  
 All work has been completed and the cover has been seeded and / or

Primary Contact(s): Ken Morgan, City of Temple  
 Telephone Number(s): (817) 774-8324  
 Person(s) Contacted: Ken Morgan  
 Person(s) Participating:

TNRC Representative(s): J. Hoyt Childers

Purpose of Inspection:

- ☐ Routine      ☐ Central Office Follow Up  
☐ Complaint      ☐ Court Order  
☐ Post Closure      ☒ Pre Closure  
☐ Regional Follow Up      ☐ Technical Support/Other

Next Inspection: 9/95

Last Inspection: / /

Weather: Partly cloudy, dry, and warm

### INSPECTION RESULTS

Year	Month	Article	Description
1	X	330.111	General Requirements
2	X	330.113	Record Keeping Required
3	X	330.113(b)(3)	Methane Monitoring
4	X	330.113(b)(4)	Leachate Disposal
5	X	330.113(b)(5)	Groundwater Monitoring
6	X	330.125	Air Criteria Requirements
7	X	330.253(e)(7)	Signs Posted
8	X	330.253(e)(8)	Affidavit Received
9	X	330.254(a)	Post Closure Requirements
10	X	330.254(a)	Cover Erosion
11	X	330.254(a)	Subsidence/Ponding of Wtr
12	X	330.254(a)	Additional Vegetation Req
13	X	330.252(a,b)	Final Cover Completed
14	X	26.121(a)	All Discharges
15	X	26.121(a)(3)	Other Activities

\* Yes indicates that no violation was observed or that this rule is not applicable to this site

10/03/94



**Texas Natural Resource Conservation Commission**  
**Municipal Solid Waste Division**  
Inspection Report: Closed Site

Comments Page for MSW692

Violation Number	Comments
General Inspection Comment:	This inspection was done with Ken Morgan and Mack Parker, consultant. WMI reps Ed Myers and Steve Blackburn accompanied us on the inspection. WMI will assume the post closure maintenance responsibility once it is put into post closure care. The inspection revealed that all required cover work has been completed in accordance with the approved plan. Mack Parker provided quality control for the work that was done by contract. This included grade and thickness control by land surveying, compaction and permeable tests on the cover material. Also daily monitoring of the contractor's work was provided by the consultant. The consultant will submit a report that documents his quality control work including a copy of the test results, the final grading plan, and the affidavit to public for Tracts 1 and 1A. Once this report is received recommend the MSWD send the City of Temple a letter putting these two tracts into post closure care.

TNRCC Representative's Signature: *[Signature]*Date: 10-5-94Approved By: *[Signature]*Date: 10-6-94

STATE OF TEXAS  
COUNTY OF BELL

AFFIDAVIT TO THE PUBLIC

Before me, the undersigned authority, on this day personally appeared David Taylor who, after being by me duly sworn, upon oath states that he is the record owner of that certain tract or parcel of land lying and being situated in Bell County, Texas, and being more particularly described as follows:

The undersigned further states that from the year 1980 to the year 1992 there was operated on the aforesaid tract of land a Solid Waste Disposal Site. Specifically, such operation was conducted on that portion of the aforesaid tract described as follows:

EXHIBIT "A" (field notes)

EXHIBIT "B" (field notes)

Further, the undersigned, City of Temple, Texas was the operator of such Solid Waste Disposal Site.

Notice is hereby provided to any future owner or user of the site to consult with the Texas Natural Resource Conservation Commission prior to planning or initiating any activity involving the disturbance of the landfill cover or monitoring system.

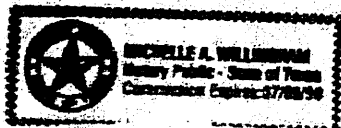
WITNESS MY/OUR HAND(S) on this the 26<sup>th</sup> day of September, 19 94.

David R. Taylor

Owner CITY OF TEMPLE, TEXAS  
David Taylor, City Manager

Operator \_\_\_\_\_

SWORN TO AND SUBSCRIBED before me on this the 26<sup>th</sup> day of September, 19 94.



Michelle A. Williamson  
Notary Public in and for  
Bell County, Texas

John Hall, Chairman  
Pam Reed, Commissioner  
Peggy Garner, Commissioner  
Anthony Grigby, Executive Director



## TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*Protecting Texas by Reducing and Preventing Pollution*

MAR - 1 1994

Honorable J.W. Perry  
Mayor of Temple  
Municipal Building  
Temple, TX 76501

Re: Municipal Solid Waste - Bell County  
City of Temple - Permit No. MSW-692  
SE of Temple

Dear Mayor Perry:

This will acknowledge receipt of a letter, dated February 11, 1994, from Wm. Mack Parker, P.E., Roming-Parker Associates, concerning the closure of Tract 1 or "A" of the referenced landfill. This will also confirm a meeting between Mr. Parker and Mr. Jerry L. Garnett, P.E. of my staff on February 8, 1994, regarding the proposed closure of Tract 1. Mr. Parker transmitted copies of several drawings and a set of calculations regarding the volume of space authorized for landfilling in Tract 1 and the volume of the waste that has been landfilled in (and outside) of Tract 1. The waste landfilled outside the permitted area will have to be relocated onto the permitted site. He also provided contour maps showing the present contours of Tract 1, the original proposed final contours and revised proposed final contours as approved by the Texas Department of Health in 1987.

Based upon our review of the information submitted it appears that the proposed closure of the Tract 1 area could be considered as a modification to the Site Development Plan for the facility. Please submit your proposed plan for the closure of Tract 1 to this office for our review. In order to complete the closure of this area you will need to prepare and submit a certified copy of an "Affidavit to the Public" filed in the County Deed Records. You should also be aware that any landfilled area closed after October 9, 1993 must have a final cover applied that satisfies the "Subtitle D" requirements.

If you have any questions concerning this letter or if we may be of any assistance to you regarding municipal solid waste, you may contact Jerry L. Garnett, P.E., of my staff here in Austin at P.O. Box 13087, Austin, Texas 78711; telephone number (512) 239-6673 or you may prefer to contact Mr. Gene Sulton, Regional Office Manager, at 6801 Sanger Avenue, Waco, Texas 76710-7807 telephone number (817) 751-0335. When responding, please forward a copy of all correspondence to the regional office as well as to our central office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Team Leader  
Permits Section  
Municipal Solid Waste Division

MDG/JLG/jad

cc: TNRCC Region 9  
Roming-Parker Associates  
Bell County Health District  
Temple Sanitation Superintendent  
Temple Director of Public Works