



505 East Huntland Drive
Suite 250
Austin, TX 78752

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www.TRCSolutions.com

May 23, 2011

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

**Reference: Response to Administrative Review of Application for New MSW Permit
Rancho Viejo Waste Management, LLC Type I Landfill - Permit No. 2374
Laredo, Webb County, Texas**

Dear Ms. Scroggins:

On behalf of Rancho Viejo Waste Management, LLC, I am pleased to submit an original and three copies of our response to your administrative review of the referenced MSW permit application. Our individual responses follow in the order listed in your April 27, 2011 letter.

1. We have revised and are resubmitting Page 2 of the Part I Application form to indicate the application is for both a Type I and a Type V facility.
2. We have initiated the coordination with the Federal Aviation Authority (FAA) by means of a letter dated May 13, 2011 and a copy of the facility location map. Copies of these are enclosed, which will be Attachment F in Part II. When we receive a reply from FAA, we will supplement this response by sending copies to you. We added a reference to airport safety on page 20 of Part II, and are enclosing copies of it.
3. The proposed facility is not within the territorial limits and extraterritorial jurisdiction of any city. We have revised the General Location Map, Figure 1 of Part I to show the boundaries that exist (copies enclosed). The Webb County Judge is:

Honorable Danny Valdez
Webb County Judge
1000 Houston Street, 3rd Floor
Laredo, Texas 77040

The Webb County health authority is:

Frank X. Salina, Director
Indigent Health Care Services
2600 Cedar
Laredo, Texas 78042

4. We revised are have enclosed the Table of Contents and title pages for Parts I and II to include the current changes.
5. The individual who will be responsible for publishing the newspaper notice is:

Cristy Alexander
Rancho Viejo Waste Management, LLC
1116 Calle del Norte
Laredo, Texas 78041
Telephone – (956) 523-1400
Email – cba@stx.rr.com

6. As requested, we are enclosing an original and three copies of the application revisions discussed above, including new signature pages that are signed, dated, and notarized. Pages are hole-punched for insertion in the three-ring binders.

The revisions to this application are listed below, along with the notation (R) to show which are intended to replace similar pages in the 3-ring binders of the previously submitted application. Revisions that are new pages have a notation to describe where they are to be placed in the binders. Also enclosed is a copy of the Texas Historical Commission (THC) response that clears this project to proceed.

Please contact me if you have any questions.

Very truly yours,


James F. Neyens, P.E.



cc: TCEQ-Laredo Region Office

- Enclosures:
1. Page 2 of Form TCEQ-0650 (R)
 2. Page 10 of Form TCEQ-0650 (R)
 3. May 13, 2011 letter to FAA (Insert as Attachment F at back of Part II)
 4. Revised General Location Map, Figure 1 of Part I (R)
 5. Revised binder cover, title pages and Tables of Content for Parts I and II (R)
 6. THC project clearance response dated 5/5/11 (Insert in Part II, Attachment C)

Facility Classification:

<input checked="" type="checkbox"/>	Type I	<input type="checkbox"/>	Type IV	<input checked="" type="checkbox"/>	Type V	<input type="checkbox"/>	Type IX
<input type="checkbox"/>	Type I AE	<input type="checkbox"/>	Type IV AE	<input type="checkbox"/>	Type VI		

Activities covered by this application (check all that apply):

<input checked="" type="checkbox"/>	Storage	<input checked="" type="checkbox"/>	Processing	<input checked="" type="checkbox"/>	Disposal
-------------------------------------	---------	-------------------------------------	------------	-------------------------------------	----------

Waste management units covered by this application (check all that apply):

<input checked="" type="checkbox"/>	Containers	<input checked="" type="checkbox"/>	Tanks	<input type="checkbox"/>	Surface Impoundments	<input checked="" type="checkbox"/>	Landfills
<input type="checkbox"/>	Incinerators	<input type="checkbox"/>	Composting	<input type="checkbox"/>	Type IV Demonstration Unit	<input type="checkbox"/>	Type IX Energy/Material Recovery
<input type="checkbox"/>	Other (Specify)			<input type="checkbox"/>	Other (Specify)		
<input type="checkbox"/>	Other (Specify)			<input type="checkbox"/>	Other (Specify)		

Is this submittal part of a Consolidated Permit Processing request, in accordance with 30 TAC Chapter 33?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If yes , state the other TCEQ program authorizations requested.

Provide a brief description of the portion of the facility covered by this application. For amendments, modifications, and temporary authorizations, provide a brief description of the exact changes to the permit or registration conditions and supporting documents referenced by the permit or registration. Also, provide an explanation of why the amendment, modification, or temporary authorization is requested.
Type I MSW landfill, Type V grease and grit trap waste processing, and processing of recyclables.

Does the application contain confidential Material? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If yes, cross-reference the confidential material *throughout the application* and submit as a separate document or binder conspicuously marked "CONFIDENTIAL."

Alternative Language Notice Instructions

For certain permit applications, public notice in an alternate language is required. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, trigger a bilingual education program to apply to an entire school district should the requisite alternative language speaking student population exist. However, there may not exist any bilingual students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as a part of a larger school district, is required to make a bilingual education program available to qualifying students and either the school has students enrolled at such a program on-site, or has students who attend such a program at another location in satisfaction of the school's obligation to provide such a program as a member of a triggered district.

If it is determined that an alternative language notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language. Electronic versions of the Spanish template examples are available from the TCEQ to help the applicant complete

Signature Page

I, Carlos Y. Benavides, III, Manager
(Operator) (Title)

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.

Signature: [Handwritten Signature] Date: May 17, 2011

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, _____, hereby designate _____
(Print or Type Operator Name) (Print or Type Representative Name)

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.

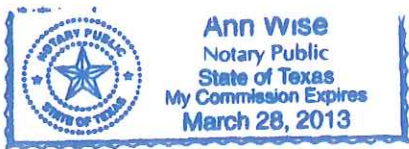
Printed or Typed Name of Operator or Principal Executive Officer

Signature

SUBSCRIBED AND SWORN to before me by the said Carlos Y. Benavides III

On this 17th day of May, 2011

My commission expires on the 28th day of March, 2013



[Handwritten Signature]
Notary Public in and for
Travis County, Texas

(Note: Application Must Bear Signature & Seal of Notary Public)

9.0 TRANSPORTATION [330.61 (i)]

Vehicular traffic associated with the proposed landfill will primarily approach and leave the general area of the facility on State Highway 359, a two lane asphalt-paved road with paved shoulders. Between SH 359 and the site, traffic will travel about 5 miles on Jordan Road, which is a Webb County road, to within about two miles of the site. There is no posted vehicle weight limitation on Jordan Road. The final road leading into the site is an all-weather surfaced private road on Yugo Ranch.

Webb County was given information about the proposed Pescadito Environmental Resource Center, and has expressed support for the project. A copy of a letter from Webb County Judge Danny Valdez stating the county's support is presented in Part II, Attachment E.

Existing and future estimated traffic volumes on SH 359 were not studied in connection with this application. SH 359 is estimated to be a minimum of 5.9 miles from the proposed facility. A review of publicly-available data on Webb County traffic did not produce existing traffic counts or future traffic projections for Jordan Road, which is about 1.1 mile from the closest portion of the proposed facility.

At the initial expected rate of 1,000,000 tons per year (tpy), the expected volume of traffic associated with the proposed landfill is expected to be approximately 260 trips per day (130 vehicles entering and leaving, including 10 passenger vehicles and 120 trucks). Ultimately for 2,000,000 tpy, the facility traffic is expected to be 520 trips per day (260 vehicles entering and leaving, including 20 passenger vehicles and 240 trucks). At this ultimate volume, truck traffic will average about 10 vehicles per hour or one every 6 minutes. This volume of site-related traffic will have no significant adverse impact on the capacity of SH 359. Because of the relatively low volume of site traffic, along with the favorable geometry, reduced speed limit and long sight distance, no turning or storage lanes would be needed to safely accommodate the proposed facility.

The applicant proposes that all site-related traffic will approach the site from the south, via SH 359 and Jordan Road.

TxDOT was provided information about the proposed facility, and has concurred that there will be no adverse impacts from the proposed facility on the State highway system. A letter expressing this conclusion from Albert Quintinella, P.E., TxDOT's Laredo District Engineer, is presented in Part II, Attachment B.

Documentation of coordination with the Federal Aviation Administration regarding airport location restrictions is presented in Attachment F.

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Attachment F

Federal Aviation Administration Coordination



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May 11, 2011

Airport Safety Programs Manager – Federal Aviation Administration
Southwest Region Headquarters
2601 Meacham Blvd.
Fort Worth, TX 76193-4298

**Reference: Coordination with FAA Regarding Airport Safety
Proposed New Municipal Solid Waste Facility
Pescadito Environmental Resource Center, Laredo, Webb County, Texas**

To Whom It May Concern:

TRC was retained by Rancho Viejo Waste Management, LLC to prepare an application for a new municipal solid waste (MSW) landfill on an 1,110-acre site located about 18 miles east of Laredo in Webb County, Texas. This application is being submitted to the Texas Commission on Environmental Quality (TCEQ) under rules found in Title 30 of the Texas Administrative Code, Chapter 330 (30 TAC §330).

Rule §330.61 (i) (5) requires that we submit documentation of coordination with the Federal Aviation Administration (FAA) regarding airport safety. Copies of this letter and your response will provide this documentation.

We are also required to document compliance with §330.545, and are enclosing a copy of this rule to assist you in responding to us. Accordingly we request the following:

1. Please confirm that the proposed site is more than 10,000 feet from any airport runway end used by turbojet aircraft and more than 5,000 feet from any airport runway end used by piston-type aircraft, and
2. Please identify for us the name, contact information, and location of any small general service airport that has a runway end within six miles of this site, and any large general service airport that has a runway end within five miles of this site, so that we can notify such airports as required by §330.545 (b).

FAA
May 13, 2011
Page 2

Enclosed is a location map that shows the facility boundary with respect to the City of Laredo and various highways. The site is located at 27.559 degrees North Latitude and 99.160 degrees West Longitude.

Please direct your response to me, and contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink that reads "James F. Neyens". The signature is written in a cursive, flowing style.

James F. Neyens, P.E.
Project Manager

(B) For any vertical expansion, the owner or operator shall establish and maintain a 125-foot buffer zone. A vertical expansion is any height increase that exceeds the maximum permitted final contour for any cell or unit for which an increase is requested. For a vertical expansion, the buffer distance must be measured from the outermost edge of the newly permitted solid waste disposal airspace.

(C) For any lateral expansion to areas not previously permitted, the owner or operator shall establish and maintain a 125-foot buffer zone. For a lateral expansion, the buffer distance must be measured from the edge of the horizontally expanded portion of the landfill.

(D) For vertical or lateral expansions of existing landfills, the new buffer zone requirements shall apply only to newly permitted airspace and shall not apply to any previously permitted airspace, regardless of whether or not the previously permitted airspace has been constructed or filled with solid waste. The new buffer zone may include any previously permitted airspace.

(3) The executive director may consider alternatives to buffer zone requirements in paragraph (2) of this subsection. Alternatives may be approved where the owner or operator demonstrates that:

(A) the prescribed buffer zone standard is not feasible; and

(B) there is a specific engineered design alternative that:

(i) is consistent with the performance goal of providing a visual screening of solid waste processing and disposal activities;

(ii) affords ready access for emergency response, maintenance, and monitoring;

(iii) affords equivalent control of odors and windblown waste as the prescribed buffer zone; and

(iv) provides sufficient distance to meet the drainage and sediment control requirements applicable to the facility.

Adopted March 1, 2006

Effective March 27, 2006

§330.545. Airport Safety.

(a) Owners or operators of new municipal solid waste landfill units, existing municipal solid waste landfill units, vertical or lateral expansions, and landfill mining operations that are located within 10,000 feet of any airport runway end used by turbojet aircraft or within 5,000 feet of any airport runway end used by only piston-type aircraft shall demonstrate that the units are designed and operated so that the municipal solid waste landfill unit does not pose a bird hazard to aircraft.

(b) Owners or operators proposing to site new municipal solid waste landfill units and lateral expansions located within a six-mile radius of any small general service airport runway end used by turbojet or piston-type aircraft shall notify the affected airport and the Federal Aviation Administration. Owners or operators proposing to site new municipal solid waste landfill units and lateral expansions located within a five-mile radius of any large general public commercial airport runway end used by turbojet or piston-type aircraft shall notify the affected airport and the Federal Aviation Administration.

(c) The owner or operator shall submit the demonstration in subsection (a) of this section with a permit application or a permit amendment application. The demonstration will be considered a part of the operating record once approved.

(d) Landfills disposing of putrescible waste shall not be located in areas where the attraction of birds can cause a significant bird hazard to low-flying aircraft. Guidelines regarding location of landfills near airports can be found in Federal Aviation Administration Order 5200.5(A), January 31, 1990. All landfill facilities within a six-mile radius of any small general service airport runway or within a five-mile radius of any large general public commercial airport runway shall be critically evaluated to determine if an incompatibility exists.

Adopted March 1, 2006

Effective March 27, 2006

§330.547. Floodplains.

(a) No solid waste disposal operations shall be permitted in areas that are located in a 100-year floodway as defined by the Federal Emergency Management Administration.

(b) New municipal solid waste management units, existing municipal solid waste units, and lateral expansions located in 100-year floodplains shall not restrict the flow of the 100-year flood, reduce the temporary water storage capacity of the floodplain, or result in washout of solid waste so as to pose a hazard to human health and the environment.

(c) Municipal solid waste storage and processing facilities shall be located outside of the 100-year floodplain unless the owner or operator can demonstrate that the facility is designed and will operate to prevent washout during a 100-year storm event, or obtains a conditional letter of map amendment from the Federal Emergency Management Administration administrator.

Adopted March 1, 2006

Effective March 27, 2006

§330.549. Groundwater.

(a) If located over the recharge zone of the Edwards Aquifer, a municipal solid waste facility is subject to Chapter 213 of this title (relating to Edwards Aquifer). The Edwards Aquifer Recharge Zone is specifically that area delineated on maps maintained by the executive director. In accordance with §213.8(a)(5) of this title (relating to Prohibited Activities), a Type I or Type IAE landfill is prohibited on the recharge zone of the Edwards Aquifer.

APPLICATION FOR PERMIT
TYPE I MUNICIPAL SOLID WASTE FACILITY
MSW PERMIT NO. 2374
PESCADITO ENVIRONMENTAL
RESOURCE CENTER
RANCHO VIEJO WASTE MANAGEMENT, LLC
SOLID WASTE DISPOSAL FACILITY
LAREDO, WEBB COUNTY, TEXAS

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March 28, 2011
Revised May 20, 2011

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Prepared By:



505 East Huntland Drive, Suite 250
Austin, Texas 78752
(512) 329-6080

TRC Environmental Corporation
TBPE Firm Registration No. 3775

PART I
APPLICATION FOR PERMIT
TYPE I MUNICIPAL SOLID WASTE FACILITY

MSW PERMIT NO. 2374

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**PESCADITO ENVIRONMENTAL
RESOURCE CENTER**

**SOLID WASTE MANAGEMENT AND
DISPOSAL FACILITY**

**RANCHO VIEJO WASTE MANAGEMENT, LLC
LAREDO, WEBB COUNTY, TEXAS**

**March 28, 2011
Revised May 20, 2011**

Prepared By:



**505 East Huntland Drive, Suite 250
Austin, Texas 78752
(512) 329-6080**

**TRC Environmental Corporation
TBPE Firm Registration No. 3775**

James F. Neyens



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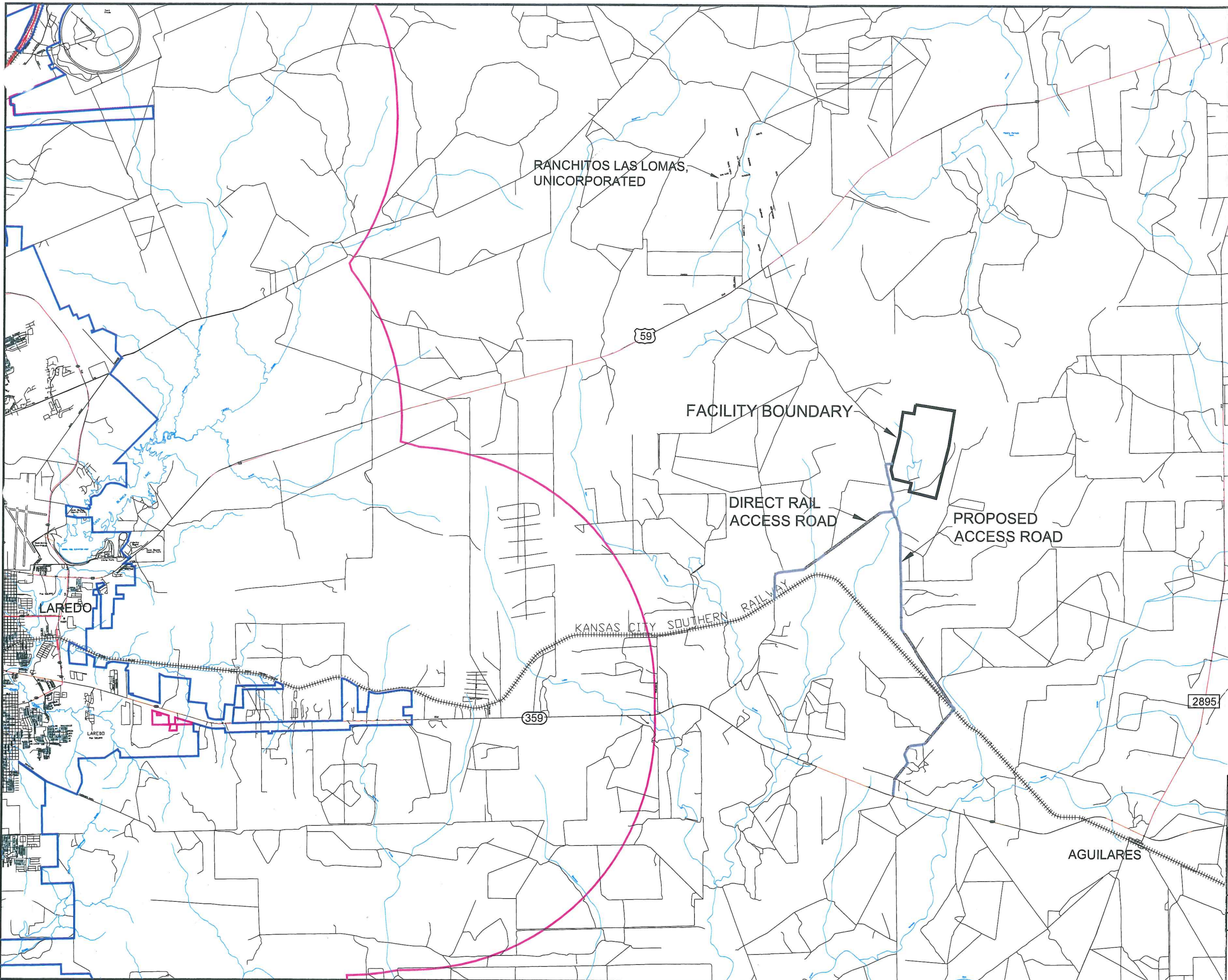


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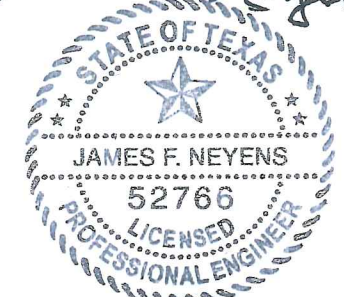
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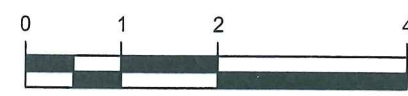
	PRIMARY HIGHWAY
	SECONDARY OR RANCH ROAD
	ALL-WEATHER ACCESS ROAD
	RIVER OR STREAM
	RAILROAD TRACK
	PROPERTY BOUNDARY OF THE FACILITY
	LAREDO CITY LIMITS
	LAREDO EXTRA TERRITORIAL JURISDICTION (ETJ)

James F. Neyens



05/23/2011

- NOTES:**
1. SOURCE: TXDOT URBAN FILES FOR WEBB COUNTY (2003).
 2. TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.



SCALE IN MILES
 1/2" = 1 mile

REVISIONS		
1	ADDED LAREDO CITY LIMITS AND ETJ	04/21/11 CL

GENERAL LOCATION MAP			
PESCADITO ENVIRONMENTAL RESOURCE CENTER MSW PERMIT NO. XXXX WEBB COUNTY, TEXAS			
PROJECT NO.	170401	DWG FILE	170401-MSW-I-1
DRAWN BY.	CL	DATE	02/14/11
505 EAST HUNTLAND DRIVE SUITE 250 AUSTIN, TEXAS 78752 (512) 329-6080			FIGURE 1 PART I PAGE XX

PART II
APPLICATION FOR PERMIT
TYPE I MUNICIPAL SOLID WASTE FACILITY

MSW PERMIT NO. 2374

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PESCADITO ENVIRONMENTAL
RESOURCE CENTER

SOLID WASTE MANAGEMENT AND
DISPOSAL FACILITY

RANCHO VIEJO WASTE MANAGEMENT, LLC
LAREDO, WEBB COUNTY, TEXAS

March 28, 2011
Revised May 20, 2011

Prepared By:



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TRC Environmental Corporation
TBPE Firm Registration No. 3775



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05/23/2011 Part II
Revised May 20, 2011

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Figure 8 Land Use Map
Figure 9 Supplemental Land Use Map
Figure 10 Flood Insurance Rate Map

Attachments

Attachment A T&E Species and Wetlands Assessment
Attachment B TxDOT Coordination
Attachment C Texas Historical Commission Review
Attachment D Cultural Resources Review
Attachment E Local Agency Coordination
Attachment F Federal Aviation Administration Coordination

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James F. Neyens



05/23/2011

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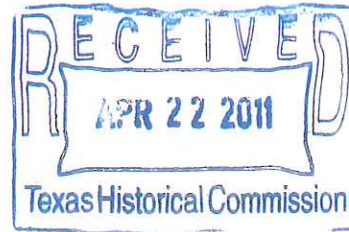
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March 28, 2011

Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

**Reference: Rancho Viejo Waste Management, LLC - Municipal Solid Waste Landfill
Laredo, Webb County, Texas**

Dear Historical Commission Staff Member:

Rancho Viejo Waste Management, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit for a municipal solid waste landfill to be located approximately 18 miles east of Laredo and about 5 miles north of State Highway 359 in Webb County, Texas.

TCEQ regulations [30 TAC 330.61(o)] require documentation of coordination with your agency regarding historical sites and cultural resources. The purpose of this letter is to inform you of the proposed solid waste landfill facility and request your response indicating that the facility as proposed will not conflict with established historical sites or known cultural resources sites. The applicant is under a strict deadline to file your response, so we would appreciate receiving it as soon as possible.

A location map showing the proposed landfill with respect to readily identifiable features is enclosed to assist in your determination.

Please contact me if you have any questions. We look forward to your response.

Very truly yours,

James F. Neyens
James F. Neyens, P.E.

TBPE Firm Registration No. F-3775



03/28/2011

