

1415 Louisiana  
Suite 2500  
Houston, Texas 77002

Tel: (713) 759-0999  
Fax: (713) 308-3886

www.browncaldwell.com

October 30, 2007



Bobbie A. Rogans  
Waste Permits Division  
Texas Commission on Environmental Quality  
12100 Park 35 Circle, Building F, MC – 126  
Austin, Texas 78753

**SUBJECT:    RESPONSE TO ADMINISTRATIVE NOTICE OF DEFICIENCIES  
LIQUID ENVIRONMENTAL SOLUTIONS OF TEXAS, LLC  
11961 RAILROAD DRIVE, EL PASO, EL PASO COUNTY,  
TEXAS 79934  
APPLICATION FOR MSW PERMIT NO. 2355  
CN 601540404 RN 105336006**

Dear Ms. Rogans:

Enclosed are one original and three (3) copies of our response to your Notice of Deficiencies (NOD) dated September 28, 2007. Our responses below address the comments in the order they are presented in the NOD.

Following are the NOD comments and our responses:

1. Comment

Please submit a complete signature page of the Permit or Registration Application for Municipal Solid Waste Facility Part I with original signatures, notary stamp, and dates.

Response

A complete signature page of the Permit or Registration Application for Municipal Solid Waste Facility Part I with original signatures, notary stamp, and dates is enclosed as part of Attachment 1.

2. Comment

Please submit the correct URL address of a publicly accessible internet web site where the application and all revisions to that application will be posted.

Response

The application is posted to the applicant's publicly accessible internet web site at <http://www.liquidenviro.com>. Click on Liquid Waste Collection & Treatment, then on Waste Collection Facilities. Click on Permit Information, and then on El Paso. This NOD Response will be posted at this same location as soon as possible, within a few days of the completion of this response as dated above.

3. Comment

Please submit a supplementary technical report submitted in connection with an application. The report shall be prepared either by a Texas licensed professional engineer, a licensed professional geoscientist, or by a qualified person who is competent and experienced in the field to which the application relates and thoroughly familiar with the operation or project for which the application is made. §305.45 (a) (8)

Response

A supplementary technical report that addresses the criteria of §305.45 (a) (8) is enclosed as Attachment 2. Additional technical data may be found in Parts I through IV of the permit application.

4. Comment

Please submit a Permit or Registration Application for Municipal Solid Waste Facility Part I with the correct Secretary of State Filing Number.

Response

Page 1 of the Permit or Registration Application for Municipal Solid Waste Facility, Part 1 (Form TCEQ-0650) has been revised to show the current Secretary of State Filing Number (see Attachment 1).

5. Comment

Please submit an electronic copy of the adjacent landowners list or mailing labels. TAC 30 §330.52(b)(4)(D) and (b)(5).

An electronic copy of these names and addresses (without map and map reference numbers) must be submitted on a separate 3-1/2 inch diskette using Word processing software or a 100% compatible format. Label the diskette with the applicant's name and permit number. Type the permit number and applicant's name on the top line before typing the addresses. Each entity listed must be blocked and spaced consecutively. Each name and address must be typed in the format that meets the United States Postal Service (USPS) requirements for machine readability. Alternatively, you may submit pre-printed mailing labels of this mailing list.

Response

We have chosen the alternative, and have enclosed pre-printed mailing labels for the adjacent landowners as Attachment 3.

6. Comment

Please submit a listing of all permits or construction approvals received, applied for, or required. §305.45(a) (7).

Response

There are no permits or construction approvals received, applied for, or required by the applicant in any of the ten programs identified in §305.45(a) (7) (A) through (J). A listing of permits or construction approvals received or required by §305.45 (a) (7) (K) other environmental permits, is listed below. This list is also provided in Attachment 4, which may also be found at page 12, Attachment 7, in Part I of the permit application. The permits listed in Attachment 4 are all Municipal Solid Waste (MSW) permits.

The only permit currently applied for by the applicant is the MSW permit application that is the subject of this NOD response.

- **Dallas Processing Plant**  
MSW Type V Permit No. 2069  
11115 Goodnight Lane  
Dallas, Texas 75229

- **Houston Processing Plant**  
MSW Type V Permit No. 2234-A  
250 Gellhorn Drive  
Houston, Texas 77013
- **San Antonio Processing Plant**  
MSW Type V Permit No. 2248  
MSW Type V Transfer Station Registration No. 40085  
10360 W. Highway 90  
San Antonio, Texas 78255
- **Austin Processing Plant**  
MSW Type V Permit No. 2250  
5119 East 7<sup>th</sup> Street  
Austin, Texas 78702
- **Robstown Transfer Station**  
MSW Type V Registration No. 40093  
3506 County Road 44  
Robstown, Texas 78380
- **Weslaco Processing Plant** *(currently under construction and development)*  
MSW Type V Permit No. 2346  
1821 Sugarcane Drive  
Weslaco, Texas 78596

7. Comment

The Texas Commission on Environmental Quality has an Internet site that has proven helpful to many waste permit applicants. The site includes waste permitting forms, tables, guidance documents and state regulations. The address is <http://www.TCEQ.state.tx.us>. This Part I form is available on the website. After selecting Forms, you may enter the number of the form (0650) and submit. Questions may be e-mailed to [ihwper@TCEQ.state.tx.us](mailto:ihwper@TCEQ.state.tx.us).

Response

We have employed the TCEQ Internet site to access the Part I form and other relevant materials.

8. Comment

The information requested above is necessary for an administratively complete permit application. Please submit an original response and three (3) copies of your application revisions, including the signature pages for each application. Your response should be in a form that allows for the replacement of application pages with the revised pages. Please submit application revisions with a revised date and page numbers at the bottom of the pages.

Response

The requested information is provided as an original and three (3) copies, in the required form and format.

9. Comment

Effective September 1, 2006, the TCEQ no longer issues, amends, or renews permits, registrations, certifications, or licenses to an entity or person who is delinquent on any penalties or fees.

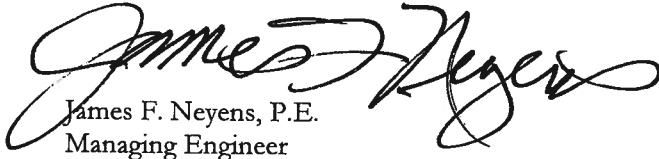
Response

We understand that the applicant is no longer delinquent on any penalties or fees.

We appreciate your review of this NOD response, and welcome any questions or comments. Please do not hesitate to contact Jim Neyens of Brown and Caldwell at 713-759-0999 if you have any questions.

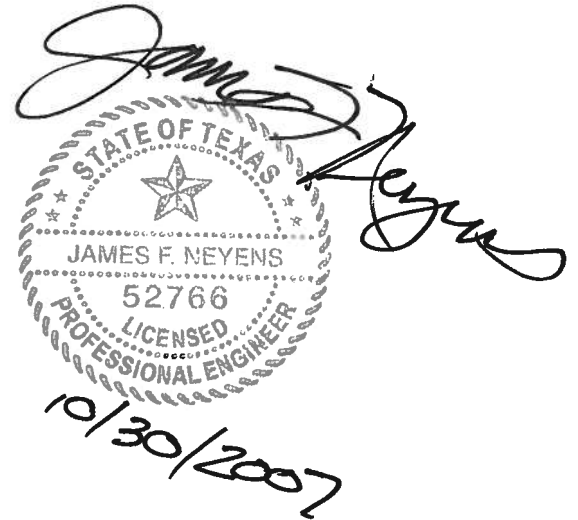
Yours very truly,

**BROWN AND CALDWELL**



James F. Neyens, P.E.  
Managing Engineer

cc: Mr. Pat Reilly, Liquid Environmental Solutions  
Mr. John Love, Liquid Environmental Solutions  
Mr. Todd Ford, Liquid Environmental Solutions  
Brown and Caldwell Project File



**ATTACHMENT 1**



# Texas Commission on Environmental Quality

## Permit or Registration Application for Municipal Solid Waste Facility

### Part I

#### A. General Information

Facility Name:	El Paso Facility			
Physical or Street Address (if available):	11961 Railroad Drive			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	79934-2601
(Area Code) Telephone Number:	469-461-6000			
Charter Number:	800827995			

If the application is submitted on behalf of a corporation, provide the Charter Number as recorded with the Office of the Secretary of State for Texas.

Operator Name <sup>1</sup> :	Liquid Environmental Solutions of Texas, L.L.P.			
Mailing Address:	11301 Newkirk			
(City) (County)( State)( Zip Code):	Dallas	Dallas	Texas	75229
(Area Code) Telephone Number:	469-461-6000			
(Area Code) FAX Number:	469-461-6065			
Charter Number:	800827995			

If the permittee is the same as the operator, type "Same as Operator".

Permittee Name:	Same as Operator			
Physical or Street Address (if available):				
(City) (County)( State)( Zip Code):			TX	
(Area Code) Telephone Number:				
Charter Number:				

If the application is submitted by a corporation or by a person residing out of state, the applicant must register an Agent in Service or Agent of Service with the Texas Secretary of State's office and provide a complete mailing address for the agent. The agent must be a Texas resident.

Agent Name:	Not Applicable			
Mailing Address:				
(City) (County)( State)( Zip Code):				
(Area Code) Telephone Number:				
(Area Code) FAX Number:				

#### Application Type:

<input checked="" type="checkbox"/>	Permit	<input type="checkbox"/>	Major Amendment	<input type="checkbox"/>	Minor Amendment
<input type="checkbox"/>	Registration	<input type="checkbox"/>	Modification	<input type="checkbox"/>	Temporary Authorization
		<input checked="" type="checkbox"/>	w/Public Notice		

<sup>1</sup> The operator has the duty to submit an application if the facility is owned by one person and operated by another [30 TAC 305.43(b)]. The permit will specify the operator and the owner who is listed on this application [Section 361.087 Texas Health and Safety Code].

<input type="checkbox"/>	w/out Public Notice	<input type="checkbox"/>	Notice of Deficiency Response
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Facility Classification:

<input 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 type="checkbox"/>	Storage	<input type="checkbox"/>	Processing	<input type="checkbox"/>	Disposal
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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 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?

Yes  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.

Application is for a new municipal solid waste permit for the entire facility.

Does the application contain confidential Material?  Yes  No

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

Bilingual 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-speaking 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 a bilingual 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 the publication in the alternative language.

**Bilingual Notice Application Form:**

Bilingual notice confirmation for this application:

1. Is a bilingual program required by the Texas Education Code in the school district where the facility is located?  YES  NO

(If NO, alternative language notice publication not required)

2. If YES to question 1, are students enrolled in a bilingual education program at either the elementary school or the middle school nearest to the facility?  YES  NO

(If YES to questions 1 and 2, alternative language publication is required; If NO to question 2, then consider the next question)

3. If YES to question 1, are there students enrolled at either the elementary school or the middle school nearest to the facility who attend a bilingual education program at another location?  YES  NO

(If Yes to questions 1 and 3, alternative language publication is required; If NO to question 3, then consider the next question)

4. If YES to question 1, would either the elementary school or the middle school nearest to the facility be required to provide a bilingual education program but for the fact that it secured a waiver from this requirement, as available under 19 TAC '89.1205(g)?  YES  NO

(If Yes to questions 1 and 4, alternative language publication is required; If NO to question 4, alternative language notice publication not required)

If a bilingual education program(s) is provided by either the elementary school or the middle school nearest to the facility, which language(s) is required by the bilingual program?

Note: Applicants for new permits and major amendments must make a copy of the administratively complete application available at a public in the county where the facility is, or will be, located for review and copying by the public.

<b>Public place where administratively complete permit application will be located.</b>				
<b>Public Place (e.g., public library, county court house, city hall, etc.):</b>	El Paso Public Library - Richard Burges Regional Branch Library			
<b>Mailing Address:</b>	9600 Dyer St.			
<b>(City) (County) (State) (Zip Code):</b>	El Paso	El Paso	TX	79924
<b>(Area Code) Telephone Number:</b>	915-759-2400			



**B. Facility Location**

Except for Type I AE and Type IV AE landfill facilities, for permits, registrations, amendments, and modifications requiring public notice, provide the URL address of a publicly accessible internet web site where the application and all revisions to that application will be posted.

www.liquidenviro.com/Liquid Waste Collection & Treatment/Waste Collection Facilities/Permit Information/El Paso

Local Government Jurisdiction:	City of El Paso
Within City Limits of:	City of El Paso
Within Extraterritorial Jurisdiction of City of:	N/A
Is the proposed municipal or industrial solid waste disposal or processing facility located in an area in which the governing body of the municipality or county has prohibited the disposal or processing of municipal or industrial solid waste? (If YES, provide a copy of the ordinance or order):	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

Provide a description of the location of the facility with respect to known or easily identifiable landmarks.

The facility is located west of Fort Bliss and approximately 1.76 miles northeast of the intersection of Loop 375 Woodrow Bean Trans Mountain Highway and Railroad Drive.

Detail the access routes from the nearest United States or state highway to the facility.

The facility is located east of US Hwy 54 (Patriot Freeway) and north of I-10 on Railroad Drive.

Provide the latitudinal and longitudinal geographic coordinates of the facility.

Latitude	N 31.9513
Longitude	W -106.3564
Elevation (above msl)	3986'

Is the facility within the Coastal Management Program boundary?  Yes  No

Texas Department of Transportation District Location:

TXDOT District Name & Number:	El Paso- District 24			
District Engineer's Name:	Charles H. Berry, Jr., P.E.			
Street or P. O. Box:	13301 Gateway West			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	79928-5410
(Area Code) Telephone Number:	915-790-4200			
(Area Code) FAX Number:	915-790-4311			

The local governmental authority or agency responsible for road maintenance:

Contact Person's Name:	El Paso Road & Bridge Department			
Street or P. O. Box:	500 E. San Antonio Ste. 407			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	79901
(Area Code) Telephone Number:	915-546-2015			
(Area Code) FAX Number:	915-546-8194			

State Representative:

District Number:	79			
State Representative's Name:	Joe C. Pickett			
District Office Address:	1790 Lee Trevino #309			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	79939
(Area Code) Telephone Number:	915-590-4349			

State Senator:

District Number:	79			
State Senator's Name:	Eliot Shapleigh			
District Office Address:	800 Wyoming, Suite A			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	79902
(Area Code) Telephone Number:	915-544-1990			
(Area Code) FAX Number:	915-544-1998			

Council of Government (COG) Information:

COG Name:	Rio Grande Council of Governments			
COG Representative's Name:	Judge Jake Brisbin, Jr.			
COG Representative's Title:	Executive Director			
Street or P. O. Box:	1100 N. Stanton, Suite 610			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	79902
(Area Code) Telephone Number:	915-533-0998			
(Area Code) FAX Number:	915-532-9385			

River Basin Information:

River Authority:	International Boundary and Water Commission			
Contact Person's Name:	Carlos Pena, Envir. Mngmt, Div.			
Watershed Sub-Basin Name:	Upper Rio Grande			
Street or P. O. Box:	4171 North Mesa, Ste. C-100			
(City) (County)( State)( Zip Code):	El Paso	El Paso	TX	779902
(Area Code) Telephone Number:	915-832-4740			
(Area Code) FAX Number:	915-832-4167			

This site is located in the following District of the U.S. Army Corps of Engineers:				
<input checked="" type="checkbox"/> Albuquerque, NM	<input type="checkbox"/> Ft. Worth, TX	<input type="checkbox"/> Galveston, TX	<input type="checkbox"/> Tulsa, OK	

**C. Maps**

General

For permits, registrations, and amendments only, submit a topographic map, ownership map, county highway map, or a map prepared by a registered professional engineer or a registered surveyor which shows the facility and each of its intake and discharge structures and any other structure or location regarding the regulated facility and associated activities. Maps must be of material suitable for a permanent record, and shall be on sheets 8-1/2 inches by 14 inches or folded to that size, and shall be on a scale of not less than one inch equals one mile. The map shall depict the approximate boundaries of the tract of land owned or to be used by the applicant and shall extend at least one mile beyond the tract boundaries sufficient to show the following:

each well, spring, and surface water body or other water in the state within the map area;

the general character of the areas adjacent to the facility, including public roads, towns and the nature of development of adjacent lands such as residential, commercial, agricultural, recreational, undeveloped, etc;

the location of any waste disposal activities conducted on the tract not included in the application; and

the ownership of tracts of land adjacent to the facility and within a reasonable distance from the proposed point or points of discharge, deposit, injection, or other place of disposal or activity.

#### General location maps

For permits, registrations, and amendments only, submit at least one general location map at a scale of one-half inch equals one mile. This map shall be all or a portion of a county map prepared by Texas Department of Transportation (TxDOT). If TxDOT publishes more detailed maps of the proposed facility area, the more detailed maps shall also be included in Part I. Use the latest revision of all maps.

#### Land ownership map

Provide a map that locates the property owned by adjacent and potentially affected landowners. The maps should show all property ownership within 500 feet of the facility, on-site facility easement holders, and all mineral interest ownership under the facility.

#### Landowners list

Provide the adjacent and potentially affected landowners' list, keyed to the land ownership map with each property owner's name and mailing address. The list shall include all property owners within 500 feet of the facility, easement holders, and all mineral interest ownership under the facility. Provide the property, easement holders', and mineral interest owners' names and mailing addresses derived from the real property appraisal records as listed on the date that the application is filed. Provide the list in electronic form, as well.

### **D. Property owner information**

For permits, registrations, amendments, and modifications that change the legal description, a change in owner, or a change in operator only, provide the following:

(1) the legal description of the facility;

- (A) the abstract number as maintained by the Texas General Land Office for the surveyed tract of land;
- (B) the legal description of the property and the county, book, and page number or other generally accepted identifying reference of the current ownership record;
- (C) for property that is platted, the county, book, and page number or other generally accepted identifying reference of the final plat record that includes the acreage encompassed in the application and a copy of the final plat, in addition to a written legal description;
- (D) a boundary metes and bounds description of the facility signed and sealed by a registered professional land surveyor;
- (E) on-site easements at the facility, and
- (F) drawings of the boundary metes and bounds description; and

(2) a property owner affidavit signed by the owner.

### **E. Legal authority**

Provide verification of the legal status of the owner and operator, such as a one-page certificate of incorporation issued by the secretary of state. List all persons having over a 20% ownership in the proposed facility.

Indicate Ownership status of the facility:									
<input type="checkbox"/>	Private	<input type="checkbox"/>	Corporation	<input checked="" type="checkbox"/>	Partnership	<input type="checkbox"/>	Proprietorship	<input type="checkbox"/>	Non-Profit Organization
<input type="checkbox"/>	Public	<input type="checkbox"/>	Federal	<input type="checkbox"/>	Military	<input type="checkbox"/>	State	<input type="checkbox"/>	Regional
<input type="checkbox"/>	County	<input type="checkbox"/>	Municipal	<input type="checkbox"/>	Other (Specify)				

Does the operator own the facility units and the facility property?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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If "No," for permits, registrations, amendments, and modifications that changes the legal description, a change in owner, or a change in operators submit a copy of the lease for the use of or the option to buy the facility units or facility property, as appropriate, and identify:

Owner Name:				
Street or P. O. Box:				
(City) (County)( State)( Zip Code):				
(Area Code) Telephone Number:				
(Area Code) FAX Number:				
Charter Number:				

**F. Evidence of competency**

For permits, registrations, amendments, and modifications that change the legal description, a change in owner, or a change in operators submit a list of all Texas solid waste sites that the owner and operator have owned or operated within the last ten years.

Site Name	Site Type	Permit/Reg. No.	County	Dates of Operation

Submit a list of all solid waste sites in all states, territories, or countries in which the owner and operator have a direct financial interest.

Site Name	Location	Dates of Operation	Regulatory Agency (Name & Address)

A licensed solid waste facility supervisor, as defined in 30 TAC Chapter 30, Occupational Licenses and Registrations will be employed before commencing facility operation.

Provide the names of the principals and supervisors of the owner's and operator's organization, together with previous affiliations with other organizations engaged in solid waste activities.

Name	Previous Affiliation	Other Organization

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 30 TAC Chapter 30 possessed by key personnel. The number and size of each type of

equipment to be dedicated to facility operation will be specified in greater detail on Part IV of the application within the site operating plan.

Landfilling/Earthmoving Equipment Types	Personnel Experience or Licenses

For mobile liquid waste processing units, submit a list of all solid waste, liquid waste, or mobile waste units that the owner and operator have owned or operated within the past five years. Submit a list of any final enforcement orders, court judgments, consent decrees, and criminal convictions of this state and the federal government within the last five years relating to compliance with applicable legal requirements relating to the handling of solid or liquid waste under the jurisdiction of the commission or the United States Environmental Protection Agency. Applicable legal requirement means an environmental law, regulation, permit, order, consent decree, or other requirement.

Solid waste, liquid waste, or mobile waste units owned or operated within past 5 years	Texas and federal final enforcement orders, court judgments, consent decrees, and criminal convictions

**G. Appointments**

Provide documentation that the person signing the application meets the requirements of 30 TAC §305.44, Signatories to Applications. If the authority has been delegated, provide a copy of the document issued by the governing body of the owner or operator authorizing the person that signed the application to act as agent for the owner or operator.

**H. Application Fees**

For a new permit, registration, amendment, modification, or temporary authorization, submit a \$150 application fee.

For authorization to construct an enclosed structure over an old, closed municipal solid waste landfill in accordance with 30 TAC 330 Subchapter T, submit a \$2,500 application fee.

If paying by check, send payment to:

Texas Commission on Environmental Quality  
 Financial Administration Division, MC 214  
 P. O. Box 13087  
 Austin, Texas 78711-3087

Payment maybe made online using TCEQ e-pay at <a href="http://www.tceq.state.tx.us/e-service/index.html">www.tceq.state.tx.us/e-service/index.html</a>	
E-pay confirmation number	

**PROPERTY OWNER AFFIDAVIT**

"I, El Paso Water Utilities Public Service Board

(property owner)

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 facility prior to the time that the facility actually begins operating as a municipal 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 care period, if required, after closure for the purpose of inspection and maintenance."



(Owner signature)  
EDMUND G. ARCHULETA, P.E.  
PRESIDENT & CEO

10/18/07

(Date)

Signature Page

John Love  
(Operator)

Regional Vrc President  
(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: *John Love*

Date: 10-26-07

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.

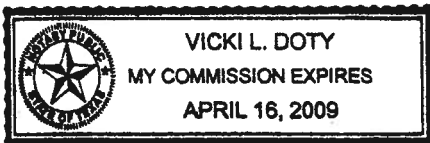
\_\_\_\_\_  
Printed or Typed Name of Operator or Principal Executive Officer

\_\_\_\_\_  
Signature

SUBSCRIBED AND SWORN to before me by the said John J. Love

On this 29th day of October, 2007

My commission expires on the 16th day of April, 2009



Vicki Doty  
Notary Public in and for

Harris County, Texas

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

**ATTACHMENT 2**



Liquid Environmental Solutions  
Permit No. 2355

El Paso Public Service Board  
320 S. Campbell Street  
El Paso, Texas 79901

El Paso Public Service Board  
320 S. Campbell Street  
El Paso, Texas 79901

Bruce Foods Corp.  
8000 Ashley Road  
El Paso, Texas 79934

Bruce Foods Corp.  
P.O. Box 1030  
New Iberia, LA 70562

Bruce Foods Corp.  
P.O. Box 1090  
New Iberia, LA 70562

Union Pacific Railroad  
1400 Douglas Street  
Omaha, NE 68179

United States Army  
1 Pershing Road  
Fort Bliss, Texas 79916

City of El Paso  
2 Civic Center Plaza  
El Paso, Texas 79901

Liquid Environmental Solutions  
Permit No. 2355

El Paso Public Service Board  
320 S. Campbell Street  
El Paso, Texas 79901

El Paso Public Service Board  
320 S. Campbell Street  
El Paso, Texas 79901

Bruce Foods Corp.  
8000 Ashley Road  
El Paso, Texas 79934

Bruce Foods Corp.  
P.O. Box 1030  
New Iberia, LA 70562

Bruce Foods Corp.  
P.O. Box 1090  
New Iberia, LA 70562

Union Pacific Railroad  
1400 Douglas Street  
Omaha, NE 68179

United States Army  
1 Pershing Road  
Fort Bliss, Texas 79916

City of El Paso  
2 Civic Center Plaza  
El Paso, Texas 79901



**ATTACHMENT 3**

**SUPPLEMENTARY TECHNICAL REPORT  
LIQUID ENVIRONMENTAL SOLUTIONS OF TEXAS, LLC  
EL PASO FACILITY  
MSW PERMIT NO. 2355**

**OCTOBER 26, 2007**

This supplementary technical report is intended to address the requirements of 30 TAC 305.45 (a)(8). It was prepared by the undersigned Texas licensed professional engineer, a qualified person who is both competent and experienced in the field to which this permit application relates, and is thoroughly familiar with the operation and project for which the application is made.

**A. General Description of the Facilities And Systems For Collection, Transportation, Treatment And Disposal Of Waste**

Waste consists of liquid materials with some associated solids that is collected from grease traps (initially), grit traps and septic tanks (future). Collection is accomplished by vacuum trucks of various sizes. Transportation to the proposed facility is by these same vehicles, some of which are owned and operated by the applicant and some by other commercial liquid waste haulers. In either case, the waste is completely enclosed in water-tight steel tanks during transport.

Treatment at the proposed facility may consist of some and eventually all of the following:

- Screening the remove coarse solids
- pH adjustment
- Heating to improve separation of water and fats, oils and grease (FOG)
- Gravity separation to facilitate removal of both grit and other heavier-than-water solids and the lighter FOG
- Dissolved air floatation for enhanced removal of FOG, and
- Solids dewatering with a filter press.

Incoming liquid wastes are generally 90 to 95 percent or more water. The treatment options discussed above are used to separate FOG and solids from the liquid, which is then treated as necessary to meet the wastewater discharge criteria of the El Paso Water Utilities, which operates a publicly owned treatment works (POTW). This treated wastewater is monitored for flow and water quality parameters, and discharged to a sewer leading to the POTW.

Dewatered solids are hauled to and disposed at an El Paso-area, State-permitted landfill. Recovered FOG is beneficially reused or recycled, such as a feedstock for the production of methane gas. If no market exists for beneficial reuse, the FOG may be landfilled.

**B. Waste Volumes and Characteristics**

Depending on the origin/nature of the waste, incoming waste is deposited at the grease trap waste (initial) or grit trap/septic tank (future) receiving areas. Following are the anticipated average and maximum rates of waste receiving and processing over representative time periods:

	Grease Trap Waste	FOG	Grit-Trap Waste/Septage Sludge
Initial Ave. Rate, gal/day	40,000	2,000	40,000 / 4,000
Initial Max Rate, gal/mo	1,200,000	600,000	1,200,000 / 120,000
10 year Ave. Rate, gal/day	200,000	10,000	200,000 / 20,000
10 year Max Rate, gal/mo <sup>1</sup>	6,000,000	300,000	6,000,000 / 600,000
Approx. Characteristics <sup>2</sup>	95% Water, 5%	FOT	90% Water, 10% Grit and Solids

Note: 1) Proposed maximum monthly limit is 6,000,000 gallons per month, in any combination of pre-approved waste streams.  
 2) Wastes have no significant physical, thermal, organic bacteriological or radiological properties or characteristics, other than those described previously in this Supplementary Technical Report.

**C. Other Information**

Other information regarding the proposed project and operation may be found in Parts I through IV of this permit application. Each of these parts is preceded by a Table of Contents which serves as a guide to the location specific information.

Nothing in this proposed project or operation pertains to §331.121 of this title (relating to Class I Wells), §331.122 of this title (relating to Class III Wells), §305.50 of this title (relating to Additional Requirements for an Application for a Hazardous or Industrial Solid Waste Permit and for a Post-Closure Order), §305.48 of this title (relating to Additional Contents for Applications for Wastewater Discharge Permits), §305.54 of this title (relating to Additional Requirements for Radioactive Material Licenses), §336.207 of this title (relating to General Requirements for Issuance of a License), §336.513 of this title (relating to Technical Requirements for Active Disposal Sites), §336.617 of this title (relating to Technical Requirements for Inactive Disposal Sites), and §336.705 of this title (relating to Content of Application). Information required Chapter 330, Subchapter E of this title (relating to Permit Procedures) is found in Parts I through IV of this application.

Prepared by:   
 James F. Neyens, P.E.

