

BLUE RIDGE LANDFILL FORUM QUESTIONS

Q #	Question	TCEQ Response
1	Will we have access to their self-monitoring logs?	It is unclear which records the term “self-monitoring logs” includes. The Odor Control Plan requires Blue Ridge Landfill (BRL) to keep certain documents in the Site Operating Record. “[A]ll information contained in the Site Operating Record will be furnished upon request to the Executive Director and will be made available for inspection by the Executive Director.” (See SOP, Section 9). Any copies the TCEQ makes of the records would be publicly available, subject to any applicable exceptions under the Public Information Act.
2	There are many items in this plan. Have they been found negligent of all this?	The Odor Control Plan was approved on April 10, 2018. As of July 17, 2018, no violations have been issued to BRL for failing to comply with the Odor Control Plan.
3	While all landfills release gas & odor, Why do you think there was a significant increase starting in 2015 winter?	The exact cause of the increase in odors may be difficult to attribute to only one factor.

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4	How does the recent \$7M spending compare to other landfills expanding at the same rate? Is this standard expenses or significantly above and beyond to address the issue?	Other than closure and post-closure care costs, the Municipal Solid Waste rules do not require the TCEQ to track expenditure information related to landfill operations or maintenance; and therefore, we cannot provide a comparison or respond to whether the amount is “standard” or “significantly above and beyond.”
5	There is a lot of mistrust of BRL in the community. How much and what kind of monitoring does TCEQ do to confirm BRL's measurements?	<p>It is not clear exactly what is meant by “measurements.” The TCEQ reviews reports and information submitted by all active landfills for various activities, including groundwater monitoring, landfill gas monitoring, and liner construction quality assurance. Gas reports, when exceedances are identified, are submitted quarterly. Groundwater reports are required annually to provide results of semiannual monitoring and additional reporting is required if groundwater issues are present. Liner reports are required as new cells are constructed. The TCEQ reviews these reports to ensure the facility has met rule requirements and performed appropriate analysis of the data. Although intended for landfill owners and operators, RG-074 - Guidelines for Preparing a Groundwater Sampling and Analysis Plan describes groundwater sampling and monitoring requirements (https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-074.pdf). Standards for liner construction are provided in RG-534 – Guidance for Liner Construction and Testing for a Municipal Solid Waste Landfill (https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-534.pdf).</p>
6	Can we have a quarterly forum?	There are currently no plans to have a quarterly forum. Future public meetings will be considered on a case-by-case basis.
7	Can we get an explanation that makes sense to people who don't have the expertise in chemistry, geology, landfill design etc.?	<p>An overview of municipal solid waste permits, participation, and landfill requirements may be found on TCEQ's Municipal Solid Waste Topics webpage: https://www.tceq.texas.gov/permitting/waste_permits/Municipal_Solid_Waste_permits/Municipal_Solid_Waste.html. TCEQ staff are available to explain and interpret regulations. Please use the “Contact Us” webpage (www.tceq.texas.gov/agency/directory) to direct specific questions to the Waste Permits Division, Environmental Assistance Division, or the Houston Regional Office.</p>

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8	Can we Get an environmentalist to explain the situation?	
9	How long before significant odor reduction is expected?	<p>Please see the response to Question Number 7.</p> <p>A specific date or time cannot be provided in response to this question.</p> <p>BRL is prohibited from causing a nuisance (see 30 TEX. ADMIN. CODE § 101.4). BRL must also comply with its Odor Control Plan. TCEQ Agreed Order Docket Number 2016-1923-AIR-E ordered BRL to submit an Odor Control Plan that, among other things, minimizes odors (see IV.3.b.i) and monitors for, detects and responds to potential off-site nuisance odors (see IV.3.b.ii). BRL's Odor Control Plan states that the Odor Control Plan "...has been established to provide guidance for facility personnel to address potential odor issues that may be of concern to BRL's neighbors and the surrounding community."</p> <p>TCEQ continues to monitor compliance with the statutes, rules (including 30 TEX. ADMIN. CODE § 101.4) and permits and with TCEQ Agreed Order Docket Number 2016-1923-AIR-E and the Odor Control Plan and remains committed to ensuring that BRL is in compliance.</p>
10	Can continous air quality monitors be placed in or near homes where complaints are coming from?	<p>The TCEQ has conducted air monitoring in areas with higher numbers of complaints using mobile sampling platforms equipped with sensitive instrumentation capable of measuring hydrogen sulfide and methane in the parts per billion range. Placing a permanent, stationary air monitor in the area where TCEQ has conducted continuous air monitoring is not justified given the results of air monitoring conducted to date. The TCEQ will continue to conduct mobile air monitoring in the area to assess air quality during times most conducive to odors impacting area residents.</p>

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11	Can order survey be done after few days of heavy rain? Heavy rain and hot weather will increase the breakdown by the microbes.	Currently, odor surveys are conducted on a weekly basis by the TCEQ. Odor surveys have been conducted following rainfall events, and the TCEQ tracks weather conditions on a weekly basis to plan odor surveys when weather inversions may result in offsite odors. One of the elements the Houston Region is tracking is the correlation of rainfall to odor. This information is used in the evaluation of BRL's operations and in determining the optimal time frame to be on-site at the landfill.
12	Can we access the number of waste gas emission monitored by BRL? What kind of regulation can be implemented to BRL if the number of gas emission is higher than the standard?	BRL is subject to federal emissions standards which limit the amount of volatile organic compounds it can emit into the atmosphere. As a source of air pollution, BRL (account no. FG0536E) is required to submit an annual emissions inventory report which quantifies emissions. If exceedances are noted, the federal standard has specific action items that shall be taken. Failure to complete specific action items would be considered a violation of the operational requirements of the rule.
13	Too close landfill. Is it legal for landfill to be located near Clear Creek Bayou effecting federal waters?	The Municipal Solid Waste rules have specific prohibitions and limitations on the locations where waste activities can occur. Areas that have special consideration include airports, floodplains and floodways, endangered or threatened species habitats, wetlands, fault areas, seismic impact zones, unstable areas, and coastal areas. BRL properly addressed these siting and location requirements for Clear Creek Bayou at the time of application.
14	Is the BRL operating plan public information? If so, how doe we access it?	Yes. To obtain a copy of the Site Operating Plan you can file an Public Information Request. Please call (512) 239-2900 or submit a request online at https://www.tceq.texas.gov/agency/data/records-services/reginfo.html .
15	What is the timeline of implementation of the plan?	On June 1, 2018 BRL submitted documentation to the TCEQ demonstrating that surface emissions monitoring had been performed on May 4, 2018 (pursuant to the Odor Control Plan, BRL is required to perform Surface Emissions Monitoring once every two months); the 24-hour Odor Complaint Hotline/Message-line and website have been activated; the dual carbon canister has been installed; and 24-hour fence line sulfur monitoring had begun. On June 8, 2018, BRL

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		submitted a permit modification application to incorporate the approved Odor Control Plan into its Municipal Solid Waste Permit. BRL certified submittal of the permit modification application on June 19, 2018. By December 6, 2018, BRL is required to certify that the permit modification has been obtained. The Executive Director may grant an extension of any deadline in the Order upon written and substantiated showing of good cause. The determination of what constitutes good cause rests solely with the Executive Director.
16	What is our assurance that after the 5 years, after the items on the plan timeout, we will be backsliding?	Not all the requirements in the plan "timeout" after five years. In addition, BRL is required to comply with the rules and its permits and is potentially subject to additional enforcement actions for failure to do so. BRL is required comply with the applicable regulatory requirements. These requirements include, among other things, the prohibition on creating a nuisance. (See 30 TEX. ADMIN. CODE § 101.4.) Failure to comply with regulatory requirements can result in enforcement.
17	Is the number of complaints received for BRL typical for a facility of its nature?	The number of complaints received by TCEQ regarding BRL is not typical.
18	With BRL not admitting to being the source of nuisance odors, what value/ Why would they be allowed to speculate on where odors are coming from?	The Odor Control Plan requires BRL to conduct offsite odor detection surveys and respond to odor complaints received on their website and telephone line. If the odor is attributable to BRL, pursuant to the Odor Control Plan, BRL must take corrective action. The Odor Control Plan requires BRL to document its activities, and the documentation is subject to the review of TCEQ investigators.
19	What is the plan for providing transparency of TCEQ oversight or findings of BRL review of records and investigation results of complaints?	Documents created by the TCEQ, including final investigation reports, are public record, unless an exception to disclosure under the Public Information Act is applicable. Finalized investigation reports for BRL are available on the City of Pearland's West Pearland Air Quality webpage: https://www.pearlandtx.gov/other-city-pages/west-pearland-air-quality

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Are there health risks to residents resulting from gases present when odor occurrences have occurred?

Landfills typically produce hydrogen sulfide at concentrations that would not be expected to cause direct adverse health effects, like respiratory irritation. However, concentrations of hydrogen sulfide produced by landfills could be odorous to some people, depending on the strength, duration, and frequency of the odor. This creates the potential for indirect odor-related health effects, like headache and nausea. Indirect odor-related health effects are the body's reaction to smelling something it finds unpleasant/offensive. These health effects are not due to hydrogen sulfide in particular; it just happens that hydrogen sulfide is the offending odorous agent. When removed from the offending smell, indirect odor-related health effects subside. Direct adverse health effects are caused by exposure to a specific chemical, while indirect odor-related health effects are related to any unpleasant/offensive smelling compound.

The concentrations at which people find hydrogen sulfide odorous vary; the range is from 0.5 parts per billion (ppb) to 300 ppb. The 30-minute average concentrations of hydrogen sulfide measured during the TCEQ 2016 monitoring trip project ranged from 2 to 107 ppb. These concentrations are well within the odorous range, but significantly lower than levels at which direct adverse health effects have been reported in the scientific literature (2,000 ppb hydrogen sulfide caused mild respiratory effects in 2 out of 10 asthmatic individuals exposed for 30 minutes). We would not expect direct adverse health effects due to exposure to the measured concentrations in the area; however, the potential for indirect odor-related health effects is present if exposure were to occur at the measured concentrations.

21 What are the the risks/likelihood of health issues manifesting?

Hydrogen sulfide, a flammable, colorless gas that smells like rotten eggs, is produced both naturally and from man-made processes. Hydrogen sulfide is also produced in small amounts by bacteria found in the mouth and gastrointestinal tract during digestion of food. Typical ambient air concentrations of hydrogen sulfide range between 0.11 and 0.33 parts per billion (ppb), with concentrations in urban areas generally less than 1 ppb. Everyone is exposed to some level of hydrogen sulfide.

Concentrations associated with direct adverse health effects are significantly higher than concentrations typically measured in ambient air (2,000 ppb hydrogen sulfide caused mild respiratory effects reported in 2 out of 10 asthmatic individuals).

Concentrations of hydrogen sulfide that have been measured in and around the Shadow Creek neighborhood have been well below those that cause direct adverse health effects (approximately >18 times lower). TCEQ would not expect direct adverse health effects associated with hydrogen sulfide as a result of exposure to these concentrations. However, the range of hydrogen sulfide concentrations that have been measured (2 to 107 ppb) are well within the odorous range (0.5 to 300 ppb). Indirect odor-related health effects, such as headache and nausea, may occur if residents were exposed to the measured concentrations.

Indirect odor-related health effects are the body's reaction to smelling something it finds unpleasant/offensive. These health effects are not due to hydrogen sulfide in particular; it just happens that hydrogen sulfide is the offending odorous agent. When removed from the offending smell, indirect odor-related health effects subside. There is currently no evidence that long-term low-level exposure to hydrogen sulfide leads to any long-term direct adverse health effects.

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22	What are long term effects of exposure?	There is currently no evidence that long-term low-level exposure to hydrogen sulfide, like those measured during the TCEQ 2016 monitoring trip project, leads to any long-term direct adverse health effects. It also appears that hydrogen sulfide toxicity is driven more by concentration (the amount of the chemical) than by duration (the length of time) of exposure. In addition, hydrogen sulfide is rapidly removed from the body, suggesting that short-term peak exposures are more important in terms of potential direct adverse health effects than longer-term exposure to low levels. Hydrogen sulfide has not been shown to cause cancer in humans; neither the United States Environmental Protection Agency (USEPA) nor the International Agency for Research on Cancer (IARC) have classified hydrogen sulfide as a carcinogen.
23	Can TCEQ have citizen committee involvement along with BRL off-site monitoring, as a check on results/observation?	The TCEQ will be evaluating BRL's compliance with TCEQ Agreed Order Docket Number 2016-1923-AIR-E, the Odor Control Plan, and the statutes, rules and permits. Citizens can provide information and evidence to the TCEQ. Please refer to: https://www.tceq.texas.gov/compliance/complaints/protocols for additional information.
24	Can we have another forum like this to continue answering questions and review data from your investigation? A part of the meeting should be for Q & A forum audience - July or August	TCEQ may participate in additional forums to further explain our processes in general as well as any specific investigation that is publicly available regarding BRL.
25	We were only grading odor up to 5. I think I heard TCEQ's is up to 15?	The TCEQ does not grade odors, but utilizes the attached Odor Complaint Investigation Procedures to evaluate odors.

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26	Can we have a copy of how to grade odors per tCEQ?	TCEQ does not grade odors. The TCEQ's Odor Complaint Investigation Procedures are attached.
27	How often is a surveyor scheduled to audit the landfill?	Investigators from the TCEQ evaluate compliance with BRL's waste and air permits annually. The TCEQ investigates all odor complaints it receives concerning BRL. The TCEQ can conduct investigations in accordance with TEX. HEALTH & SAFETY CODE § 361.032. The TCEQ does not generally announce when non-routine investigations will be performed, such as responding to complaints.
28	How is odor control measure? And how will the community be informed of the progress of odor control?	<p>The TCEQ utilizes the attached Odor Complaint Investigation Procedures to evaluate odors.</p> <p>BRL must comply with the Odor Control Plan. The Odor Control Plan provides in part, "[o]dors found to be at or greater than 7, [by BRL when utilizing the Nasal Ranger], will be investigated and corrected [by BRL] as needed until a confirmation test shows that odor levels are below 7."</p> <p>With respect to the community being provided information, final investigation reports are posted on the City of Pearland's West Pearland Air Quality webpage: https://www.pearlandtx.gov/other-city-pages/west-pearland-air-quality In addition, documents created by the TCEQ are public record, unless an exception to disclosure under the Public Information Act is applicable. You may also use the "Contact Us" website if you have questions or would like additional information: www.tceq.texas.gov/agency/directory.</p>
29	Once controlled, will this forever be an issue for this area?	BRL is required comply with the applicable regulatory requirements. These requirements include, among other things, the prohibition on creating a nuisance. (See 30 TEX. ADMIN. CODE § 101.4.) Failure to comply with regulatory requirements can result in an enforcement action.
30	Why does Arcola/Fresno area not have trash collection from Republic Waste when the landfill is located in our own backyard? (local waste pick up at a minimal charge.)	The Municipal Solid Waste rules do not dictate or limit the service area of a landfill. Generally, the landfill and local governments negotiate service area contracts.

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31	When excessive garbage odor is present, who is responsible for collecting complaint data and then actually responding to these complaints?	If complaints are submitted to BRL, they are required to respond. (Please see Section 4 of the Odor Control Plan regarding BRL's record keeping and corrective action requirements.) If the complaint is submitted to the TCEQ, the complaint will be handled in accordance with the TCEQ complaint investigation process. Complaints can be submitted to BRL and TCEQ.
32	When the odors are in excess of PPM limits, what is actually being done to correct the issues besides just logging the complaint data?	The TCEQ conducts investigations of the site and enforces any governing regulations.
33	In addition to odors, is there any rodent control plan in place to dramatically reduce or eliminate the varmints? In the last 22 yrs of living in Fresno, these rodents have gotten large in size and number. Particularly in the Ranchos Fresno Zone (Directly south of BRL).	The Municipal Solid Waste rules and the permit do not specifically require a rodent control plan, but BRL is required to control vectors through the proper compaction of waste and the use of daily cover. BRL may use other approved methods when needed.
34	Why does republic not service community it is located in for trash service? In particular Fresno, TX?	The Municipal Solid Waste rules do not dictate or limit the service area of a landfill. Generally, the landfill and local governments negotiate service area contracts.
35	Why no CAP for landfill? With represented affected communities? (Community advisory Program)	This question should be referred to the local authorities.
36	What happens with tropical rain amounts that wash coverage of landfills material off trash and where does this volume of contaminated water go?	Municipal Solid Waste facilities must be designed to contain and control rain from a 25 year (4% chance of occurring in any given year), 24-hour storm. Any storm water that falls on the active face of the landfill must be contained. At BRL, water that falls on the active face is captured by the leachate collection system and is then either discharged to authorized off-site wastewater treatment facilities or is treated on-site by adding absorbent material to free liquids. Discharge of water that has come in contact with waste is prohibited.

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37	Many residents in Fresno are shallow water well - how will they be affected tested by TCEQ?	<p>Information regarding private drinking water wells can be found here: https://www.epa.gov/privatewells and here: http://www.tgpc.state.tx.us/water-wells/#2</p> <p>Public water systems are monitored in accordance with Monitoring Plans approved by the TCEQ under requirements in Title 30 Texas Administrative Code Chapter 290, Subchapter F. ("Public water system" is defined in 30 TEX. ADMIN. CODE § 290.38(71). A system must be a certain size to be considered public. The system must have at least 15 service connections or serve at least 25 individuals for at least 60 days out of the year. Please see: https://www.tceq.texas.gov/drinkingwater/pws.html for additional information regarding public water systems.)</p> <p>A Type I landfill, like BRL, is required to have a groundwater sampling and analysis plan. Landfills must monitor groundwater upgradient and downgradient of the site to ensure the landfill has not impacted groundwater. BRL has 34 groundwater wells as part of their groundwater monitoring system and monitors an additional nine observation wells due to an agreement with the City of Pearland.</p> <p>TCEQ Guidance RG-074 - Guidelines for Preparing a Groundwater Sampling and Analysis Plan describes groundwater sampling and monitoring procedures. (https://www.tceq.texas.gov/assets/public/comm_exec/pubs/rg/rg-074.pdf)</p> <p>See response to question 52.</p>
38	How many manpower hours has TCEQ dedicated to BRL? (Investigations & violations)	<p>As of June 25, 2018, TCEQ Region 12- Houston investigators have expended approximately 5,700 hours conducting investigations.</p>

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39	Why is BRL allowed to provide self-compliance when they are untruthful community partners?	In the last five years, BRL has been issued one administrative enforcement order. The TCEQ believes the investigations, surveys, and Odor Control Plan can be utilized in assessing compliance. The Odor Control Plan includes provisions regarding the daily operations of the landfill and requires that BRL document specific activities. BRL, through the Odor Control Plan, is required to be proactive in identifying odor sources and addressing the same.
40	Why are they not shutdown until they are in compliance?	BRL is currently subject to the technical requirements in an Agreed Order (TCEQ Docket Number 2016-1923-AIR-E). In addition, BRL must comply with TCEQ rules and regulations. The TCEQ continues to evaluate compliance and at this time does not believe that "shutdown" (i.e. permit revocation or the issuance of an emergency order) is appropriate.
41	Does duration of H2S exposure play a role in health and illnesses?	The toxicity of a compound generally relies on concentration (the amount of the chemical) and duration (the length of time) of exposure. However, in the case of hydrogen sulfide, it appears that toxicity is driven more by concentration than by duration of exposure.

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Is mucosal thickening one reaction to H₂S? Over a long period of time?

There is currently no evidence that chronic low-level exposure to hydrogen sulfide leads to any long-term direct adverse health effects. Exposure to high levels of hydrogen sulfide primarily affect the respiratory and neurological systems. Exposure to high levels of hydrogen sulfide (>2,000 parts per billion (ppb)) could lead to upper respiratory tract irritation. However, mucosal thickening has not been mentioned specifically in the scientific literature as an adverse effect due to hydrogen sulfide exposure. Typical adverse effects associated with exposure to extremely high levels of hydrogen sulfide (>40,000 ppb) include respiratory distress, sore throat, and cough.

Hydrogen sulfide is produced both naturally and from man-made processes, as well as by bacteria found in the mouth and gastrointestinal tract during digestion of food. Typical ambient air concentrations of hydrogen sulfide range between 0.11 and 0.33 ppb, with concentrations in urban areas generally less than 1 ppb. Everyone is exposed to some level of hydrogen sulfide.

Concentrations of hydrogen sulfide that have been measured in and around the Shadow Creek neighborhood have been well below those that cause direct adverse health effects (approximately >18 times lower). Direct adverse health effects are caused by exposure to a specific chemical, while indirect odor-related health effects are related to any unpleasant/offensive smelling compound. We would not expect direct adverse health effects associated with hydrogen sulfide as a result of exposure to these concentrations. However, the range of hydrogen sulfide concentrations that have been measured (2 to 107 ppb) are well within the odorous range (0.5 to 300 ppb). Indirect odor-related health effects, such as headache and nausea, may occur if residents were exposed to the measured concentrations.

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43	Section 2 - Can we get nasal canister issued to people in the neighborhood to help quantify what we are living through?	<p>Complaints can be submitted to the TCEQ and will be investigated in accordance with the complaint investigation process. Private individuals may submit information in accordance with 30 TEX. WATER CODE § 7.0025. For odors causing a nuisance, please see “Evaluating Odor Complaints” located here: https://www.tceq.texas.gov/compliance/complaints/odor_complaint.html</p> <p>Please note that this protocol does not require the usage of a “nasal canister.”</p>
44	When are the staff monitoring for odor at the 15 sites? 2 times/day or night is not enough. What equipment can be placed in SCR that can be turned on immediately?	<p>The TCEQ has conducted air monitoring in areas with higher numbers of complaints using mobile sampling platforms equipped with sensitive instrumentation capable of measuring hydrogen sulfide and methane in the parts per billion range. Placing a permanent, stationary air monitor in the area where TCEQ has conducted continuous air monitoring is not justified given the results of air monitoring conducted to date. The TCEQ will continue to conduct mobile air monitoring in the area to assess air quality during times most conducive to odors impacting area residents.</p>
45	How do you guarantee that BRL is living up to the plan? Enforcement and punishment do not seem to be working.	<p>Enforcement is one of the tools the TCEQ uses to ensure regulated entities are in compliance with applicable regulations and permits. The TCEQ is continuing to conduct investigations every two weeks and the agency is committed to ensuring that BRL complies with the requirements of the Agreed Order.</p>

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46	Who are the commissioners who can revoke the permit?	The TCEQ has three commissioners. The current commissioners are: Bryan W. Shaw, Ph.D., P.E., Chairman, Toby Baker, Commissioner, and Jon Niermann, Commissioner.
47	How much proof is required for BRL to admit they are the problem and what kind of proof?	This is a question for BRL.
48	BRL surface monitoring reporting every two months is not enough. Should be daily or weekly. Confusion about how frequently this is done.	In accordance with 30 Texas Administrative Code Chapter 330, Subchapter U, methane concentrations at the surface of a Municipal Solid Waste landfill must be monitored quarterly, which is based on federal requirements. (See 40 Code of Federal Regulations § 60.755(c).) In accordance with the Odor Control Plan, submitted as a requirement of the Agreed Order (TCEQ Docket No. 2016-1923-AIR-E), BRL is required to perform the monitoring every two months for a period of two years, after which they will return to quarterly monitoring.
49	Is BRL required to report all hotline complaints to TCEQ?	BRL is required to document complaints received. The TCEQ is reviewing these records as a part of the investigations conducted every two weeks.
50	Will the hotline reports be treated as official TCEQ environmental complaints?	No. TCEQ will review BRL's records as a part of ongoing investigations. Complaints may be submitted to BRL and TCEQ.
51	If the answer to other questions is no, won't the BRL hotline hide the true extent of the nuisance conditions to TCEQ?	No. TCEQ continues to conduct investigations and odor surveys in the area. In addition, BRL is required to maintain records regarding odor complaints and TCEQ investigators review these records as part of their investigations.

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52	Is there evidence of groundwater contamination from Blue Ridge?	<p>There is presently no indication of groundwater contamination at BRL.</p> <p>With respect to Type I landfills, a permit applicant must gather groundwater “background” data before a landfill begins operation. During the landfill’s operation, the facility must conduct semi-annual sampling of groundwater monitoring wells. If constituents listed in Appendix I of 40 Code of Federal Regulations, Part 258 are found in the groundwater at elevated concentrations compared to the background levels, the facility may resample the affected groundwater monitoring well. The facility may also submit an Alternative Source Demonstration (ASD) if the facility believes the constituent concentration was the result of natural variation in groundwater, a mishandling of samples, or an error with laboratory equipment. If resampling confirms the elevated concentration and no ASD report is approved, the affected groundwater monitoring well and a groundwater monitoring well to each side of the affected groundwater monitoring well are sampled for a larger list of constituents, listed in Appendix II of 40 CFR Part 258. If health-based standards are exceeded, the facility must select a remedy to return the groundwater to the health-based standard.</p>
53	Why aren't TCEQ representation stationed on site at BRL to immediately monitor their compliance, conduct surveys, identify odors?	<p>Although the TCEQ has the right to enter the site to conduct an investigation, it is only entitled to do so at a reasonable time and for specifically authorized purposes. In addition, the TCEQ must observe a site’s rules regarding safety, security, and fire protection. At this time, the TCEQ does not believe it is appropriate to have staff onsite at all times. However, the TCEQ can and does conduct investigations of BRL in accordance with TEX. HEALTH & SAFETY CODE § 361.032 and will continue to respond to complaints as it receives them.</p>
54	Current plan has time gaps which allow time for the odors to contaminate the air. As such the current plan does not resolve the issue. Why are any toxic odors acceptable?	<p>The Odor Control Plan requires BRL to be proactive in identifying odor sources and addressing the same. In addition, the Texas Administrative Code prohibits any person from causing a nuisance. (See TEX. ADMIN. CODE § 101.4, "[n]o person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.")</p>

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55	What relationship (business, partnership, etc.) TCEQ have with BRL?	The TCEQ does not have a business relationship or partnership with BRL.
56	Could there be a memo or brief prepared assisting us in getting a more fair tax assessment? Why does each homeowner have to go in person to explain this situation to the central appraisal board?	TCEQ does not have jurisdiction over the appraisal districts. The question implies that the appraisal district requires the taxpayer to appear before the board to dispute the assessed property value. TCEQ does not have the ability to change this process. In regard to the request for a memo or brief, please see the publicly available documents. The TCEQ does not believe that it would be appropriate to prepare a memorandum regarding tax assessment values.
57	Can you help us get the county assessment board to better appreciate the detrimental odors affecting our property?	Please see the response to Question 56.