

Project No. AHF2307302

April 5, 2024

Municipal Solid Waste Permits Section – MC 124  
Waste Permits Division  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

P 972.385.8069  
F 972.385.8165  
TBPE Firm F-3257

**RE: Frontier 380, LLC - a subsidiary of Frontier Waste Solutions  
2540 E. University Drive  
McKinney, Texas 75069-4734**

To whom it may concern:

On behalf of Frontier Waste Solutions (Frontier), Raba Kistner, Inc. (**RKI**), has enclosed a request for both a transfer and name change of Municipal Solid Waste Permit 2278A in accordance with Title 30 of the Texas Administrative Code, Chapters 305.64 relating to Transfer of Permits, and 305.70 relating to Municipal Solid Waste Permit and Registration Modifications. Please find all necessary documentation enclosed for consideration of the Texas Commission on Environmental Quality (TCEQ).

**RKI** appreciates your assistance with the review and processing of this application. Please contact us at (972) 385-8069 should you have questions regarding this permit modification and name change request.

Very truly yours,

**RABA KISTNER INC.**



Dante Fekete  
Project Manager – Compliance Planning



Amelia Hudson  
Assistant Director – Compliance Planning

DF/AH

**MUNICIPAL SOLID WASTE PERMIT TRANSFER AND NAME CHANGE REQUEST**



**FRONTIER 380 LLC**  
***A SUBSIDIARY OF FRONTIER WASTE SOLUTIONS***  
**2540 E UNIVERSITY DR,**  
**MCKINNEY, TEXAS 75069-4734**

SUBMITTED TO:

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
P.O. BOX 13087  
AUSTIN, TEXAS 78711-3087

PREPARED BY:



**RABA KISTNER, INC.**  
19111 NORTH DALLAS PARKWAY, SUITE 310  
DALLAS, TX 75287

**RKI PROJECT NO. AHF2307302**

**APRIL 2024**

**TABLE OF CONTENTS**

1	INTRODUCTION AND PURPOSE .....	3
2	TCEQ CORE DATA FORM, TCEQ-10400.....	4
3	PERMIT TRANSFER AND MODIFICATION APPLICATION FORM, TCEQ-20650.....	5
4	PROPERTY LEGAL DESCRIPTION, METES AND BOUNDS DESCRIPTION, AND MAP WITH SETBACKS.....	6
5	LAND OWNERSHIP MAP AND LIST.....	7
6	PROPERTY OWNER AFFIDAVIT.....	8
7	VERIFICATION OF LEGAL STATUS.....	9
8	EVIDENCE OF COMPETENCY .....	10
9	FEE PAYMENT RECEIPT.....	11
10	UPDATED CLOSURE COST ESTIMATE.....	12
11	DOCUMENTATION FROM BOTH PARTIES SUPPORTING THE TRANSFER.....	13
12	MARKED REVISED TEXT OF ISSUED MSW PERMIT .....	14
13	UNMARKED UPDATED TEXT OF ISSUED MSW PERMIT .....	15

## **1 INTRODUCTION AND PURPOSE**

Frontier 380 LLC, a subsidiary of Frontier Waste Solutions (Frontier) has acquired ownership and operational control of the CRWC Type IV Landfill (RN110878030), located in Collin County at 2540 E. University Drive in McKinney, Texas.

This regulated facility is currently authorized under TCEQ Municipal Solid Waste (MSW) Permit No. 2278A to dispose of municipal solid waste as defined in 30 TAC §330.3, construction-demolition waste, yard waste, brush, or rubbish and Class 3 industrial waste. MSW Permit No. 2278A was most recently issued to Construction Recycling and Waste Corporation (CN601098007) and Ostend Landfill, Ltd (CN605713833) on 4/13/2023.

As a result of the acquisition, MSW Permit 2278A requires modification to properly identify Frontier 380 LLC (CN606244051) as the new owner and operator of the facility who will be wholly responsible to comply with the terms and requirements described therein. Frontier also proposes to change the name of the facility from "CRCW Type IV Landfill" to "McKinney 380 C&D Landfill" in both the TCEQ Central Registry Database and provided in the issued permit upon successful approval of this modification request. Public notices will then be provided to all adjacent landowners within 0.25 miles of the facility in accordance with the applicable state requirements.

The \$150.00 application fee has been paid via TCEQ's ePay portal. Proof of payment and confirmation of receipt can be found in Section 9 of this application packet.

## **2 TCEQ CORE DATA FORM, TCEQ-10400**



# TCEQ Core Data Form

For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input checked="" type="checkbox"/> Other <b>Transfer to new Owner &amp; Operator</b>	
<b>2. Customer Reference Number</b> (if issued)	<a href="#">Follow this link to search for CN or RN numbers in Central Registry**</a>	<b>3. Regulated Entity Reference Number</b> (if issued)
CN 606244051		RN 110878030

## SECTION II: Customer Information

<b>4. General Customer Information</b>		<b>5. Effective Date for Customer Information Updates</b> (mm/dd/yyyy)		3/10/2024	
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information		<input checked="" type="checkbox"/> Change in Regulated Entity Ownership	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)					
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>					
<b>6. Customer Legal Name</b> (If an individual, print last name first: eg: Doe, John)				<i>If new Customer, enter previous Customer below:</i>	
FRONTIER 380 LLC					
<b>7. TX SOS/CPA Filing Number</b>		<b>8. TX State Tax ID</b> (11 digits)		<b>9. Federal Tax ID</b>	<b>10. DUNS Number</b> (if applicable)
805469349		32094245795		(9 digits) 991591620	
<b>11. Type of Customer:</b>		<input checked="" type="checkbox"/> Corporation		<input type="checkbox"/> Individual	
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
<b>12. Number of Employees</b>				<b>13. Independently Owned and Operated?</b>	
<input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>14. Customer Role</b> (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following					
<input type="checkbox"/> Owner		<input type="checkbox"/> Operator		<input checked="" type="checkbox"/> Owner & Operator	
<input type="checkbox"/> Occupational Licensee		<input type="checkbox"/> Responsible Party		<input type="checkbox"/> VCP/BSA Applicant	
<input type="checkbox"/> Other:					
<b>15. Mailing Address:</b>		2540 E UNIVERSITY DR			
City		MCKINNEY		State TX	
ZIP		75069		ZIP + 4 4734	
<b>16. Country Mailing Information</b> (if outside USA)				<b>17. E-Mail Address</b> (if applicable)	
				JGUSTAFSON@FRONTIER.COM	
<b>18. Telephone Number</b>		<b>19. Extension or Code</b>		<b>20. Fax Number</b> (if applicable)	

**SECTION III: Regulated Entity Information**

<b>21. General Regulated Entity Information</b> (If 'New Regulated Entity' is selected, a new permit application is also required.)								
<input type="checkbox"/> New Regulated Entity <input checked="" type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information								
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>								
<b>22. Regulated Entity Name</b> (Enter name of the site where the regulated action is taking place.)								
MCKINNEY 380 C&D LANDFILL								
<b>23. Street Address of the Regulated Entity:</b> <i>(No PO Boxes)</i>		2540 E UNIVERSITY DR						
<b>City</b>	MCKINNEY	<b>State</b>	TX	<b>ZIP</b>	75069	<b>ZIP + 4</b>	4734	
<b>24. County</b>	COLLIN							

If no Street Address is provided, fields 25-28 are required.

<b>25. Description to Physical Location:</b>								
<b>26. Nearest City</b>			<b>State</b>			<b>Nearest ZIP Code</b>		
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>								
<b>27. Latitude (N) In Decimal:</b>			<b>28. Longitude (W) In Decimal:</b>					
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
<b>29. Primary SIC Code</b> (4 digits)		<b>30. Secondary SIC Code</b> (4 digits)		<b>31. Primary NAICS Code</b> (5 or 6 digits)		<b>32. Secondary NAICS Code</b> (5 or 6 digits)		
4953				562212				
<b>33. What is the Primary Business of this entity?</b> (Do not repeat the SIC or NAICS description.)								
C & D LANDFILL								
<b>34. Mailing Address:</b>		2540 E UNIVERSITY DR						
<b>City</b>	MCKINNEY	<b>State</b>	TX	<b>ZIP</b>	75069	<b>ZIP + 4</b>	4734	
<b>35. E-Mail Address:</b>		DDUGGER@FRONTIERWASTE.COM						
<b>36. Telephone Number</b>			<b>37. Extension or Code</b>			<b>38. Fax Number</b> (if applicable)		
( 469 ) 591-1380						( ) -		

**39. TCEQ Programs and ID Numbers** Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input checked="" type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Wastewater	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

### **SECTION IV: Preparer Information**

<b>40. Name:</b>	TROY LEITSCHUH	<b>41. Title:</b>	DIR OF ENVIR COMPL
<b>42. Telephone Number</b>	<b>43. Ext./Code</b>	<b>44. Fax Number</b>	<b>45. E-Mail Address</b>
( 817 ) 903-4654		( ) -	TLEITSCHUH@FRONTIERWASTE.COM

### **SECTION V: Authorized Signature**

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

<b>Company:</b>	FRONTIER WASTE SOLUTIONS	<b>Job Title:</b>	DIR OF ENVIR COMPL
<b>Name (In Print):</b>	TROY LEITSCHUH	<b>Phone:</b>	( 817 ) 903- 4654
<b>Signature:</b>	<i>Troy Leitschuh</i>	<b>Date:</b>	3/11/2024



**3 PERMIT TRANSFER AND MODIFICATION  
APPLICATION FORM, TCEQ-20650**



# Texas Commission on Environmental Quality Application Form for Municipal Solid Waste Permit or Registration Modification or Temporary Authorization

## Application Tracking Information

Facility Name: \_\_\_\_\_

Permittee or Registrant Name: \_\_\_\_\_

MSW Authorization Number: \_\_\_\_\_

Initial Submission Date: \_\_\_\_\_

Revision Date: \_\_\_\_\_

Instructions for completing this form are provided in [form TCEQ-20650-instr](#)<sup>1</sup>. If you have questions, contact the Municipal Solid Waste Permits Section by email to [mswper@tceq.texas.gov](mailto:mswper@tceq.texas.gov), or by phone at 512-239-2335.

## Application Data

### 1. Submission Type

Initial Submission                       Notice of Deficiency (NOD) Response

### 2. Authorization Type

Permit                                               Registration

### 3. Application Type

Modification with Public Notice       Modification without Public Notice  
 Temporary Authorization (TA)       Modification for Name Change or Transfer

### 4. Application Fee

#### Amount

The application fee for a modification or temporary authorization is \$150.

#### Payment Method

Check  
 Online through ePay portal [www3.tceq.texas.gov/epay/](http://www3.tceq.texas.gov/epay/)

If paid online, enter ePay Trace Number: \_\_\_\_\_

<sup>1</sup> [www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20650-instr.pdf](http://www.tceq.texas.gov/downloads/permitting/waste-permits/msw/forms/20650-instr.pdf)

## 5. Application URL

For modifications that require notice (other than those for arid exempt landfills), provide the URL address of a publicly accessible internet web site where the application and all revisions to the application will be posted:

\_\_\_\_\_

## 6. Party Responsible for Mailing Notice

For modifications that require notice, indicate who will be responsible for mailing notice:

Applicant

Agent in Service

Consultant

Contact Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email Address: \_\_\_\_\_

## 7. Confidential Documents

Does the application contain confidential documents?

Yes  No

If "Yes", reference the confidential documents in the application, but submit the confidential documents as an attachment in a separate binder marked "CONFIDENTIAL."

## 8. Facility General Information

Facility Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

MSW Authorization Number (if existing): \_\_\_\_\_

Regulated Entity Reference Number: **RN** \_\_\_\_\_

Physical or Street Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: TX Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Latitude (Degrees, Minutes, Seconds): \_\_\_\_\_

Longitude (Degrees, Minutes, Seconds): \_\_\_\_\_

## 9. Facility Types

Type I

Type IV

Type V

Type IAE

Type IVAE

Type VI

## 10. Description of the Revisions to the Facility

Provide a brief description of revisions to permit or registration conditions and supporting documents referred to by the permit or registration, and a reference to the specific provisions under which the modification or temporary authorization application is being made. Also, provide an explanation of why the modification or temporary authorization is needed:

## 11. Facility Contact Information

### Site Operator (Permittee or Registrant)

Name: \_\_\_\_\_

Customer Reference Number: **CN**\_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Texas Secretary of State (SOS) Filing Number: \_\_\_\_\_

### Operator (if different from *Site Operator*)

Name: \_\_\_\_\_

Customer Reference Number: **CN**\_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Texas Secretary of State (SOS) Filing Number: \_\_\_\_\_

**Consultant (if applicable)**

Firm Name: \_\_\_\_\_

Consultant Name: \_\_\_\_\_

Texas Board of Professional Engineers Firm Registration Number: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Agent in Service (required for out-of-state applicants)**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: TX Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**12. Ownership Status of the Facility**

Is this a modification that changes the legal description, the property owner, or the Site Operator (Permittee or Registrant)?

Yes  No

If the answer is "No", skip this section.

Does the Site Operator (Permittee or Registrant) own all the facility units and all the facility property?

Yes  No

If "No", provide the following information for other owners.

Owner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: TX Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Signature Page**

**Site Operator or Authorized Signatory**

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

Name: JOHN GUSTAFSON Title: PRESIDENT/CEO

Email Address: JGUSTAFSON@FRONTIERWASTE.COM

Signature: *John Gustafson* Date: 4/8/2024

**Operator or Principal Executive Officer Designation of Authorized Signatory**

To be completed by the operator if the application is signed by an authorized representative for the operator.

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

Operator or Principal Executive Officer Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Notary**

SUBSCRIBED AND SWORN to before me by the said John Gustafson

On this 8<sup>th</sup> day of April, 2024

My commission expires on the 28<sup>th</sup> day of June, 2025

*Korey Medart*

Notary Public In and for  
Grayson County, Texas



Note: Application Must Bear Signature and Seal of Notary Public

## Attachments for Permit or Registration Modification with Public Notice

Refer to instruction document **200650-instr** for professional engineer seal requirements.

### ***Attachments Table 1. Required attachments.***

<b>Required Attachments</b>	<b>Attachment Number</b>
Land Ownership Map	5
Landowners List	5
Marked (Redline/Strikeout) Pages	12
Unmarked Revised Pages	13

### ***Attachments Table 2. Additional attachments as applicable.***

<b>Additional Attachments as Applicable (select all that apply and add others as needed)</b>	<b>Attachment Number</b>
<input checked="" type="checkbox"/> TCEQ Core Data Form(s)	2
<input type="checkbox"/> Signatory Authority Delegation	N/A
<input checked="" type="checkbox"/> Fee Payment Receipt	9
<input type="checkbox"/> Confidential Documents	N/A

## Attachments for Permit or Registration Modification without Public Notice, or Temporary Authorization

Refer to instruction document **200650-instr** for professional engineer seal requirements.

### ***Attachments Table 3. Required attachments for modifications.***

<b>Required Attachments for Modification</b>	<b>Attachment Number</b>
Marked (Redline/Strikeout) Pages	
Unmarked Revised Pages	

### ***Attachments Table 4. Additional attachments for modifications and temporary authorizations, as applicable.***

<b>Additional Attachments as Applicable (select all that apply and add others as needed)</b>	<b>Attachment Number</b>
<input type="checkbox"/> TCEQ Core Data Form(s)	
<input type="checkbox"/> Signatory Authority Delegation	
<input type="checkbox"/> Fee Payment Receipt	
<input type="checkbox"/> Confidential Documents	



## Attachments for Permit or Registration Name Change or Transfer Modification

Refer to instruction document **200650-instr** for professional engineer seal requirements.

### **Attachments Table 5. Required attachments.**

<b>Required Attachments</b>	<b>Attachment Number</b>
TCEQ Core Data Form(s)	
Property Legal Description	
Property Metes and Bounds Description	
Metes and Bounds Drawings	
On-Site Easements Drawing	
Land Ownership Map	
Land Ownership List	
Property Owner Affidavit	
Verification of Legal Status	
Evidence of Competency	

### **Attachments Table 6. Additional attachments as applicable.**

<b>Additional Attachments as Applicable (select all that apply and add others as needed)</b>	<b>Attachment Number</b>
<input type="checkbox"/> Signatory Authority Delegation	
<input type="checkbox"/> Fee Payment Receipt	
<input type="checkbox"/> Confidential Documents	
<input type="checkbox"/> Final Plat Record of Property	
<input type="checkbox"/> Assumed Name Certificate	

## **4 PROPERTY LEGAL DESCRIPTION, METES AND BOUNDS DESCRIPTION, AND MAP WITH SETBACKS**

DESCRIPTION 136.79 Acres of Land

SITUATED in Collin County, Texas, in the B. L. Hamm Survey, Abstract No. 375, being a resurvey of the tract of land described in a deed from George Cantrell to B. J. Webster, dated December 15, 1978, recorded in Volume 1202, Page 487 of the Collin County Land Records, and a part of the 322.446 acres of land described in a deed from Carl P. Pratt and wife, Evelyn Ruth Pratt to James N. Muns and Ross Forney, Trustees, dated August 23, 1971, recorded in Volume 794, Page 333 of the Collin County Deed Records, being described by metes and bounds as follows:

BEGINNING at an iron pin found beside a corner post at the west, southwest corner of said 322.446 acre tract;

Thence south 2° 39' 19" west, 775.60 feet with an established fence and with the east line of said Cantrell to Webster Tract to a point in the center of The East Fork of the Trinity River, at the southeast corner of said Cantrell to Webster Tract;

Thence generally in a northwesterly direction and with the center of said East Fork and with the south line of said Cantrell to Webster Tract as follows:

North 59° 12' 08" West, 87.86 feet; North 69° 12' 47" West, 93.50 feet;  
North 86° 30' 18" West, 154.78 feet; North 62° 50' 21" West, 115.04 feet;  
North 19° 05' 47" West, 211.96 feet; North 9° 53' 59" East, 154.12 feet;  
North 2° 17' 21" West, 238.80 feet; North 12° 27' 04" West, 351.86 feet;  
North 28° 58' 12" West, 182.30 feet; North 44° 29' 18" West, 111.01 feet;  
North 63° 09' 30" West, 91.44 feet;

North 82° 17' 14" West, 270.02 feet to a point in said East Fork, at the southwest corner of said Cantrell to Webster Tract;

Thence north 3° 31' 00" east, 1255.60 feet to an iron pin found at the northwest corner of said Cantrell to Webster Tract;

Thence easterly with an established fence and with the north line of said Cantrell to Webster Tract and with the north line of said 322.446 acre tract as follows:

South 89° 24' 00" East, 882.46 feet; South 88° 17' 36" East, 340.47 feet;  
South 89° 20' 27" East, 178.34 feet; South 87° 58' 40" East, 346.72 feet;  
South 88° 01' 08" East, 366.79 feet; South 88° 08' 08" East, 294.13 feet;  
South 87° 11' 31" East, 430.81 feet;

South 89° 34' 15" East, passing an existing iron pin set beside a corner post at 490.05 feet and continuing in all 503.02 feet to a point on the south edge of and in the east-west center of a steel pipe cattle guard, in said north line for a corner;

Thence southerly with the center of a rock road for as follows:

South 15° 26' 47" West, 125.63 feet; South 11° 05' 18" West, 237.96 feet;  
South 9° 34' 14" West, 525.24 feet; South 12° 41' 58" West, 136.01 feet;  
South 18° 27' 56" West, 144.71 feet; South 28° 06' 19" West, 181.18 feet;  
South 9° 46' 53" West, 151.86 feet; South 7° 29' 20" East, leaving said rock road at

approximately 300 feet and continuing in all 396.16 feet to an iron pin set in the south line fence of said 322.446 acre tract;

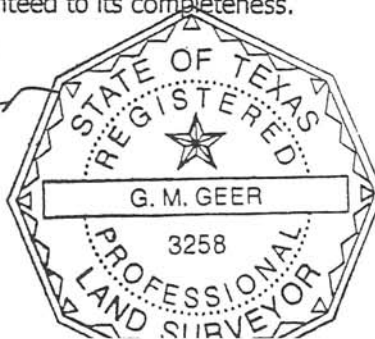
Thence westerly with the south line of said 322.446 acre tract and with an old established fence as follows:

North 87° 58' 08" West, 596.16 feet; North 88° 43' 07" West, 304.05 feet; North 88° 30' 02" West, 1126.81 feet to the PLACE OF BEGINNING and containing 136.79 acres of land.

CERTIFICATION:

I, hereby certify that I made the survey on the ground on the herein described tract shown hereon and set corner stakes as reflected on the plat and that only visible improvements on the ground are as shown on the survey; to my knowledge, there are no encroachments, overlapping of improvements or conflicts except as shown on the survey plat; that the survey is guaranteed to its completeness.

G. M. GEER, REGISTERED PROFESSIONAL LAND SURVEYOR  
TEX. REG. NO. 3258  
1512 West University, Suite 300  
McKinney, Texas 75069  
Phone (214) 562-3959



DESCRIPTION 10.000 Acre of Land

SITUATED IN Collin County, Texas, in the H. T. Chenoweth Survey, Abstract No. 157, being a resurvey of part of the 104 1/3 acres of land described in a deed from John Johnson to J. L. Doggett dated September 24, 1884, recorded in Volume 25, Page 530, of the Collin County Deed Records, being described by metes and bounds as follows:

COMMENCING at an iron pin found beside a corner post at the southeast corner of said 104 1/3 acre tract; Thence westerly with the north line of the 322.446 acre tract Reference Volume 794, Page 333 and with an old established fence and with the south line of said 104 1/3 acre tract as follows: North 89° 34' 15" West, 490.05 feet; North 87° 11' 31" West, 430.81; North 88° 08' 08" West, 294.13 feet; North 88° 01' 08" West, 366.79 feet; North 87° 58' 40" West, 346.72 feet; North 89° 20' 27" West, 178.34 feet; North 88° 17' 36" West, 23.29 feet to an iron pin set in said line and fence for a PLACE OF BEGINNING;

Thence westerly with said north line and said south line and with said old established fence as follows:

North 88° 17' 36" West, 340.47 feet; North 89° 24' 00" West, 41.94 feet to an iron pin set in said line and fence for a corner;

Thence north 1° 45' 55" east, 1248.0 feet to an iron pin set in the south R.O.W. line of U. S. Hwy No. 380 for a corner;

Thence easterly with said south R.O.W. line as follows:

North 80° 57' 46" East, 43.9 feet to an aluminum cap R.O.W. Mon. found;

South 71° 30' 04" East, 329.97 feet to an iron pin found for a corner;

Thence south 1° 45' 55" west, 1160.05 feet to the PLACE OF BEGINNING and containing 10.000 acres of land.

CERTIFICATION:

I, hereby certify that I made the survey on the ground on the herein described tract shown hereon and set corner stakes as reflected on the plat and that only visible improvements on the ground are as shown on the survey; to my knowledge, there are no encroachments, overlapping of improvements or conflicts except as shown on the survey plat; that the survey is guaranteed to its completeness.

G. M. GEER, REGISTERED PROFESSIONAL LAND SURVEYOR  
TEX. REG. NO. 3258  
1512 West University, Suite 300  
McKinney, Texas 75069  
Phone (972) 562-3959

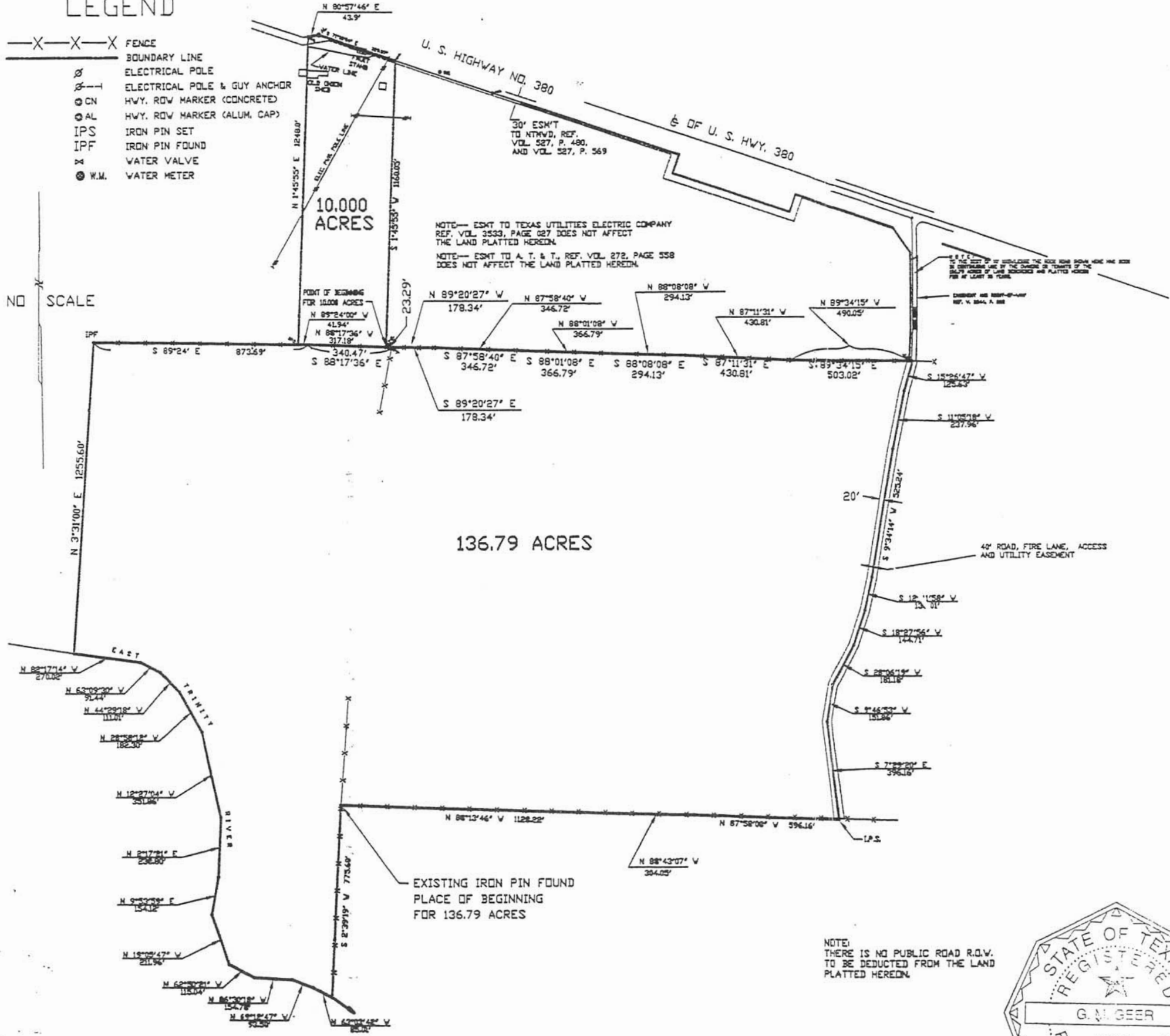


1 24

# LEGEND

- X-X-X FENCE
- — — BOUNDARY LINE
- ⊗ ELECTRICAL POLE
- ⊗-I ELECTRICAL POLE & GUY ANCHOR
- ⊗-CN HWY. ROW MARKER (CONCRETE)
- ⊗-AL HWY. ROW MARKER (ALUM. CAP)
- IPS IRON PIN SET
- IPF IRON PIN FOUND
- X WATER VALVE
- ⊗ W.M. WATER METER

NO SCALE



DESCRIPTION 10,000 Acres of Land  
 SITUATED IN Collin County, Texas, in the M. T. Chenoweth Survey, Abstract No. 157, being a resurvey of part of the 104 1/3 acres of land described in a deed from John Johnson to J. L. Doggett dated September 24, 1884, recorded in Volume 23, Page 530, of the Collin County Deed Records, being described by metes and bounds as follows:  
 BEGINNING at an iron pin found beside a corner post at the southeast corner of said 104 1/3 acre tract; Thence westerly with the north line of the 322.446 acre tract Reference Volume 794, Page 333 and with an old established fence and with the south line of said 104 1/3 acre tract as follows: North 89° 34' 15" West, 490.05 feet; North 87° 11' 31" West, 430.81 feet; North 88° 08' 08" West, 294.13 feet; North 88° 01' 08" West, 366.79 feet; North 87° 58' 40" West, 346.72 feet; North 89° 20' 27" West, 178.34 feet; North 88° 17' 36" West, 340.47 feet; Thence westerly with said north line and said south line and with said old established fence as follows:  
 North 88° 17' 36" West, 317.18 feet; North 89° 24' 00" West, 41.94 feet to an iron pin set in said line and fence for a corner;  
 Thence north 1° 45' 55" east, 1248.0 feet to an iron pin set in the south R.O.V. line of U. S. Hwy No. 380 for a corner;  
 Thence easterly with said south R.O.V. line as follows:  
 North 80° 57' 46" East, 43.9 feet to an aluminum cap R.O.V. Mark found;  
 South 71° 30' 04" East, 329.57 feet to an iron pin found for a corner;  
 Thence south 1° 45' 55" west, 1160.05 feet to the PLACE OF BEGINNING and containing 10,000 acres of land.

NOTE: THIS NOTE APPLIES TO THE 10 ACRES OF LAND PLATTED HEREON.  
 The land platted hereon lies in Zone X (outside the 100 year flood plain) and is located in the boundary of GALA, 7384 Parcel 408852080 E dated April 2, 1994 and is therefore not in the 100 year flood plain.

DESCRIPTION 136.79 Acres of Land  
 SITUATED IN Collin County, Texas, in the E. L. Hawn Survey, Abstract No. 375, being a resurvey of the tract of land described in a deed from George Cantrell to E. J. Webster, dated December 15, 1978, recorded in Volume 1202, Page 487 of the Collin County Land Records, and a part of the 322.446 acres of land described in a deed from Carl P. Pratt and wife, Evelyn Ruth Pratt to James H. Hawn and Ross Forney, Trustees, dated August 23, 1971, recorded in Volume 794, Page 333 of the Collin County Deed Records, being described by metes and bounds as follows:  
 BEGINNING at an iron pin found beside a corner post at the west, southwest corner of said 322.446 acre tract;  
 Thence south 2° 39' 19" west, 775.60 feet with an established fence and with the east line of said Cantrell to Webster Tract to a point in the center of The East Fork of the Trinity River, at the southeast corner of said Cantrell to Webster Tract;  
 Thence generally in a northwesterly direction and with the center of said East Fork and with the south line of said Cantrell to Webster Tract as follows:  
 North 63° 03' 48" West, 85.01 feet;  
 North 69° 12' 47" West, 93.50 feet;  
 North 86° 30' 18" West, 154.78 feet;  
 North 62° 39' 21" West, 115.04 feet;  
 North 19° 05' 47" West, 211.96 feet;  
 North 9° 52' 59" East, 154.12 feet;  
 North 2° 17' 21" East, 238.80 feet;  
 North 12° 27' 04" West, 351.86 feet;  
 North 28° 38' 12" West, 182.30 feet;  
 North 44° 29' 18" West, 111.02 feet;  
 North 63° 09' 20" West, 91.44 feet;  
 North 82° 17' 14" West, 270.02 feet to a point in said East Fork, at the southwest corner of said Cantrell to Webster Tract;  
 Thence north 2° 31' 00" east, 1235.60 feet to an iron pin found at the northeast corner of said Cantrell to Webster Tract;  
 Thence easterly with an established fence and with the north line of said Cantrell to Webster Tract and with the north line of said 322.446 acre tract as follows:  
 South 89° 34' 15" East, 873.69 feet;  
 South 88° 17' 36" East, 346.47 feet;  
 South 89° 20' 27" East, 178.34 feet;  
 South 87° 58' 40" East, 346.72 feet;  
 South 88° 01' 08" East, 366.79 feet;  
 South 88° 08' 08" East, 294.13 feet;  
 South 87° 11' 31" East, 430.81 feet;  
 South 89° 34' 15" East, passing an existing iron pin set beside a corner post at 490.05 feet and continuing in all 503.02 feet to a point on the south edge of and in the east-west center of a steel pipe cattle guard, in said north line for a corner;  
 Thence southerly with the center of a rock road for as follows:  
 South 15° 26' 47" West, 125.63 feet; South 11° 05' 18" West, 237.96 feet;  
 South 9° 34' 14" West, 325.24 feet; South 12° 41' 58" West, 126.21 feet;  
 South 18° 17' 56" West, 144.71 feet; South 28° 06' 19" West, 181.18 feet;  
 South 9° 44' 53" West, 151.86 feet; South 7° 29' 20" East, leaving said rock road at approximately 308 feet and continuing in all 396.16 feet to an iron pin set in the south line of fence of said 322.446 acre tract;  
 Thence westerly with the south line of said 322.446 acre tract and with an old established fence as follows:  
 North 87° 18' 08" West, 596.16 feet; North 88° 42' 57" West, 304.05 feet;  
 North 88° 12' 46" West, 1128.22 feet to the PLACE OF BEGINNING and containing 136.79 acres of land.

CERTIFICATION: TO McODNEY 158, L.P., 380-McODNEY, L.P., REPUBLIC TITLE OF TEXAS, INC. AND FIRST AMERICAN TITLE INSURANCE COMPANY, BY FILE NO. 078 McODNEY 150/2088888  
 The undersigned does hereby certify that on this 4th day of September, 1996 a survey was made on the ground on the property legally described hereon prepared by the undersigned and is correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way, easements and any other matters of record, on of which I have knowledge or have been advised, whether of record or not, affecting the subject property.  
 Except as shown on the survey, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, protrusions, overlapping of improvements, easements, or rights-of-way, except as shown on the plat hereon that the plat hereon is a true, correct and accurate representation of the property described hereinabove.  
 Adequate ingress to and egress from the subject property is provided for the 10 acres platted hereon by U. S. Hwy. 380, same being paved, dedicated public right-of-way maintained by the State of Texas.



*G. M. Geer*  
 G. M. GEER, REGISTERED PROFESSIONAL LAND SURVEYOR  
 TEX. REG. NO. 3258  
 1512 West University, Suite 380  
 McKinney, Texas 75069  
 Phone (214) 562-3959

## **5 LAND OWNERSHIP MAP AND LIST**



### LAND OWNERSHIP MAPS

The maps below are figures showing the landowners and boundaries within 0.25 miles from **2540 E. University Drive, McKinney, TX 75069**.

**Figure 1. Full Map of all landowners and their area boundaries.** This map shows all landowner's areas labeled by numbers that correspond to the list of names and addresses on the last page of this document. Each section is separated in red while the main property located at 2540 E. University Drive, McKinney, TX 75069 is highlighted in black.

**Inset Maps 1 and 2. Additional maps of all landowners northeast of main property separated (left versus right side) with their property boundaries.** Both maps are a subsection of Figure 1. Inset Map 1 is highlighted in orange and Inset Map 2 is highlighted in purple on Figure 1. The inset maps serve as close ups for better visibility of numerical labels and property boundaries.

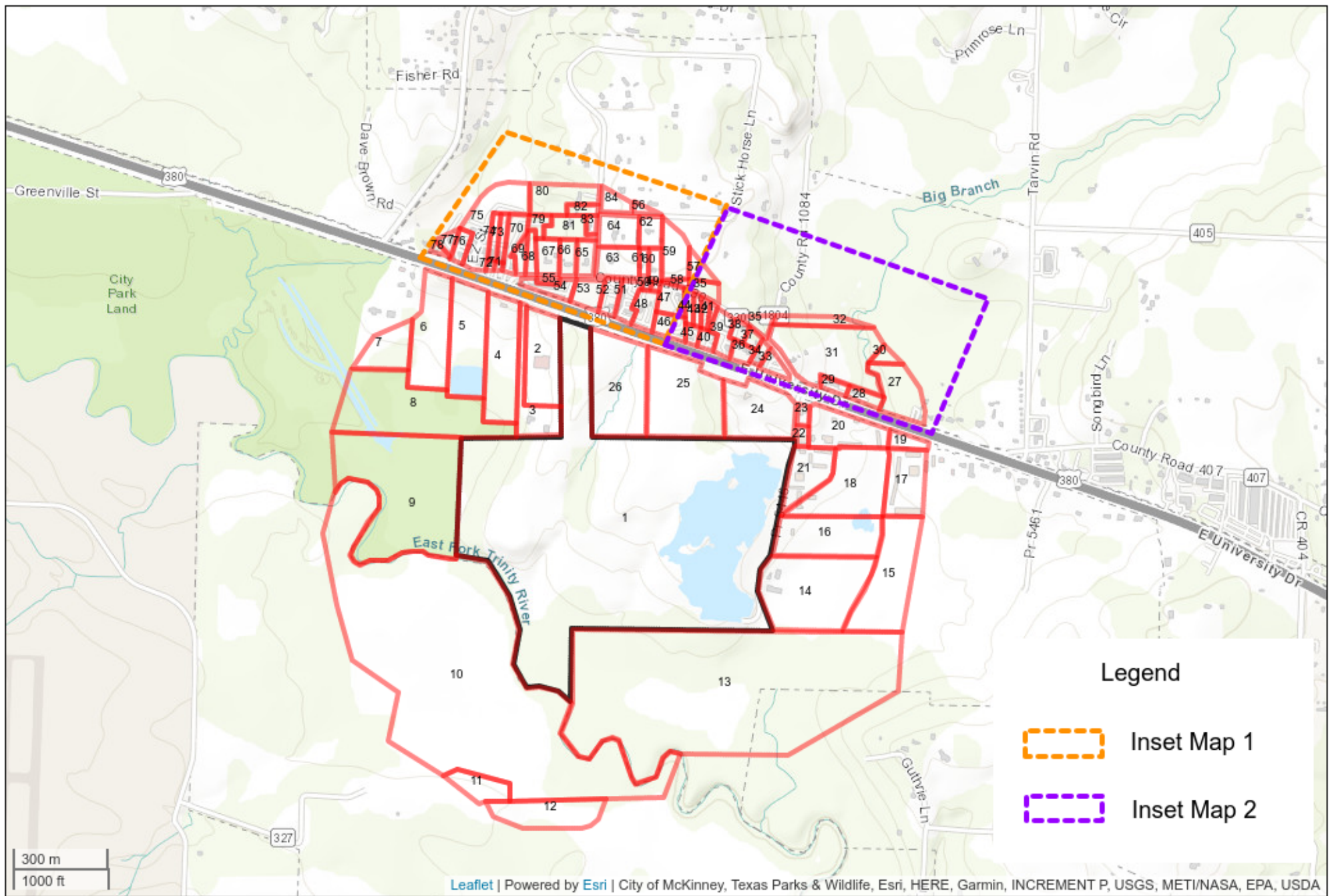


Figure 1: Land Ownership Map

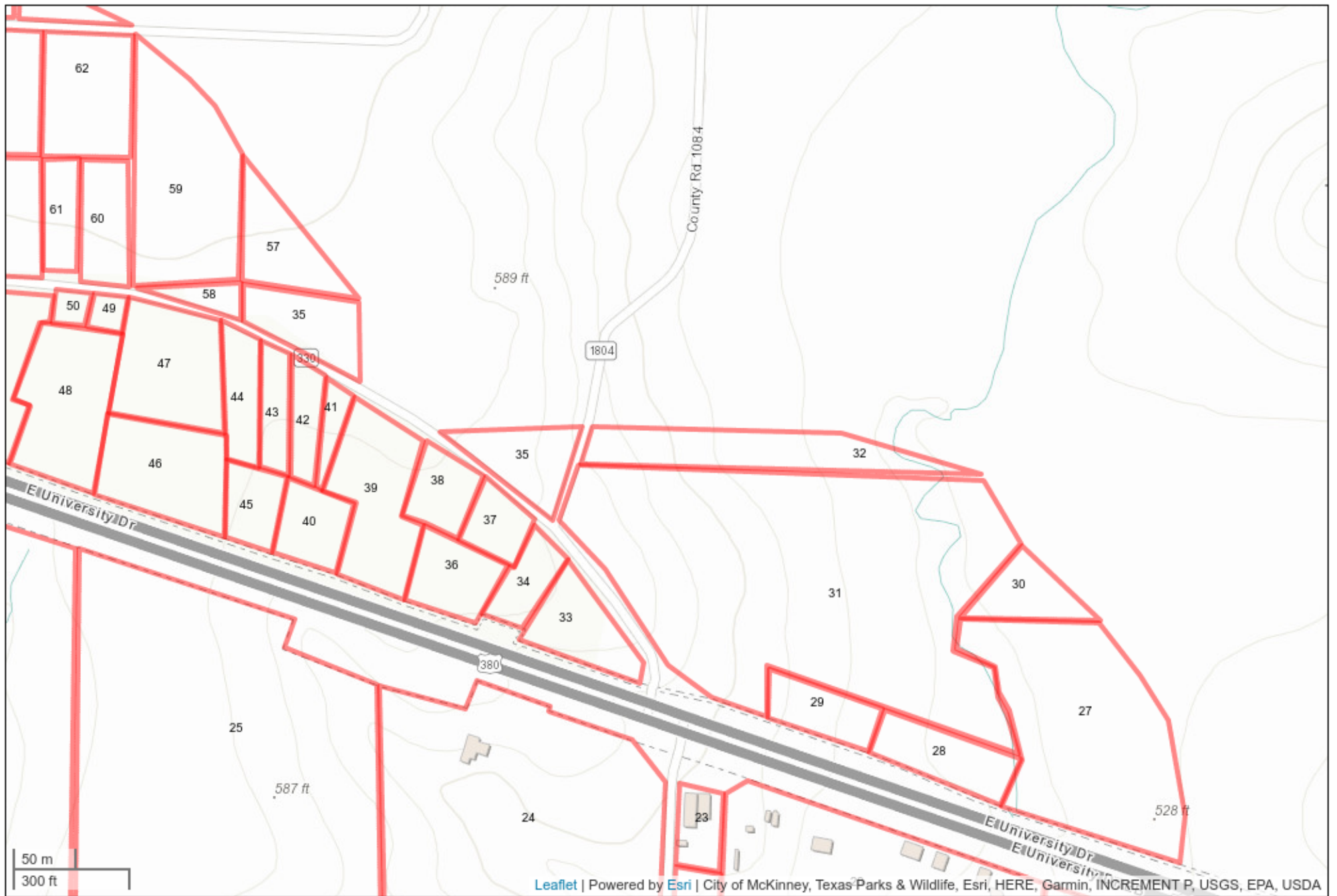






**Inset Map 1: Left/Northeast Land Ownership Map**





Leaflet | Powered by Esri | City of McKinney, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



Inset Map 2: Right/Northeast Land Ownership Map



## **LIST OF LANDOWNERS**

The numbers on the maps above correlate to the landowners and corresponding addresses listed below. Some landowners have multiple addresses and areas.

List of Landowners within 0.25 miles from **2540 E. University Drive, McKinney, TX 75069**

Map ID	Owner	Address	City	State	Zip Code
1	OSTTEND LANDFILL LTD	2540 E UNIVERSITY DR	MCKINNEY	TX	75069-4734
2	MASTER HALCO INC	3010 LYNDON B JOHNSON FWY STE 800	DALLAS	TX	75234-2776
3	WEBSTER RICKY JACK JR	2526 E UNIVERSITY DR	MCKINNEY	TX	75069-4734
4	P4 HOLDINGS LLC	3300 N A ST	MIDLAND	TX	79705-5421
5	PANNKUK BOBBY JR & SPURGIN MONTY	PO BOX 1309	LEONARD	TX	75452-1309
6	HOPE 380 HOLDINGS LLC	4429 WHITE ROCK LN	PLANO	TX	75024-7298
7	PATEL MALTI	2236 E UNIVERSITY DR	MCKINNEY	TX	75069-0901
8	MCKINNEY CITY OF	PO BOX 517	MCKINNEY	TX	75070-8013
9	MCKINNEY CITY OF	PO BOX 517	MCKINNEY	TX	75070-8013
10	MAP HOLDINGS LP	1410 N CROSSING DR	ALLEN	TX	75013-3457
11	MCKINNEY UPLANDS LP	1410 N CROSSING DR	ALLEN	TX	75013-3457
12	MAP HOLDINGS LP	1410 N CROSSING DR	ALLEN	TX	75013-3457
13	CARNES KEVIN & SUZETTE	742 GUTHRIE LN	MCKINNEY	TX	75069-4760
14	HERNANDEZ GONZALO	2441 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
15	A&T INVESTMENTS & HOLDINGS INC & JAYASRI DEVALAPALLI & MANASWINI AVVARI & LAKSHMANA PAMARTHY & MANISH VERMA	1388 LOYOLA DR	SANTA CLARA	CA	95051-3932
16	ALVARADO ARNULFO SR	805 ELM ST	MCKINNEY	TX	75069-6758
17	MCCLELLAN AMY GAIL & BILLY JOEL	PO BOX 3027	MCKINNEY	TX	75070-8181
18	MCCLELLAN JOE & AMY	PO BOX 3027	MCKINNEY	TX	75070-8181
19	MCCLELLAN JOE & AMY	PO BOX 3027	MCKINNEY	TX	75070-8181
20	MCCLELLAN AMY GAIL & BILLY JOEL	PO BOX 3027	MCKINNEY	TX	75070-8181
21	MCCLELLAN JOE & AMY	PO BOX 3027	MCKINNEY	TX	75070-8181
22	BORG FAMILY LTD	285 KATE LN	PRINCETON	TX	75407-2631
23	MCCLELLAN AMY GAIL & BILLY JOEL	PO BOX 3027	MCKINNEY	TX	75070-8181
24	DUFF REAL ESTATE LLC	800 HIGHWAY 98 BYP	COLUMBIA	MS	39429-8255
25	SILK ROAD INVEST LLC	4993 LIVINGSTON DR	FRISCO	TX	75033-2931
26	OSTTEND LANDFILL LTD	PO BOX 22790	HOUSTON	TX	77227-2790
27	VALLE ISRAEL D & ALMA	PO BOX 3753	MCKINNEY	TX	75070-8195

28	YOHANNAN PRINSON	5029 HARTWELL CT	SAINT CLOUD	FL	34771-7858
29	NESHYBA RYAN & MISTY	14263 COUNTY ROAD 830	ANNA	TX	75409-6039
30	ETHAN MC PROPERTY LLC - SERIES L	4625 SEBAGO TRL	PLANO	TX	75093-3394
31	COLLIN COUNTY	210 S MCDONALD ST	MCKINNEY	TX	75069-7602
32	JONES KATHY W & KENNETH	2150 COUNTY ROAD 1084	MCKINNEY	TX	75071-0747
33	LAWSON LIVING TRUST	PO BOX 2304	MCKINNEY	TX	75070-8169
34	KHORASAN PROPERTIES LLC	2675 E UNIVERSITY DR	MCKINNEY	TX	75069-0905
35	RELEMKE TRUST	2701 W 15TH ST STE 169	PLANO	TX	75075-7523
36	APOSTOLIC CHURCH OF JESUS	PO BOX 1537	PRINCETON	TX	75407-1537
37	HERNANDEZ ALEJANDRO LOPEZ & MARIA DOLORES PAREDES CERVANTES	2944 COUNTY ROAD 330	MCKINNEY	TX	75071-0708
38	SARVER MILDRED	2910 COUNTY ROAD 330	MCKINNEY	TX	75071-0708
39	COLLIN COUNTY RECYCLERS INC % ROY MILLER AUTO SALVAGE	2933 E UNIVERSITY DR	MCKINNEY	TX	75069-0908
40	MCCLELLAN AMY HINES	PO BOX 3027	MCKINNEY	TX	75070-8181
41	MCCLELLAN AMY HINES	PO BOX 3027	MCKINNEY	TX	75070-8181
42	MCCLELLAN AMY HINES	PO BOX 3027	MCKINNEY	TX	75070-8181
43	HERNANDEZ MARIA & CARLOS A HERNANDEZ	2804 COUNTY ROAD 330	MCKINNEY	TX	75071-0707
44	IZAGUIRRE CRESENCIO	2784 COUNTY ROAD 330	MCKINNEY	TX	75071-0706
45	HOLLAND GERALD C	2126 FM 982	PRINCETON	TX	75407-5069
46	RAFAELOV MOSHE C/O A26 LUMBER	11836 JUDD CT STE 322	DALLAS	TX	75243-4412
47	RAFAELOV MOSHE C/O A26 LUMBER	11836 JUDD CT STE 322	DALLAS	TX	75243-4412
48	WRIGHT FREDDIE	11416 ALPINE SPRINGS DR	AUBREY	TX	76227-2240
49	NORTH COLLIN SPECIAL UTILITY DISTRICT	2333 SAM RAYBURN HWY	MELISSA	TX	75454-0343
50	NORTH COLLIN SPECIAL UTILITY DISTRICT	2333 SAM RAYBURN HWY	MELISSA	TX	75454-0343
51	RODRIGUEZ MAURO G	2735 E UNIVERSITY DR	MCKINNEY	TX	75069-0906
52	AZAMI MOHAMMAD S	2675 E UNIVERSITY DR	MCKINNEY	TX	75069-0905
53	COLLINS PROPERTY CO THE	PO BOX 578	WYLIE	TX	75098-0578
54	2530 DFW UNIVERSITY LLC	1825 W KNUDSEN DR STE 130B	PHOENIX	AZ	85027-2188
55	RODRIGUEZ ERNESTO F	PO BOX 68	MCKINNEY	TX	75070-8131
56	KUMAR VINOD & POOJA SHARMA	3444 STICKHORSE LN	MCKINNEY	TX	75071-0783

57	SAMS DONALD D	3343 STICKHORSE LN	MCKINNEY	TX	75071-0782
58	TIMORY WAHAB & SALIHA	5702 S BRIAR RIDGE CIR	MCKINNEY	TX	75072-5460
59	TEMORI WAHAB	5702 S BRIAR RIDGE CIR	MCKINNEY	TX	75072-5460
60	TORRES JULIO CESAR	2733 COUNTY ROAD 330	MCKINNEY	TX	75071-0846
61	TAMPLIN MICHEAL D &	2675 COUNTY ROAD 330	MCKINNEY	TX	75071-0705
62	SRISAI BUILDERS LLC	1408 PILLAR BLUFF WAY	MCKINNEY	TX	75072-3154
63	BEST WAY PROPERTIES LLC	3616 TREE SHADOW TRL	PLANO	TX	75074-1601
64	OSTICK RANDY G & TERRY A	2148 STICKHORSE LN	MCKINNEY	TX	75071-0768
65	AREVALO-FRANCO ARTURO	2115 STICKHORSE LN	MCKINNEY	TX	75071-0767
66	BERHOW JEAN J	2539 COUNTY ROAD 330	MCKINNEY	TX	75071-0704
67	COSTELLO LAWRENCE J & DALE	2495 COUNTY ROAD 330	MCKINNEY	TX	75071-0701
68	GONZALES TERRY GLENN	2461 COUNTY ROAD 330	MCKINNEY	TX	75071-0701
69	RODRIGUEZ ERNESTO F	PO BOX 68	MCKINNEY	TX	75070-8131
70	HERNANDEZ GONZALO & ANTONIA A	2441 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
71	GAO XIAODONG & JIAQIAN DENG	2431 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
72	TEXAS RND LLC	2431 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
73	GAO XIAODONG & JIAQIAN DENG	2431 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
74	TEXAS RND LLC	2431 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
75	DYNAMIX INVESTMENT LLC	20 BUCKINGHAM LN	ALLEN	TX	75002-8675
76	RILEY DEBBIE TATE	3961 COUNTY ROAD 494	PRINCETON	TX	75407-2339
77	MONARCH GROUP LLC	5100 ELDORADO PKWY STE 102	MCKINNEY	TX	75070-9127
78	MALDONADO MARTIN	860 S STATE HIGHWAY 5	FAIRVIEW	TX	75069-9459
79	HERNANDEZ GONZALO	2441 E UNIVERSITY DR	MCKINNEY	TX	75069-4795
80	PEREZ NOE C HERR & FERMAN R ZUNIGA	2195 STICKHORSE LN	MCKINNEY	TX	75071-0767
81	TREJO RUDDY & GLORIA	2155 STICKHORSE LN	MCKINNEY	TX	75071-0767
82	LEWIS JASON PATRICK & JARIO EDUARDO SANDOVAL	16340 REDBUD DR	MCKINNEY	TX	75071-6510
83	SANDERS WAYNE E	2179 STICKHORSE LN	MCKINNEY	TX	75071-0767
84	SHAW JOHN J – LE SHIRLEY A SHAW	2278 STICKHORSE LN	MCKINNEY	TX	75071-0770

## **6 PROPERTY OWNER AFFIDAVIT**



---

# McKinney 380 C&D Landfill

---

## Property Owner Affidavit

"I/we John Gustafson, as Chief Executive Officer,  
(Printed Signatory Name) (Signatory Capacity)

As authorized signatory for Frontier 380, LLC,  
(Printed Name of Property Owner of Record)

Acknowledge that the State of Texas may hold me either jointly or severally responsible for the operation, maintenance, and closure and post-closure care of the facility. For a facility where waste will remain after closure, I acknowledge that I have a responsibility to file with the county deed records, an affidavit to the public advising that the land will be used for a solid waste landfill facility, and to file a final recording upon completion of disposal operations and closure of the landfill units in accordance with Title 30 Texas Administrative Code 330.19, Deed Recordation. I further acknowledge that I or the operator and the State of Texas shall have access to the property during the active life and post-closure period, if required, after closure for the purpose of inspection and maintenance."

  
\_\_\_\_\_  
(Property Owner's Signature)

April 2, 2024  
\_\_\_\_\_  
(Date)



## 7 VERIFICATION OF LEGAL STATUS

**CERTIFICATE OF FORMATION**  
**OF**  
**FRONTIER 380, LLC**

This Certificate of Formation of Frontier 380, LLC (the “Company”) is made pursuant to Section 18-201 of the Delaware Limited Liability Company Act (the “Act”), and is hereby filed with the Secretary of State of the State of Delaware (the “Delaware Secretary of State”) pursuant to Section 18-206 of the Act.

The undersigned does hereby certify that:

1.     **Name.** The name of the limited liability company is Frontier 380, LLC.
  
2.     **Registered Office and Agent.** The address of the registered office of the Company in Delaware is Corporation Trust Center, 1209 Orange Street in the City of Wilmington, Delaware 19801, and the name of the Company’s registered agent at the same address is The Corporation Trust Company.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation as of February 23, 2024, to be effective on the date of its filing with the Delaware Secretary of State.

DocuSigned by:

*Alek M. Orloff*

30B90F08720249B...

Alek M. Orloff, Authorized Person

**FRONTIER 380, LLC**

**Certificate Regarding Authorization of Third Party Designee**

I, Alek Orloff, hereby certify that I am the Chief Financial Officer of Frontier 380, LLC, a Delaware limited liability company (the "Company"), which will apply for an Employer Identification Number ("EIN").

I further certify that, on behalf of the Company, I have signed a completed Internal Revenue Service Form SS-4, including the Third Party Designee section, and I understand that I am authorizing the individual named therein to apply for and receive the Company's EIN on my behalf, and answer questions about the completion of the Form SS-4.

Dated: February 23, 2024

DocuSigned by:

*Alek M. Orloff*

30B90F08720249B...

Alek M. Orloff, Chief Financial Officer

## 8 EVIDENCE OF COMPETENCY

### 30 TAC 330.59.(f) – Evidence of Competency

**§330.59.(f).1.** - List of all Texas solid waste sites that the owner or operator has owned or operated within the last ten years:

Site Name	Site Type	Permit/Registration Number	County	Dates of Operation
CRWC Type IV Landfill	IV	2278A	Collin	September 2019 to present
Somervell County Transfer Station	V-TS	40181	Somervell	October 2017 to present
K2 Waste Solutions, LLC. Waste Transfer Station	V-TS	2394	Liberty	Permitted; Not Constructed

**§330.59.(f).2.** - List of all solid waste sites in all states, territories, or countries in which the owner or operator has a direct financial interest:

Site Name	Site Address	Dates of Operation	Name of State Regulatory Agency	Address of Regulatory Agency
CRWC Type IV Landfill	2450 E. University Dr. McKinney, TX	September 2019 to present	TCEQ	12100 Park 35 Circle, Austin TX78753
Somervell County Transfer Station	1691 FM 56, Glen Rose, TX	October 2017 to present	TCEQ	12100 Park 35 Circle, Austin TX78753
K2 Waste Solutions, LLC. Waste Transfer Station	10185 FM 1960, Dayton, TX	Permitted; Not Constructed	TCEQ	12100 Park 35 Circle, Austin TX78753

**§330.59.(f).3.** - A licensed solid waste facility supervisor shall be employed before commencing facility operation:

Name	License Number
David Dugger	SW0000272
Monica Sowards	SW0007403

\*Licenses provided at end of Evidence of Competency Section

**§330.59.(f).4.** - The names of the principals and supervisors of the owner's or operator's organization shall be provided, together with previous affiliations with other organizations engaged in solid waste activities:

Name	Previous affiliations with other solid waste companies
John Gustafson	Progressive Waste Solutions; Waste Management Inc
Alek Orloff	Alpine Holdings Inc; GFL Environmental
David Dugger	City of Grand Prairie; City of Denton
Monica Sowards	City of Denton; City of Austin

**§330.59.(f).5.** - For landfill permit applications only, evidence of competency to operate the facility shall also include landfilling and earthmoving experience if applicable, and other pertinent experience, or licenses as described in Chapter 30 of this title possessed by key personnel, and the number and size of each type of equipment to be dedicated to facility operation:

Heavy Equipment Type	Make and Model	Purpose
Landfill Compactor	CAT 826G or equal	Waste Spreading & Compaction
Bulldozer	Komatsu D85 or equal	Waste & Soil Spreading
Excavator	Komatsu PC290 or equal	Soil Excavation
Dump Truck	Komatsu HM400 or equal	Soil Movement
Water Truck	Komatsu HM400 or equal	Dust Control; Firefighting

Key Personnel Landfilling and Earthmoving Experience		
David Dugger	35 Years	Landfill equipment operation and Management
Monica Sowards	15 Years	Landfill Management and Recycling Coordinator

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

*Be it known that*

**DAVID W DUGGER**

*has fulfilled the requirements in accordance with the  
laws of the State of Texas for*

**CLASS A MSW OPERATOR**

*License Number:* SW0000272

*Issue Date:* 05/16/2023

*Expiration Date:* 07/18/2026

*Erin E. Chamallo*

---

*Interim Executive Director  
Texas Commission on Environmental Quality*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Be it known that*

**MONICA MAXWELL SOWARDS**

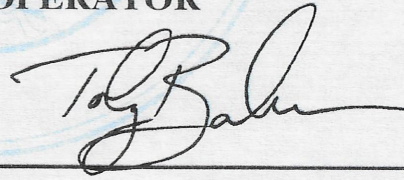
*has fulfilled the requirements in accordance with the  
laws of the State of Texas for*

**CLASS A MSW OPERATOR**

*License Number:* **SW0007403**

*Issue Date:* **06/30/2021**

*Expiration Date:* **06/30/2024**



---

*Executive Director  
Texas Commission on Environmental Quality*



## **9 FEE PAYMENT RECEIPT**

## Debra Epstein

---

**From:** steers@tceq.texas.gov  
**Sent:** Wednesday, April 3, 2024 10:08 AM  
**To:** Debra Epstein  
**Subject:** [EXTERNAL] TCEQ ePay Receipt for 582EA000604835

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is an automated message from the TCEQ ePay system. Please do not reply.

Trace Number: 582EA000604835

Date: 04/03/2024 10:07 AM

Payment Method: CC - Authorization 0000049356 TCEQ Amount: \$150.00 Texas.gov Price: \$153.63\*

\* This service is provided by Texas.gov, the official website of Texas. The price of this service includes funds that support the ongoing operations and enhancements of Texas.gov, which is provided by a third party in partnership with the State.

Actor: DEBRA EPSTEIN  
Email: depstein@rkci.com

Payment Contact: DEBRA EPSTEIN  
Phone: 281-210-0084  
Company: RABA KISTNER INC  
Address: 1011 W LEWIS ST, CONROE, TX 77301

Fees Paid:

Fee Description	AR Number	Amount
NONHAZARDOUS WASTE PERMIT - MODIFICATIONS		\$100.00
30 TAC 305.53B HWP NOTIFICATION FEE		\$50.00

-----  
TCEQ Amount: \$150.00

=====

Voucher: 699639

Trace Number: 582EA000604835

Date: 04/03/2024 10:07 AM

Payment Method: CC - Authorization 0000049356 Voucher Amount: \$100.00 Fee Paid: NONHAZARDOUS WASTE PERMIT - MODIFICATIONS RN Number: RN110878030 Site Name: MCKINNEY 380 C&D LANDFILL Site Address: 2540 E UNIVERSITY DR, MCKINNEY, TX 75069 CN Number: CN606244051 Customer Name: FRONTIER 380 LLC State Franchise Tax ID: 32094245795 Customer Address: 2540 E UNIVERSITY DR, MCKINNEY, TX 75069 Billing Name: DEBRA EPSTEIN Billing Address: P O BOX 690287, SAN ANTONIO, TX 78269 Program Area ID: 2278A

-----

Voucher: 699640

Trace Number: 582EA000604835

Date: 04/03/2024 10:07 AM

Payment Method: CC - Authorization 0000049356 Voucher Amount: \$50.00 Fee Paid: 30 TAC 305.53B HWP NOTIFICATION FEE

-----

=====

To print out a copy of the receipt and vouchers for this transaction either click on or copy and paste the following url into your browser:

[https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww3.tceq.texas.gov%2Fepay%2Findex.cfm%3Ffuseaction%3Dcor.search%26trace\\_num\\_txt%3D582EA000604835&data=05%7C02%7Cdepstein%40rkci.com%7Cb105602648344044cc4208dc53efccf6%7C22ab8b4680a04530bf8d1bb2436dba04%7C0%7C0%7C638477536610287512%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=S8wR99x43O35Oc8BAoNHgM8iMKX7tNZpRdFfZ4SU1HA%3D&reserved=0](https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww3.tceq.texas.gov%2Fepay%2Findex.cfm%3Ffuseaction%3Dcor.search%26trace_num_txt%3D582EA000604835&data=05%7C02%7Cdepstein%40rkci.com%7Cb105602648344044cc4208dc53efccf6%7C22ab8b4680a04530bf8d1bb2436dba04%7C0%7C0%7C638477536610287512%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=S8wR99x43O35Oc8BAoNHgM8iMKX7tNZpRdFfZ4SU1HA%3D&reserved=0)

This e-mail transmission and any attachments are believed to have been sent free of any virus or other defect that might affect any computer system into which it is received and opened. It is, however, the recipient's responsibility to ensure that the e-mail transmission and any attachments are virus free, and the sender accepts no responsibility for any damage that may in any way arise from their use.

## **10 UPDATED CLOSURE COST ESTIMATE**

**CRWC TYPE IV LANDFILL**  
 TCEQ MSW Permit No. 2278A



**Appendix III-14A - Cost Estimate for Closure and Post-Closure Care**

Closure Cost Estimate

Required: Estimate the cost to hire a third party to conduct final closure activities.

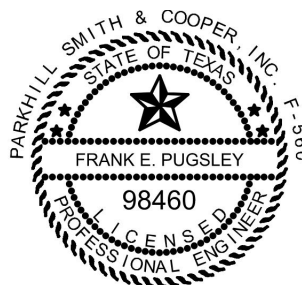
In accordance with §330.503(a) the following provides a detailed written cost estimate, in current dollars, showing the cost of hiring a third party to close the largest waste fill area that could potentially be open in the year to follow and those areas that have not received final cover in accordance with the final closure plan.

Solution:	<sup>1</sup> Final closure will require construction of Type IV final cover	38	acres
	Final closure will require administrative closure of	38	acres
	Final closure will not require installation of leachate collection		
	Final closure will require the installation of	0	monitor wells
	Final closure will require the installation of	0	gas probes
	Final closure will require the installation of	14	passive landfill gas vents

No	Item	Qty	Unit	Unit Cost	Total Cost
<b>1.0</b>	<b>Engineering Costs</b>				
1.1	Topographic Survey	38	AC	\$ 75.00	\$ 2,850.00
1.2	Boundary Survey	38	AC	\$ 40.00	\$ 1,520.00
1.3	Development of Plans	38	AC	\$ 2,000.00	\$ 76,000.00
1.4	Inspection and Testing	38	AC	\$ 8,000.00	\$ 304,000.00
1.5	Permit Compliance Package	1.00	LS	\$ 12,000.00	\$ 12,000.00
	Engineering Total				\$ 396,370.00
<b>2.0</b>	<b>Construction Costs</b>				
<b>2.1</b>	<b>Type IV Final Cover System</b>				
2.1.1	6" Top Soil Erosion Layer	30,653	CY	\$ 4.00	\$ 122,613.33
2.1.2	18" Infiltration Layer	91,960	CY	\$ 4.00	\$ 367,840.00
2.3	Vegetation	38	AC	\$ 3,000.00	\$ 114,000.00
2.4	LFG Control System (Passive Vents)	14	EA	\$ 5,000.00	\$ 70,000.00
2.5	Site Grading and Drainage	38	AC	\$ 5,000.00	\$ 190,000.00
	Construction Total				\$ 864,453.33
	Engineering and Construction Total				\$ 1,260,823.33
	Contingency	10.00	%		\$ 126,083.00
<b>3.0</b>	<b>Administrative Costs</b>				
3.1	Contract Performance Bond	2.00	%		\$ 25,217.00
3.2	TCEQ Contract Admin / Legal Fees	2.50	%		\$ 31,521.00
	Total Type IV Closure Cost				\$ 1,443,644.33

Notes: 1. The largest waste fill area that could potentially be open in the year to follow and those areas that have not received final cover in accordance with the final closure plan.

\* This closure cost estimate was developed in 2023 dollars.



01/25/2023

*Frank E. Pugsley, P.E.*

**CRWC TYPE IV LANDFILL**  
**TCEQ MSW Permit No. 2278A**



**Appendix III-14A - Cost Estimate for Closure and Post-Closure Care**

Postclosure Care Cost Estimate

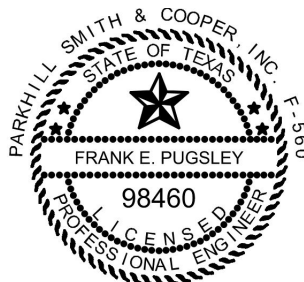
Required: Estimate the cost to hire a third party to conduct postclosure care activities.

The following landfill post closure cost estimate shows the cost of hiring a third party, in current dollars, to conduct post closure care activities for the facility, in accordance with the post closure care plan. The post closure care cost estimate is the cost for the largest area that could possibly require post closure care in the year to follow.

Solution: Post-closure care period = 5 years  
 Permit area = 146.79 acres  
 Total Waste Footprint = 95 acres  
 Post-closure care will not require maintenance or operation of a leachate collection system

No	Item	Qty	Unit	Unit Cost	Annual Cost
<b>1.0</b>	<b>Engineering Costs</b>				
1.1	Post Closure Plan	0	LS	\$ -	\$ -
1.2	Site Inspections	146.79	AC	\$ 50.00	\$ 7,340.00
1.3	Correction Plan and Specifications	95	AC	\$ 50.00	\$ 4,750.00
<b>2.0</b>	<b>Maintenance and Repairs</b>				
2.1	Access Control	1	LS	\$ 1,500.00	\$ 1,500.00
2.2	Surface Water Control	1	LS	\$ 1,500.00	\$ 1,500.00
2.3	Final Cover Erosion	1	LS	\$ 2,500.00	\$ 2,500.00
2.4	Mowing (once per year)	146.79	AC	\$ 40.00	\$ 5,871.60
2.5	Monitoring Well Maintenance	1	LS	\$ 500.00	\$ 500.00
2.6	Landfill Gas Probes/Vents Maintenance	1	LS	\$ 1,000.00	\$ 1,000.00
<b>3.0</b>	<b>Monitoring &amp; Reporting</b>				
	Landfill Gas Monitoring & Reporting (quarterly)	4	EA	\$ 4,250.00	\$ 17,000.00
	Groundwater Sampling & Reporting (annually)	1	EA	\$ 26,250.00	\$ 26,250.00
	Subtotal			\$	68,211.60
	Contingency (10%)			\$	6,821.16
	Administration (2.5%)			\$	1,705.29
	Average Annual Post Closure Costs			\$	76,738.05
	Total Post Closure Costs			\$	383,690.25

1. This closure cost estimate was developed in 2023 dollars.
2. The waste footprint includes the final cover in place and the largest area requiring final closure.



01/25/2023

*Frank E Pugsley, P.E.*

## **11 DOCUMENTATION FROM BOTH PARTIES SUPPORTING THE TRANSFER**



---

# McKinney 380 C&D Landfill

---

## Property & Permit Transferee Acknowledgment

"I/we John Gustafson, as Chief Executive Officer,  
(Printed Signatory Name) (Signatory Capacity)

As authorized signatory for Frontier 380, LLC,  
(Printed Name of Property Owner & Permittee)

Acknowledge the Transfer Consents executed by Thomas Noons, as Managing Member of Ostend Landfill, Ltd., and as President of Construction Recycling and Waste Corporation, each dated March 7, 2024. By my signature below, I accept this transfer and am hereby including this acknowledgement as documentation of such, to be included within the application to transfer TCEQ Permit 2287A."

  
\_\_\_\_\_  
(Property Owner & Permittee's Signature)

April 2, 2024  
\_\_\_\_\_  
(Date)



I consent to the transfer of TCEQ Permit No. 2278A and I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that I am authorized under 30 Tex. Admin. Code Section 305.44 to sign this document and can provide documentation in proof of such authorization upon request.

Facility Owner Name: Construction Recycling and Waste Corporation  
Site Operator and Permittee

Title: President

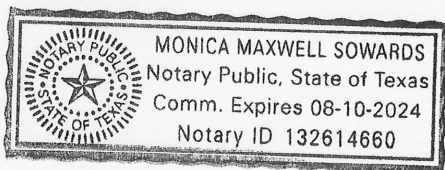
Signature: Thomas Noons

Date: 3/7/2024

SUBSCRIBED AND SWORN to before the said Thomas Noons on this 7 day of March, 2024.

My commission expires on the 10 day of 08, 2024.

(Seal)



Monica Sowards  
Notary Public

Collin County, Texas

I consent to the transfer of TCEQ Permit No. 2278A and I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that I am authorized under 30 Tex. Admin. Code Section 305.44 to sign this document and can provide documentation in proof of such authorization upon request.

Facility Owner Name: Osttend Landfill, Ltd  
Site Operator and Property Owner

Title: Managing Member

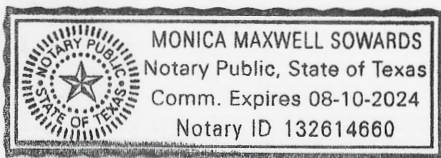
Signature: Thomas Noons

Date: 3/7/2024

SUBSCRIBED AND SWORN to before the said Thomas Noons on this 7 day of March, 2024.

My commission expires on the 10 day of 08, 2024.

(Seal)



Monica Sowards  
Notary Public

Collin County, Texas

## **12 MARKED REVISED TEXT OF ISSUED MSW PERMIT**

# Texas Commission on Environmental Quality



## Permit for a Municipal Solid Waste (MSW) Management Facility

Issued under provisions of Texas  
Health & Safety Code  
Chapter 361

MSW Permit No.: 2278A

Name of Site Operator/Permittee: ~~Construction Recycling & Waste Corporation~~  
Frontier 380 LLC

Operator: ~~Osttend Landfill, Ltd~~  
Frontier 380 LLC

Property Owner: ~~Osttend Landfill, Ltd~~  
Frontier 380 LLC

Facility Name: ~~CRWC Type IV Landfill~~  
McKinney 380 C&D Landfill

Facility Address: 2540 East University Drive, McKinney 75069  
Collin County, Texas

Facility Classification: Type IV Municipal Solid Waste Management Facility

The permittee is authorized to store, process, and dispose of wastes in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and orders of the Commission and laws of the State of Texas and it replaces any previously issued permit. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

*Approved, Issued and Effective* in accordance with Title 30, Texas Administrative Code (30 TAC), Chapter 330.

Issued Date: 4/13/2023

A handwritten signature in black ink that reads "Erin E. Chamallo".

For the Commission

**Contents**

- I. Facility Location and Size ..... 3**
  - A. Facility Physical Location ..... 3
  - B. Facility Permanent Benchmark ..... 3
  - C. Facility Legal Description..... 3
  - D. Facility Size ..... 3
- II. Hours of Waste Acceptance and Operation ..... 3**
- III. Authorized Waste Streams, Waste Acceptance Rate, and Landfill Disposal Capacity ..... 3**
  - A. Authorized Waste Streams ..... 3
  - B. Prohibited Waste Streams ..... 4
  - C. Waste Acceptance Rate..... 4
  - D. Landfill Disposal Capacity ..... 5
- IV. Facility Design, Construction, Operation, and Maintenance..... 5**
  - A. General Facility Requirements ..... 5
  - B. Authorized Waste Management Units..... 6
  - C. Liner Systems..... 6
  - D. Elevations of Waste Placement ..... 6
  - E. Management of Leachate and Gas Condensate ..... 6
  - F. Management of Contaminated Water ..... 7
  - G. Final Cover System ..... 7
  - H. Landfill Gas Management..... 7
  - I. Groundwater Monitoring System ..... 7
  - J. Surface Water and Stormwater Management and Control ..... 8
  - K. Vector Control ..... 8
  - L. Facility Sign Requirements ..... 8
  - M. Landfill Markers ..... 8
  - N. Facility Personnel..... 8
- V. Financial Assurance ..... 8**
- VI. Facility Closure ..... 9**
- VII. Facility Post-Closure Care..... 10**
- VIII. Standard Permit Conditions ..... 10**
- IX. Incorporated Regulatory Requirements ..... 12**
- X. Special Provisions ..... 12**
- XI. Permit Application Submittal References ..... 13**

**I. Facility Location and Size**

A. Facility Physical Location

~~CRWC Type IV Landfill~~ **McKinney 380 C&D Landfill**

2540 East University Drive, McKinney TX 75069

McKinney, Collin County

B. Facility Permanent Benchmark

Latitude: 33° 11' 49" N

Longitude: 96° 34' 18" W

Datum: NAD83

Elevation: 580.00 feet above mean sea level

C. Facility Legal Description

The legal description is contained in Attachment I-2 in Section XI of this permit.

D. Facility Size

146.79 acres

**II. Hours of Waste Acceptance and Operation**

A. The waste acceptance hours at this facility shall be between 7:00 a.m. to 7:00 p.m. Monday through Saturday. The landfill will be closed on Sundays and major holidays (New Year Day, Memorial Day, Labor Day, Thanksgiving Day, and Christmas Day). The operating hours at this landfill which include the use of heavy equipment shall be any time between the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.

B. The operator shall post the actual hours and days of operation on the site sign in accordance with 30 TAC §330.137.

C. In accordance with 30 TAC §330.135(c) and (d), the TCEQ Regional Office may allow additional temporary operating hours to address disaster or other emergency situations, or other unforeseen circumstances that could result in the disruption of waste management services in the area. The facility must record, in the site operating record, the dates, times, and duration when any alternative operating hours are utilized.

**III. Authorized Waste Streams, Waste Acceptance Rate, and Landfill Disposal Capacity**

A. Authorized Waste Streams

The permittee is authorized to dispose of municipal solid waste as defined in 30 TAC §330.3, construction-demolition waste, yard waste, brush, or rubbish and Class 3 industrial waste.

B. Prohibited Waste Streams

The permittee shall not accept or knowingly dispose of the wastes listed in 30 TAC §330.15(e), subject to the provisions therein. The permittee shall not accept or knowingly dispose of:

- Wastes that are not construction or demolition waste, brush, or rubbish. [30 TAC §330.5(a)(2)]
- Putrescible wastes. [30 TAC §330.3(122)]
- Untreated medical waste.
- Lead-acid storage batteries. [30 TAC §330.15(e)(1)]
- Do-it-yourself used motor vehicle oil. [30 TAC §330.15(e)(2)]
- Used oil filters from internal combustion engines. [30 TAC §330.15(e)(3)]
- Whole used or scrap tires. [30 TAC §330.15(e)(4)]
- Items containing chlorinated fluorocarbon (CFC) that have not been handled in accordance with 40 CFR §82.156(f). [30 TAC §330.15(e)(5)]
- Waste material that contains free liquids by the Paint Filter Test, EPA Method 9095. [30 TAC §330.15(e)(6)]
- Regulated hazardous waste. [30 TAC §330.15(e)(7), 40 CFR §261.3]
- Waste that exhibits the characteristics for hazardous waste [40 CFR §261.3] from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas. [30 TAC §330.15(e)(7)]
- Polychlorinated biphenyl wastes (PCBs). [30 TAC §330.15(e)(8), 40 CFR §761]
- Radioactive materials [30 TAC Chapter 336], except as authorized in Chapter 336 or that are subject to an exemption of the Department of State Health Services. [30 TAC §330.15(e)(9)]
- Other waste which is not listed in the *Type of Waste to be Accepted* section of this permit, or which is prohibited by §330.15(e) may not be accepted.

C. Waste Acceptance Rate

Solid waste may be accepted for disposal at this facility at the initial rate of approximately 360,576 tons per year (based on 2021 rate) and increasing over time to a maximum acceptance rate of approximately 385,014 tons per year over the following five years until 2025. The actual yearly waste disposal acceptance rate is a rolling quantity based on the sum of the previous four quarters of waste acceptance. In accordance with 30 TAC 330.125(h), if the annual waste acceptance rate exceeds the rate estimated in the landfill permit application and the waste increase is not due to a temporary occurrence, the owner or operator shall file an application to modify the permit application, including the revised estimated waste acceptance rate, in accordance with 30 TAC §305.70(k), within 90 days of the exceedance as established by the sum of the previous four quarterly summary reports. The application must propose any needed changes in the site operating plan to manage the increased waste acceptance rate to protect public health and the environment. The increased waste

acceptance rate may justify requiring permit conditions that are different from or absent in the existing permit. This provision is not intended to make an estimated waste acceptance rate a limiting parameter of a landfill permit.

D. Landfill Disposal Capacity

The total waste disposal capacity of the landfill (including waste and weekly and intermediate cover) is 14.3 million cubic yards.

**IV. Facility Design, Construction, Operation, and Maintenance**

A. General Facility Requirements

1. Facility design, construction, operation and maintenance must comply with the provisions of this permit; commission rules, including but not limited to 30 TAC Chapter 330; special provisions contained in this permit; Parts I through IV of the permit application, amendments, corrections, and modifications incorporated by reference in Section XI of this permit. The facility construction and operation shall be conducted in a manner that is protective of human health and the environment.
2. The facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant beyond the point of compliance defined in 30 TAC §330.3, and to prevent inundation or discharge from the areas surrounding the facility components. Each receiving, storage, processing, and disposal area shall have a containment system that will collect spills and incidental precipitation in such a manner that prevents:
  - a. The release of any contaminated runoff, spills, or precipitation;
  - b. Washout of any waste by a 100-year frequency flood; and
  - c. Run-on into the disposal areas from off-site areas.
3. The site shall be designed and operated so as not to cause a violation of:
  - a. The requirements of §26.121 of the Texas Water Code;
  - b. Any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements of §402, as amended, and/or the Texas Pollutant Discharge Elimination System (TPDES), as amended;
  - c. The requirements under §404 of the Federal Clean Water Act, as amended; and
  - d. Any requirement of an area wide or statewide water quality management plan that has been approved under §208 or §319 of the Federal Clean Water Act, as amended.



B. Authorized Waste Management Units

1. The permittee is authorized to operate a Type IV municipal solid waste landfill consisting of a total area within the permit boundary of 146.79 acres and a waste disposal footprint of 95 acres.
2. All waste disposal activities authorized by this permit are to be confined to the Type IV landfill which shall include access roads, scales, gatehouse, dikes, berms and temporary drainage channels, permanent drainage structures, detention ponds, landfill gas management system, contaminated water management system, landfill liner and final cover systems, groundwater monitoring system, and other components.
3. All waste processing activities authorized by this permit are to be confined to the Waste Segregation and recycling plant processing unit location depicted in Figure III-4.6 in the Site Development Plan contained in Part III in Section XI of this permit.

C. Liner System

1. A liner system in accordance with 30 TAC §330.331 must be installed in all cells. The liner systems shall be designed and constructed in accordance with the rules and the specifications in Part III in Section XI of this permit, and must consist of a 12-inch thick protective cover soil layer and a 36-inch layer of re-compacted clay with a hydraulic conductivity of no more than  $1 \times 10^{-7}$  centimeters per second (cm/s) or an alternate liner consisting of a geosynthetic clay liner (GCL).
2. The liner system shall be installed over the entire bottom and sidewalls of the landfill.
3. The elevation of deepest excavation at the landfill disposal area is 485 feet above msl and is located in the permitted area within Phase III of the landfill.
4. The elevations of the bottom of the excavations within the waste disposal areas shall be as shown in Figure III-4.1A, Figure III-4.1B, and Figure III-4.6 in Part III in Section XI of this permit.

D. Elevations of Waste Placement

1. The lowest elevation of waste placement shall be 486 feet above mean sea level (msl).
2. The maximum final elevation of waste placement shall be 665.2 feet above msl.

E. Management of Leachate and Gas Condensate

This is a Type IV landfill. Leachate and gas collection systems are not proposed for this facility. However, any incidental leachate or gas condensate shall be handled,

stored, treated, and disposed of as contaminated water in accordance with Part IV in Attachment A of this permit.

F. Management of Contaminated Water

All contaminated surface water and groundwater shall be handled, stored, treated, and disposed of in accordance with 30 TAC §330.207, Attachment III-7 Contaminated Water Management Plan and Part IV in Section XI of this permit.

G. Final Cover System

1. The final cover system shall be constructed over all waste placed in landfill cells in accordance with 30 TAC §330.457 and Part III in Section XI of this permit and must consist of the following layers listed from top to bottom.
  - Construct drainage features
  - Seed final cover erosional layer with appropriate grass
  - Six-inch erosion layer of earthen material, with the top six inches capable of sustaining native plant growth
  - Infiltration layer consisting of 18 inches of clay-rich soil with a hydraulic conductivity of no more than  $1 \times 10^{-5}$  cm/sec
  - Six-inch weekly or if necessary one-foot intermediate cover
2. The maximum elevation of the final cover shall not exceed 667.2 feet above msl.
3. Best management practices for temporary erosion and sedimentation control shall remain in place until vegetative cover has been established to design percentage vegetative cover for control and mitigation of erosion.

H. Landfill Gas Management

1. A landfill gas management system, consisting of landfill gas monitoring probes and gas monitoring equipment for enclosed structures, shall be designed, installed, operated, and maintained in accordance with Part III, Attachment 11.1, of this permit and 30 TAC Chapter 330, Subchapter I. At a minimum, landfill gas monitoring shall be conducted quarterly.
2. The landfill gas management system shall ensure that the concentration of methane gas generated by the facility does not exceed 5% by volume in monitoring points, probes, subsurface soils, or other matrices at the facility boundary defined by the legal description in the permit, and does not exceed 1.25% by volume in facility enclosed structures (excluding gas control or recovery system components). If methane gas levels exceeding these limits are detected, the owner or operator shall follow and implement the response procedures required in 30 TAC §330.371(c) to ensure protection of human health and the environment.

I. Groundwater Monitoring System

1. The groundwater monitoring system for the facility shall be designed, installed, and maintained in accordance with 30 TAC Chapter 330, Subchapter J, and Part III, Attachment 10A, in Section XI of this permit.

2. Groundwater from monitoring wells shall be sampled, samples analyzed, and results reported to the executive director in accordance with 30 TAC §330.405, 30 TAC §330.407 and §330.419 and Part III, Attachment 10, in Section XI of this permit.

J. Surface Water and Stormwater Management and Control

Surface water and stormwater that has not come in contact with waste or leachate shall be managed and controlled with conveyance structures, berms, and levees that have been designed and constructed in accordance with 30 TAC §330.63(c), §330.301 through §330.307 and Part III in Section XI to this permit.

K. Vector Control

Vectors such as rodents, flies, and mosquitoes shall be minimized through daily site operations, which including the application of weekly cover. The facility shall also minimize the extent of the working face to control vectors. If necessary, a licensed professional shall apply pesticides for control of vectors.

L. Facility Sign Requirements

The permittee shall conspicuously display at all entrances to the facility through which wastes are received, a sign measuring at least four feet by four feet with letters at least three inches in height stating the facility name; type of facility; the hours and days of operation; an emergency 24-hour contact phone number(s) that reaches an individual with the authority to obligate the facility at all times that the facility is closed; the local emergency fire department phone number; and the permit number.

M. Landfill Markers

Landfill markers shall be installed and maintained in accordance with 30 TAC §330.143 and Part IV, Section 4.10, in Section XI of this permit.

N. Facility Personnel

The permittee shall comply with 30 TAC §330.59(f)(3) regarding employment of a licensed solid waste facility supervisor. The permittee shall ensure that landfill personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules and this permit, commensurate with their levels and positions of responsibility as specified in Part IV, Section 2 in Section XI of this permit. All facility employees and other persons involved in facility operations must obtain and maintain the level of training or certification as required by applicable regulations.

**V. Financial Assurance**

- A. Authorization to operate the facility is contingent upon compliance with this permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330, Subchapter L and 30 TAC Chapter 37.
- B. Within 60 days after the date of issuance of this permit, the permittee shall provide to the executive director financial assurance instrument(s) for demonstration of closure in an amount not less than \$1,443,644.33 (2023 dollars). The permittee shall maintain continuous financial assurance coverage for closure until all requirements for facility closure have been completed and the facility is officially placed under the post-closure

maintenance period, as evidenced in writing by the executive director in accordance with 30 TAC §330.503(b).

- C. Within 60 days after the date of issuance of this permit, the permittee shall provide financial assurance instrument(s) for demonstration of post-closure care of the landfill in an amount not less than \$383,690.25 (2023 dollars). The permittee shall maintain continuous financial assurance coverage for post-closure care until the facility is officially released in writing by the executive director from the post-closure care period in accordance with 30 TAC §330.507(b).
- D. The permittee shall annually adjust the closure and post-closure care cost estimates for inflation within 60 days prior to the anniversary date of the establishment of the financial assurance instrument in accordance with 30 TAC §37.131.
- E. If the facility's closure or post-closure care plan is modified, the permittee shall provide new cost estimates in current dollars in accordance with 30 TAC §§330.503 and 330.507. The amount of the facility's financial assurance mechanism shall be adjusted within 60 days after the modification is approved. Adjustments to the cost estimates or the financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit shall be initiated as a modification within 30 days after the effective date of the new regulation.

## VI. Facility Closure

- A. Closure of the facility must commence:
  - 1. Upon the landfill being filled to its permitted waste disposal capacity or upon the landfill reaching its permitted maximum waste elevations as depicted on drawings in Part III in Section XI of this permit;
  - 2. Upon direction by the executive director of the TCEQ for failure by the permittee to comply with the terms and conditions of this permit or violation of State or Federal regulations. The executive director is authorized to issue emergency orders to the permittee in accordance with §§5.501 and 5.512 of the Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
  - 3. Upon abandonment of the site by the permittee;
  - 4. Upon direction by the executive director for failure by the permittee to secure and maintain an adequate bond or other acceptable financial assurance instrument as required; or
  - 5. Upon the permittee's notification to the TCEQ that the landfill will cease to accept waste and no longer operate.
- B. Closure Completion Requirements:

Facility closure shall be performed and completed in accordance with 30 TAC §§330.21, 330.451, 330.457, 330.459, and 330.461 and Part III, Attachment III-12, Section 8, in Section XI of this permit.

**VII. Facility Post-Closure Care**

- A. Upon completion and closure of the landfill, post-closure care shall be conducted in accordance with 30 TAC §330.463 and Part III, Attachment III-13 in Section XI of this permit for a period of 5 years following written acceptance of the certification of final closure by the executive director.
- B. Throughout the post-closure care period the vegetation on the final cover must be monitored and necessary actions taken to establish and maintain the percentage vegetative cover specified in Part III, Appendix III-6C Page III-6C-17 and 19 minimum of 60% cover for intermediate cover condition, and minimum of 80% cover for final cover condition.
- C. Following completion of the post-closure care period, the owner or operator shall submit to the executive director for review and approval a documented certification prepared by an independent professional engineer licensed in the State of Texas in accordance with 30 TAC §330.465.
- D. Upon written acceptance of the certification of completion of post closure care by the executive director, the permittee shall submit to the executive director a request for voluntary revocation of this permit.

**VIII. Standard Permit Conditions**

- A. This permit is based on and the permittee shall follow the permit application dated November 11, 2021, and received November 16, 2021, and revisions dated December 2, 2021, June 22, 2022, October 21, 2022, December 9, 2022, and January 25, 2023. These application submittals are hereby approved subject to the terms of this permit, the rules and regulations, and any orders of the TCEQ, and are incorporated into this permit by reference in Section XI as if fully set out herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control. Any and all revisions to these application submittals shall become conditions of this permit upon the date of approval by the Commission. The permittee shall maintain the application and all revisions and supporting documentation at the facility and make them available for inspection by TCEQ personnel.
- B. This permit shall consist of all duly executed amendments, modifications, and corrections to this permit. These amendments, modifications, and corrections are incorporated into this permit by reference in Section XI.
- C. The permittee has a duty to comply with all conditions of this permit. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued and is grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- D. A pre-construction conference shall be held pursuant to 30 TAC §330.73(d) prior to beginning physical construction of the facility to ensure that all aspects of this permit, construction activities, and inspections are met. Additional pre-construction conferences may be held prior to the opening of the facility.
- E. A pre-opening inspection shall be held pursuant to 30 TAC §330.73(f). The facility shall not accept solid waste under MSW 2278A until the executive director has

confirmed in writing that all applicable submissions required by the permit and applicable rules have been received and found to be acceptable and that construction is in compliance with the permit and the approved site development plan.

- F. The permittee shall monitor sediment accumulation in ditches and culverts on a quarterly basis, and remove sedimentation to re-establish the design flow grades on an annual basis or more frequently if necessary to maintain design flow. The roads within the facility shall be designed so as to minimize the tracking of mud onto the public access road.
- G. Prior to disposal of waste, the permittee shall record in the deed records of Collin County, a metes and bounds description of all portions within the permit boundary on which disposal of solid waste has or will take place, and shall provide a certified copy of the recorded document(s) to the executive director in accordance with 30 TAC §330.19.
- H. Weekly cover of the waste fill areas shall be performed with well-compacted clean earthen material that has not been in contact with garbage, rubbish, or other solid waste, or with an alternate cover which may the permittee request for approval in accordance with 30 TAC §§330.165(d) and 305.70(k). Intermediate cover, run-on control berms, and run-off control berms shall not be constructed from soil that has been used as Weekly cover or which contains waste or chemical contaminants.
- I. During construction and operation of the facility, measures shall be taken to control runoff, erosion, and sedimentation from disturbed areas. Erosion and sedimentation control measures shall be inspected and maintained at least monthly and after each storm event that meets or exceeds the design storm event. Erosion and sedimentation controls shall remain functional until disturbed areas are stabilized with established permanent revegetation. The permittee shall maintain the on-site access road and speed bumps/mud control devices in such a manner as to minimize the buildup of mud on the access road and to maintain a safe road surface.
- J. Erosion stability measures shall be maintained on top dome surfaces and external embankment side slopes during all phases of landfill operation, closure, and post-closure care in accordance with 30 TAC §330.305(d) and Part III in Section XI of this permit.
- K. In compliance with the requirements of 30 TAC §330.145, the permittee shall consult with the local District Office of the Texas Department of Transportation or other authority responsible for road maintenance, as applicable, to determine standards for litter and mud cleanup on state, county, or city maintained roads serving the site. Documentation of this consultation shall be placed in the site operating record prior to receipt of waste at the facility.
- L. The permittee shall retain the right of entry onto the site in accordance with 30 TAC §330.67(b), and shall allow entry onto the site by TCEQ personnel for inspection purposes during the site operating life and until the end of the post-closure care period in accordance with §361.032 of the Texas Health and Safety Code.
- M. The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the remainder of this permit shall not be affected.

## McKinney 380 C&D Landfill

~~CRWC Type IV Landfill~~, Collin County

MSW Permit No. 2278A

Page 12

- N. Regardless of the specific design contained in the application or adopted by reference in Section XI of this permit, the permittee shall be required to meet all performance standards required by the permit, the Texas Administrative Code, and local, state, and federal laws or ordinances.
- O. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC Chapters 106 and 116 and 30 TAC Chapter 330, Subchapter U.
- P. All discharge of storm water must be in accordance with the U.S. Environmental Protection Agency NPDES requirements and the State of Texas TPDES requirements, as applicable.
- Q. The permittee shall furnish to the executive director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending or terminating the permit, and copies of records required to be kept by the permit.
- R. The permittee shall report any noncompliance to the executive director which may endanger human health and safety, or the environment in accordance with 30 TAC §305.125(9).
- S. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application, or in any report to the executive director, it shall promptly submit such facts or information.
- T. The permittee shall notify the executive, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy in accordance with 30 TAC §305.125(22).
- U. Any proposed facility changes, additions, or expansions must be authorized in accordance with the rules in 30 TAC Chapters 305 and 330.

### **IX. Incorporated Regulatory Requirements**

- A. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits prior to the beginning of any on-site improvements or construction approved by this permit.
- B. To the extent applicable, the requirements of 30 TAC Chapters 37, 281, 305, and 330 are adopted by reference and are hereby made provisions and conditions of this permit.

### **X. Special Provisions**

Once the executive director authorizes the Permittee to begin operations under this permit, the following authorization is officially revoked unless otherwise determined in writing by the executive director: Permit No. MSW 2278, in accordance with 30 TAC §305.67(b).

## McKinney 380 C&D Landfill

~~CRWC Type IV Landfill~~, Collin County

MSW Permit No. 2278A

Page 13

### **XI. Permit Application Submittal References**

- A. Permit Application: Parts I, II, III, and IV
- B. Amendments, corrections, and modifications issued for MSW Permit No. 2278A



**13 UNMARKED UPDATED TEXT OF ISSUED MSW  
PERMIT**

# Texas Commission on Environmental Quality



## Permit for a Municipal Solid Waste (MSW) Management Facility

Issued under provisions of Texas  
Health & Safety Code  
Chapter 361

MSW Permit No.: 2278A

Name of Site Operator/Permittee: [Frontier 380 LLC](#)

Operator: [Frontier 380 LLC](#)

Property Owner: [Frontier 380 LLC](#)

Facility Name: [McKinney 380 C&D Landfill](#)

Facility Address: [2540 East University Drive, McKinney 75069  
Collin County, Texas](#)

Facility Classification: [Type IV Municipal Solid Waste Management Facility](#)

The permittee is authorized to store, process, and dispose of wastes in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and orders of the Commission and laws of the State of Texas and it replaces any previously issued permit. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

*Approved, Issued and Effective* in accordance with Title 30, Texas Administrative Code (30 TAC), Chapter 330.

Issued Date: 4/13/2023

A handwritten signature in black ink that reads "Erin E. Chamallop".

For the Commission

## Contents

<b>I.</b>	<b>Facility Location and Size .....</b>	<b>3</b>
A.	Facility Physical Location .....	3
B.	Facility Permanent Benchmark .....	3
C.	Facility Legal Description.....	3
D.	Facility Size .....	3
<b>II.</b>	<b>Hours of Waste Acceptance and Operation.....</b>	<b>3</b>
<b>III.</b>	<b>Authorized Waste Streams, Waste Acceptance Rate, and Landfill Disposal Capacity .....</b>	<b>3</b>
A.	Authorized Waste Streams .....	3
B.	Prohibited Waste Streams .....	4
C.	Waste Acceptance Rate.....	4
D.	Landfill Disposal Capacity .....	5
<b>IV.</b>	<b>Facility Design, Construction, Operation, and Maintenance.....</b>	<b>5</b>
A.	General Facility Requirements.....	5
B.	Authorized Waste Management Units.....	6
C.	Liner Systems.....	6
D.	Elevations of Waste Placement .....	6
E.	Management of Leachate and Gas Condensate .....	6
F.	Management of Contaminated Water.....	7
G.	Final Cover System .....	7
H.	Landfill Gas Management.....	7
I.	Groundwater Monitoring System .....	7
J.	Surface Water and Stormwater Management and Control .....	8
K.	Vector Control.....	8
L.	Facility Sign Requirements .....	8
M.	Landfill Markers .....	8
N.	Facility Personnel.....	8
<b>V.</b>	<b>Financial Assurance .....</b>	<b>8</b>
<b>VI.</b>	<b>Facility Closure .....</b>	<b>9</b>
<b>VII.</b>	<b>Facility Post-Closure Care.....</b>	<b>10</b>
<b>VIII.</b>	<b>Standard Permit Conditions .....</b>	<b>10</b>
<b>IX.</b>	<b>Incorporated Regulatory Requirements .....</b>	<b>12</b>
<b>X.</b>	<b>Special Provisions .....</b>	<b>12</b>
<b>XI.</b>	<b>Permit Application Submittal References .....</b>	<b>13</b>

**I. Facility Location and Size**

A. Facility Physical Location

McKinney 380 C&D Landfill  
2540 East University Drive, McKinney TX  
75069 McKinney, Collin County

B. Facility Permanent Benchmark

Latitude: 33° 11' 49" N  
Longitude: 96° 34' 18" W  
Datum: NAD83  
Elevation: 580.00 feet above mean sea level

C. Facility Legal Description

The legal description is contained in Attachment I-2 in Section XI of this permit.

D. Facility Size

146.79 acres

**II. Hours of Waste Acceptance and Operation**

- A. The waste acceptance hours at this facility shall be between 7:00 a.m. to 7:00 p.m. Monday through Saturday. The landfill will be closed on Sundays and major holidays (New Year Day, Memorial Day, Labor Day, Thanksgiving Day, and Christmas Day). The operating hours at this landfill which include the use of heavy equipment shall be any time between the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.
- B. The operator shall post the actual hours and days of operation on the site sign in accordance with 30 TAC §330.137.
- C. In accordance with 30 TAC §330.135(c) and (d), the TCEQ Regional Office may allow additional temporary operating hours to address disaster or other emergency situations, or other unforeseen circumstances that could result in the disruption of waste management services in the area. The facility must record, in the site operating record, the dates, times, and duration when any alternative operating hours are utilized.

**III. Authorized Waste Streams, Waste Acceptance Rate, and Landfill Disposal Capacity**

A. Authorized Waste Streams

The permittee is authorized to dispose of municipal solid waste as defined in 30 TAC §330.3, construction-demolition waste, yard waste, brush, or rubbish and Class 3 industrial waste.

B. Prohibited Waste Streams

The permittee shall not accept or knowingly dispose of the wastes listed in 30 TAC §330.15(e), subject to the provisions therein. The permittee shall not accept or knowingly dispose of:

- Wastes that are not construction or demolition waste, brush, or rubbish. [30 TAC §330.5(a)(2)]
- Putrescible wastes. [30 TAC §330.3(122)]
- Untreated medical waste.
- Lead-acid storage batteries. [30 TAC §330.15(e)(1)]
- Do-it-yourself used motor vehicle oil. [30 TAC §330.15(e)(2)]
- Used oil filters from internal combustion engines. [30 TAC §330.15(e)(3)]
- Whole used or scrap tires. [30 TAC §330.15(e)(4)]
- Items containing chlorinated fluorocarbon (CFC) that have not been handled in accordance with 40 CFR §82.156(f). [30 TAC §330.15(e)(5)]
- Waste material that contains free liquids by the Paint Filter Test, EPA Method 9095. [30 TAC §330.15(e)(6)]
- Regulated hazardous waste. [30 TAC §330.15(e)(7), 40 CFR §261.3]
- Waste that exhibits the characteristics for hazardous waste [40 CFR §261.3] from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas. [30 TAC §330.15(e)(7)]
- Polychlorinated biphenyl wastes (PCBs). [30 TAC §330.15(e)(8), 40 CFR §761]
- Radioactive materials [30 TAC Chapter 336], except as authorized in Chapter 336 or that are subject to an exemption of the Department of State Health Services. [30 TAC §330.15(e)(9)]
- Other waste which is not listed in the *Type of Waste to be Accepted* section of this permit, or which is prohibited by §330.15(e) may not be accepted.

C. Waste Acceptance Rate

Solid waste may be accepted for disposal at this facility at the initial rate of approximately 360,576 tons per year (based on 2021 rate) and increasing over time to a maximum acceptance rate of approximately 385,014 tons per year over the following five years until 2025. The actual yearly waste disposal acceptance rate is a rolling quantity based on the sum of the previous four quarters of waste acceptance. In accordance with 30 TAC 330.125(h), if the annual waste acceptance rate exceeds the rate estimated in the landfill permit application and the waste increase is not due to a temporary occurrence, the owner or operator shall file an application to modify the permit application, including the revised estimated waste acceptance rate, in accordance with 30 TAC §305.70(k), within 90 days of the exceedance as established by the sum of the previous four quarterly summary reports. The application must propose any needed changes in the site operating plan to manage the increased waste acceptance rate to protect public health and the environment. The increased waste

acceptance rate may justify requiring permit conditions that are different from or absent in the existing permit. This provision is not intended to make an estimated waste acceptance rate a limiting parameter of a landfill permit.

D. Landfill Disposal Capacity

The total waste disposal capacity of the landfill (including waste and weekly and intermediate cover) is 14.3 million cubic yards.

**IV. Facility Design, Construction, Operation, and Maintenance**

A. General Facility Requirements

1. Facility design, construction, operation and maintenance must comply with the provisions of this permit; commission rules, including but not limited to 30 TAC Chapter 330; special provisions contained in this permit; Parts I through IV of the permit application, amendments, corrections, and modifications incorporated by reference in Section XI of this permit. The facility construction and operation shall be conducted in a manner that is protective of human health and the environment.
2. The facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant beyond the point of compliance defined in 30 TAC §330.3, and to prevent inundation or discharge from the areas surrounding the facility components. Each receiving, storage, processing, and disposal area shall have a containment system that will collect spills and incidental precipitation in such a manner that prevents:
  - a. The release of any contaminated runoff, spills, or precipitation;
  - b. Washout of any waste by a 100-year frequency flood; and
  - c. Run-on into the disposal areas from off-site areas.
3. The site shall be designed and operated so as not to cause a violation of:
  - a. The requirements of §26.121 of the Texas Water Code;
  - b. Any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements of §402, as amended, and/or the Texas Pollutant Discharge Elimination System (TPDES), as amended;
  - c. The requirements under §404 of the Federal Clean Water Act, as amended; and
  - d. Any requirement of an area wide or statewide water quality management plan that has been approved under §208 or §319 of the Federal Clean Water Act, as amended.

B. Authorized Waste Management Units

1. The permittee is authorized to operate a Type IV municipal solid waste landfill consisting of a total area within the permit boundary of 146.79 acres and a waste disposal footprint of 95 acres.
2. All waste disposal activities authorized by this permit are to be confined to the Type IV landfill which shall include access roads, scales, gatehouse, dikes, berms and temporary drainage channels, permanent drainage structures, detention ponds, landfill gas management system, contaminated water management system, landfill liner and final cover systems, groundwater monitoring system, and other components.
3. All waste processing activities authorized by this permit are to be confined to the Waste Segregation and recycling plant processing unit location depicted in Figure III-4.6 in the Site Development Plan contained in Part III in Section XI of this permit.

C. Liner System

1. A liner system in accordance with 30 TAC §330.331 must be installed in all cells. The liner systems shall be designed and constructed in accordance with the rules and the specifications in Part III in Section XI of this permit, and must consist of a 12-inch thick protective cover soil layer and a 36-inch layer of re-compacted clay with a hydraulic conductivity of no more than  $1 \times 10^{-7}$  centimeters per second (cm/s) or an alternate liner consisting of a geosynthetic clay liner (GCL).
2. The liner system shall be installed over the entire bottom and sidewalls of the landfill.
3. The elevation of deepest excavation at the landfill disposal area is 485 feet above msl and is located in the permitted area within Phase III of the landfill.
4. The elevations of the bottom of the excavations within the waste disposal areas shall be as shown in Figure III-4.1A, Figure III-4.1B, and Figure III-4.6 in Part III in Section XI of this permit.

D. Elevations of Waste Placement

1. The lowest elevation of waste placement shall be 486 feet above mean sea level (msl).
2. The maximum final elevation of waste placement shall be 665.2 feet above msl.

E. Management of Leachate and Gas Condensate

This is a Type IV landfill. Leachate and gas collection systems are not proposed for this facility. However, any incidental leachate or gas condensate shall be handled,

stored, treated, and disposed of as contaminated water in accordance with Part IV in Attachment A of this permit.

F. Management of Contaminated Water

All contaminated surface water and groundwater shall be handled, stored, treated, and disposed of in accordance with 30 TAC §330.207, Attachment III-7 Contaminated Water Management Plan and Part IV in Section XI of this permit.

G. Final Cover System

1. The final cover system shall be constructed over all waste placed in landfill cells in accordance with 30 TAC §330.457 and Part III in Section XI of this permit and must consist of the following layers listed from top to bottom.
  - Construct drainage features
  - Seed final cover erosional layer with appropriate grass
  - Six-inch erosion layer of earthen material, with the top six inches capable of sustaining native plant growth
  - Infiltration layer consisting of 18 inches of clay-rich soil with a hydraulic conductivity of no more than  $1 \times 10^{-5}$  cm/sec
  - Six-inch weekly or if necessary one-foot intermediate cover
2. The maximum elevation of the final cover shall not exceed 667.2 feet above msl.
3. Best management practices for temporary erosion and sedimentation control shall remain in place until vegetative cover has been established to design percentage vegetative cover for control and mitigation of erosion.

H. Landfill Gas Management

1. A landfill gas management system, consisting of landfill gas monitoring probes and gas monitoring equipment for enclosed structures, shall be designed, installed, operated, and maintained in accordance with Part III, Attachment 11.1, of this permit and 30 TAC Chapter 330, Subchapter I. At a minimum, landfill gas monitoring shall be conducted quarterly.
2. The landfill gas management system shall ensure that the concentration of methane gas generated by the facility does not exceed 5% by volume in monitoring points, probes, subsurface soils, or other matrices at the facility boundary defined by the legal description in the permit, and does not exceed 1.25% by volume in facility enclosed structures (excluding gas control or recovery system components). If methane gas levels exceeding these limits are detected, the owner or operator shall follow and implement the response procedures required in 30 TAC §330.371(c) to ensure protection of human health and the environment.

I. Groundwater Monitoring System

1. The groundwater monitoring system for the facility shall be designed, installed, and maintained in accordance with 30 TAC Chapter 330, Subchapter J, and Part III, Attachment 10A, in Section XI of this permit.



2. Groundwater from monitoring wells shall be sampled, samples analyzed, and results reported to the executive director in accordance with 30 TAC §330.405, 30 TAC §330.407 and §330.419 and Part III, Attachment 10, in Section XI of this permit.

J. Surface Water and Stormwater Management and Control

Surface water and stormwater that has not come in contact with waste or leachate shall be managed and controlled with conveyance structures, berms, and levees that have been designed and constructed in accordance with 30 TAC §330.63(c), §330.301 through §330.307 and Part III in Section XI to this permit.

K. Vector Control

Vectors such as rodents, flies, and mosquitoes shall be minimized through daily site operations, which including the application of weekly cover. The facility shall also minimize the extent of the working face to control vectors. If necessary, a licensed professional shall apply pesticides for control of vectors.

L. Facility Sign Requirements

The permittee shall conspicuously display at all entrances to the facility through which wastes are received, a sign measuring at least four feet by four feet with letters at least three inches in height stating the facility name; type of facility; the hours and days of operation; an emergency 24-hour contact phone number(s) that reaches an individual with the authority to obligate the facility at all times that the facility is closed; the local emergency fire department phone number; and the permit number.

M. Landfill Markers

Landfill markers shall be installed and maintained in accordance with 30 TAC §330.143 and Part IV, Section 4.10, in Section XI of this permit.

N. Facility Personnel

The permittee shall comply with 30 TAC §330.59(f)(3) regarding employment of a licensed solid waste facility supervisor. The permittee shall ensure that landfill personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules and this permit, commensurate with their levels and positions of responsibility as specified in Part IV, Section 2 in Section XI of this permit. All facility employees and other persons involved in facility operations must obtain and maintain the level of training or certification as required by applicable regulations.

**V. Financial Assurance**

- A. Authorization to operate the facility is contingent upon compliance with this permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330, Subchapter L and 30 TAC Chapter 37.
- B. Within 60 days after the date of issuance of this permit, the permittee shall provide to the executive director financial assurance instrument(s) for demonstration of closure in an amount not less than \$1,443,644.33 (2023 dollars). The permittee shall maintain continuous financial assurance coverage for closure until all requirements for facility closure have been completed and the facility is officially placed under the post-closure

maintenance period, as evidenced in writing by the executive director in accordance with 30 TAC §330.503(b).

- C. Within 60 days after the date of issuance of this permit, the permittee shall provide financial assurance instrument(s) for demonstration of post-closure care of the landfill in an amount not less than \$383,690.25 (2023 dollars). The permittee shall maintain continuous financial assurance coverage for post-closure care until the facility is officially released in writing by the executive director from the post-closure care period in accordance with 30 TAC §330.507(b).
- D. The permittee shall annually adjust the closure and post-closure care cost estimates for inflation within 60 days prior to the anniversary date of the establishment of the financial assurance instrument in accordance with 30 TAC §37.131.
- E. If the facility's closure or post-closure care plan is modified, the permittee shall provide new cost estimates in current dollars in accordance with 30 TAC §§330.503 and 330.507. The amount of the facility's financial assurance mechanism shall be adjusted within 60 days after the modification is approved. Adjustments to the cost estimates or the financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit shall be initiated as a modification within 30 days after the effective date of the new regulation.

## **VI. Facility Closure**

- A. Closure of the facility must commence:
  - 1. Upon the landfill being filled to its permitted waste disposal capacity or upon the landfill reaching its permitted maximum waste elevations as depicted on drawings in Part III in Section XI of this permit;
  - 2. Upon direction by the executive director of the TCEQ for failure by the permittee to comply with the terms and conditions of this permit or violation of State or Federal regulations. The executive director is authorized to issue emergency orders to the permittee in accordance with §§5.501 and 5.512 of the Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;
  - 3. Upon abandonment of the site by the permittee;
  - 4. Upon direction by the executive director for failure by the permittee to secure and maintain an adequate bond or other acceptable financial assurance instrument as required; or
  - 5. Upon the permittee's notification to the TCEQ that the landfill will cease to accept waste and no longer operate.
- B. Closure Completion Requirements:

Facility closure shall be performed and completed in accordance with 30 TAC §§330.21, 330.451, 330.457, 330.459, and 330.461 and Part III, Attachment III-12, Section 8, in Section XI of this permit.

**VII. Facility Post-Closure Care**

- A. Upon completion and closure of the landfill, post-closure care shall be conducted in accordance with 30 TAC §330.463 and Part III, Attachment III-13 in Section XI of this permit for a period of 5 years following written acceptance of the certification of final closure by the executive director.
- B. Throughout the post-closure care period the vegetation on the final cover must be monitored and necessary actions taken to establish and maintain the percentage vegetative cover specified in Part III, Appendix III-6C Page III-6C-17 and 19 minimum of 60% cover for intermediate cover condition, and minimum of 80% cover for final cover condition.
- C. Following completion of the post-closure care period, the owner or operator shall submit to the executive director for review and approval a documented certification prepared by an independent professional engineer licensed in the State of Texas in accordance with 30 TAC §330.465.
- D. Upon written acceptance of the certification of completion of post closure care by the executive director, the permittee shall submit to the executive director a request for voluntary revocation of this permit.

**VIII. Standard Permit Conditions**

- A. This permit is based on and the permittee shall follow the permit application dated November 11, 2021, and received November 16, 2021, and revisions dated December 2, 2021, June 22, 2022, October 21, 2022, December 9, 2022, and January 25, 2023. These application submittals are hereby approved subject to the terms of this permit, the rules and regulations, and any orders of the TCEQ, and are incorporated into this permit by reference in Section XI as if fully set out herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control. Any and all revisions to these application submittals shall become conditions of this permit upon the date of approval by the Commission. The permittee shall maintain the application and all revisions and supporting documentation at the facility and make them available for inspection by TCEQ personnel.
- B. This permit shall consist of all duly executed amendments, modifications, and corrections to this permit. These amendments, modifications, and corrections are incorporated into this permit by reference in Section XI.
- C. The permittee has a duty to comply with all conditions of this permit. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued and is grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- D. A pre-construction conference shall be held pursuant to 30 TAC §330.73(d) prior to beginning physical construction of the facility to ensure that all aspects of this permit, construction activities, and inspections are met. Additional pre-construction conferences may be held prior to the opening of the facility.
- E. A pre-opening inspection shall be held pursuant to 30 TAC §330.73(f). The facility shall not accept solid waste under MSW 2278A until the executive director has

confirmed in writing that all applicable submissions required by the permit and applicable rules have been received and found to be acceptable and that construction is in compliance with the permit and the approved site development plan.

- F. The permittee shall monitor sediment accumulation in ditches and culverts on a quarterly basis, and remove sedimentation to re-establish the design flow grades on an annual basis or more frequently if necessary to maintain design flow. The roads within the facility shall be designed so as to minimize the tracking of mud onto the public access road.
- G. Prior to disposal of waste, the permittee shall record in the deed records of Collin County, a metes and bounds description of all portions within the permit boundary on which disposal of solid waste has or will take place, and shall provide a certified copy of the recorded document(s) to the executive director in accordance with 30 TAC §330.19.
- H. Weekly cover of the waste fill areas shall be performed with well-compacted clean earthen material that has not been in contact with garbage, rubbish, or other solid waste, or with an alternate cover which may the permittee request for approval in accordance with 30 TAC §§330.165(d) and 305.70(k). Intermediate cover, run-on control berms, and run-off control berms shall not be constructed from soil that has been used as Weekly cover or which contains waste or chemical contaminants.
- I. During construction and operation of the facility, measures shall be taken to control runoff, erosion, and sedimentation from disturbed areas. Erosion and sedimentation control measures shall be inspected and maintained at least monthly and after each storm event that meets or exceeds the design storm event. Erosion and sedimentation controls shall remain functional until disturbed areas are stabilized with established permanent revegetation. The permittee shall maintain the on-site access road and speed bumps/mud control devices in such a manner as to minimize the buildup of mud on the access road and to maintain a safe road surface.
- J. Erosion stability measures shall be maintained on top dome surfaces and external embankment side slopes during all phases of landfill operation, closure, and post-closure care in accordance with 30 TAC §330.305(d) and Part III in Section XI of this permit.
- K. In compliance with the requirements of 30 TAC §330.145, the permittee shall consult with the local District Office of the Texas Department of Transportation or other authority responsible for road maintenance, as applicable, to determine standards for litter and mud cleanup on state, county, or city maintained roads serving the site. Documentation of this consultation shall be placed in the site operating record prior to receipt of waste at the facility.
- L. The permittee shall retain the right of entry onto the site in accordance with 30 TAC §330.67(b), and shall allow entry onto the site by TCEQ personnel for inspection purposes during the site operating life and until the end of the post-closure care period in accordance with §361.032 of the Texas Health and Safety Code.
- M. The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the remainder of this permit shall not be affected.

- N. Regardless of the specific design contained in the application or adopted by reference in Section XI of this permit, the permittee shall be required to meet all performance standards required by the permit, the Texas Administrative Code, and local, state, and federal laws or ordinances.
- O. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC Chapters 106 and 116 and 30 TAC Chapter 330, Subchapter U.
- P. All discharge of storm water must be in accordance with the U.S. Environmental Protection Agency NPDES requirements and the State of Texas TPDES requirements, as applicable.
- Q. The permittee shall furnish to the executive director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending or terminating the permit, and copies of records required to be kept by the permit.
- R. The permittee shall report any noncompliance to the executive director which may endanger human health and safety, or the environment in accordance with 30 TAC §305.125(9).
- S. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application, or in any report to the executive director, it shall promptly submit such facts or information.
- T. The permittee shall notify the executive, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy in accordance with 30 TAC §305.125(22).
- U. Any proposed facility changes, additions, or expansions must be authorized in accordance with the rules in 30 TAC Chapters 305 and 330.

**IX. Incorporated Regulatory Requirements**

- A. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits prior to the beginning of any on-site improvements or construction approved by this permit.
- B. To the extent applicable, the requirements of 30 TAC Chapters 37, 281, 305, and 330 are adopted by reference and are hereby made provisions and conditions of this permit.

**X. Special Provisions**

Once the executive director authorizes the Permittee to begin operations under this permit, the following authorization is officially revoked unless otherwise determined in writing by the executive director: Permit No. MSW 2278, in accordance with 30 TAC §305.67(b).

**XI. Permit Application Submittal References**

- A. Permit Application: Parts I, II, III, and IV
- B. Amendments, corrections, and modifications issued for MSW Permit No. 2278A