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Date:	10/27/2017 12:00AM
Title:	Investigation
Tertiary ID	1409088

AIR CP\_102610102\_CP\_20171027\_INVESTIGATION\_1409088\_  
**Texas Commission on Environmental Quality**  
**Investigation Report**

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**Customer: Blue Ridge Landfill TX, LP**  
**Customer Number: CN602820599**

**Regulated Entity Name: BLUE RIDGE LANDFILL**

**Regulated Entity Number: RN102610102**

**Investigation #** 1409088

**Incident Numbers**

256717

**Investigator:** HASANAIN ALAMEEN

**Site Classification** MAJOR SOURCE

**Conducted:** 04/25/2017 -- 10/27/2017

**NAIC Code:** 562212

**NAIC Code:** 486210

**SIC Code:** 4922

**SIC Code:** 4953

**SIC Code:** 1521

**Program(s):** AIR OPERATING PERMITS

**Investigation Type:** Compliance Investigation

**Location:** LOCATED ON 2200 FM 521

**Additional ID(s):** FG0536E  
1472

**Address:** 2200 FM 521 RD,  
FRESNO, TX , 77545

**Local Unit:** REGION 12 - HOUSTON

**Activity Type(s):** AIRCOMPL - AIR CMPL - AIR  
COMPLAINT INV

**Principal(s):**

Role	Name
RESPONDENT	BLUE RIDGE LANDFILL TX LP

**Contact(s):**

Role	Title	Name	Phone
REGULATED ENTITY MAIL CONTACT	OPERATIONS MANAGER	MR MATT MONTAGNA	Work (713) 676-7664
REGULATED ENTITY CONTACT	ENVIRONMENTAL MANAGER	MR BURGESS STENGL	Cell (713) 851-0506 Office (713) 676-7669 Fax (713) 676-7882

**Other Staff Member(s):**

Role	Name
QA Reviewer	WARDA OMAR
Supervisor	LETASHA MILLER
QA Reviewer	LETASHA MILLER

**Associated Check List**

**Checklist Name**  
AIR COMPLAINT INVESTIGATION

**Unit Name**  
Sitewide

**RECEIVED**

SEP 24 2018

TCEQ  
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## BLUE RIDGE LANDFILL - FRESNO

4/25/2017 to 10/27/2017 Inv. # - 1409088

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### Investigation Comments:

#### INTRODUCTION

##### Introduction

On April 12, 2017, the Texas Commission on Environmental Quality (TCEQ) received complaint incident no. 256717 via phone. The complainant expressed concern regarding the issuance of a General Operating Permit (GOP) to Blue Ridge Landfill (BRL). The complainant alleged that BRL represented to the TCEQ, during the permit renewal process that there were no issues with their surface emissions monitoring, and that documentation later collected during an investigation and resulting enforcement action reflects BRL's representation to be false. The complainant further stated that the TCEQ should revoke BRL's GOP No. 517 (FOP O-01472).

Prior to the investigation, the complainant was contacted on April 25, 2017, at approximately 1:49 p.m. The investigator informed the complainant that an investigation would be initiated to investigate their concerns. The complainant did not provide additional information.

This investigation covered Blue Ridge Landfill TX, LP, located in Fresno (Fort Bend County), operating under Title V Permit O-01472; GOP No. 517, initially issued December 4, 2000, and last renewed on March 3, 2016.

BRL began accepting waste in 1993. The provisions of 40 CFR Part 60, Subpart WWW apply to each municipal solid waste landfill (MSWLF) that commenced construction, reconstruction or modification on or after May 30, 1991. Therefore, this site is subject to Standards of Performance for New Stationary Sources (NSPS) 40 CFR Part 60, Subpart WWW. BRL represented a maximum refuse design capacity of approximately 93.309 million megagram (MMg). BRL has Non-Methane Organic Compounds (NMOC) greater than 50 Mg/yr based on the most recent testing conducted under NSPS WWW. Therefore, BRL is required to install a Gas Collection and Control System (GCCS) to extract landfill gas (LFG) which is routed to flares or via pipeline to a third party. BRL is considered a Category 3 MSWLF. BRL's design capacity is greater than or equal to 2.5 MMg and 2.5 million cubic meters and a calculated uncontrolled NMOC emission rate greater than or equal to 50 Mg per year. Therefore, BRL is required to operate in accordance with 40 CFR Part 60, Subpart WWW, 40 CFR Part 63, Subpart AAAA, or 30 TAC 113, Subchapter D as applicable.

BRL submitted a permit application for a minor revision for GOP No. 517 (O-01472) on June 9, 2015. Since the renewal was concurrent with the minor revision, BRL converted the minor revision into a renewal application. All required forms for the renewal of the GOP were received on February 22, 2016. The renewed GOP was issued on March 3, 2016.

The application for the permit renewal was submitted prior to a series of complaints received by TCEQ. TCEQ started receiving complaints alleging air quality issues at the Shadow Creek Ranch Subdivision (SCS) in Pearland in June 2015.

The investigator conducted a review of the renewed permit application for GOP 517 to evaluate any discrepancies or misrepresentations submitted in the permit application versus operation of the site at the time of the investigation.

On May 10, 2017, the investigator had a discussion with a Title V Permit Specialist in the TCEQ Air Permits Division (APD) that stated that the facility completed and submitted the required documentation and met the minimum standards for permit issuance.

The investigator also discussed the administrative and technical review procedure relating to the Title V permit application process, and if BRL's renewal application met the requirements for the renewal with APD. APD reported that the Title V preliminary administrative review of the Authorization to Operate (ATO) was performed by the Air Permit Initial Review Team, and there were no administrative deficiencies identified. Regarding APD's technical review, GOP 517 for MSW Landfills was renewed effective March 16, 2015.

Weaver Consultants, on behalf of BRL, originally submitted an ATO minor revision application for O-01472 (received by TCEQ on 06/09/2015) to comply with the 30 TAC §122.504(a)(4)(A) requirement. However, it was agreed upon by APD, BRL, and Weaver Consultants to convert the minor revision application into a renewal

## **BLUE RIDGE LANDFILL - FRESNO**

**4/25/2017 to 10/27/2017 Inv. # - 1409088**

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application since the expiration of O-01472 was within 18 months. Additional documents that were needed to complete a renewal application were requested from Weaver Consultants. Weaver sent all requested documents, via email to APD, on 02/22/2016. No deficiencies were found in any of the received documents; therefore, ATO O-01472 was renewed effective 03/03/2016.

APD stated that a review of the standard permit (SP) administrative review checklist for MSW Landfill Standard Permits, the associated technical review for permit 81004, and the MSW Standard Permit Certification Form was conducted. The review did not identify any deficiencies. The renewal project did not require a fee. The necessary forms were completed by BRL to create a MSW SP Project. In regards to the technical review, APD stated that there were no deficiencies recorded during the technical review of the MSW Certification Application. Current agency procedure was followed to complete the technical review based on the representations made by BRL, the MSW Certification Form, MSW SP Checklist, and emissions calculations. A compliance history is completed on all MSW SP Renewals. The compliance history for BRL had a satisfactory rating. All representations are federally enforceable and can be verified by reviewing the records of the landfill as represented in 30 Texas Administrative Code (TAC) 330.995.

The TCEQ conducted several investigations relating to odor complaints referencing BRL as the source. Two investigations (Investigation Nos. 1370033 and 1331231) resulted in the issuance of a Notice of Enforcement (NOE) to BRL.

Investigation No. 1331231 issued a violation (violation tracking number (VTN) 615250) for failure to prevent a nuisance condition.

Investigation No. 1370033 was conducted to evaluate compliance with the surface emissions monitoring program for municipal solid waste facilities with landfill gas collection and control systems (GCCS) found in 40 CFR 60, Subpart WWW. TCEQ investigators conducted surface scans of the landfill for methane emissions. The investigation covered Phases I, II, and III of the landfill in two segments. Phase I is a non-active area where municipal solid waste was received, but is temporarily covered and classified as a non-working phase; Phase II receives Class 1 waste, including asbestos containing waste; Phase III is the current working phase of the landfill. The investigation of Phase I was led by Mr. Seth Tate on October 18, 2016 and October 19, 2016. The investigations for Phases II and III were led by Ms. Yayma Martinez on November 9, 2016 and November 10, 2016. The investigation resulted in a violation (VTN 627731) to BRL for failure to monitor according to 40 CFR 60, Subpart WWW.

The violations were sent to TCEQ's Enforcement Division and an agreed order was issued on July 7, 2017 (2016-1923-AIR-E).

From May 25, 2017 through July 6, 2017, additional information was requested from BRL concerning their process for generating quarterly monitoring reports (specific to air monitoring reports connected to the GOP renewal application and/or Standard Permit 18004) and BRL's process for verifying of surface emission monitoring results.

### **Exit Interview**

An exit interview was not conducted since there were no alleged violations or additional issues for this investigation (# 1409088).

## **GENERAL FACILITY AND PROCESS INFORMATION**

### **Process Description**

BRL is a municipal solid waste landfill. The area fill method involves placing waste on the ground surface or landfill liner, spreading it in layers, compacting with heavy equipment, and covering with soil. A gas extraction system collects landfill gas (LFG) for sale and excess LFG is transferred to a flare for disposal by combustion. Leachate produced by the waste is collected and disposed of offsite.

## **BACKGROUND**

### **Agreed Orders, Court Orders, and Other Compliance Agreements**

**BLUE RIDGE LANDFILL - FRESNO**

**4/25/2017 to 10/27/2017 Inv. # - 1409088**

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Based on a review of CCEDS, regional office files, and the enforcement database, the following Agreed Orders (AO) pertaining to violations of air quality regulations were issued by the TCEQ within the past 5 years:

2016-1923-AIR-E

**Prior Enforcement Issues**

Based on review of CCEDS and enforcement database (for all media), there were Notices of Violation (NOVs) and Notices of Enforcement (NOEs) issued by the TCEQ to BRL in the last five years.

**Complaints**

Based on a review of CCEDS, there were numerous complaints filed in the last two years.

**ADDITIONAL INFORMATION**

**Conclusions, Recommendations, and Current Enforcement Actions**

Based on records reviewed and information gathered, there were no violations or areas of concern noted during this investigation. The investigation did not confirm the complainant's allegations of permit misrepresentation or failure to disclose relevant facts to obtain the permit.

**Additional Issues**

No additional issues were noted during this investigation.

**REPORT ATTACHMENTS**

No Attachments

**No Violations Associated to this Investigation**

Signed

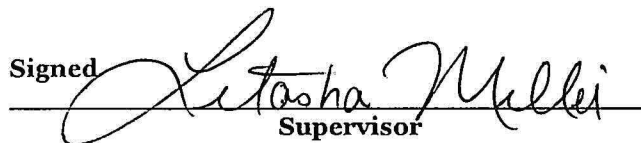


Environmental Investigator

Date

8/16/2018

Signed



Supervisor

Date

8/16/2018

**BLUE RIDGE LANDFILL - FRESNO**

**4/25/2017 to 10/27/2017 Inv. # - 1409088**

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**Attachments: (in order of final report submittal)**

\_\_\_ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : General Compliance  
Letter

\_\_\_ Investigation Report

\_\_\_ Sample Analysis Results

\_\_\_ Manifests

\_\_\_ Notice of Registration

\_\_\_ Maps, Plans, Sketches

\_\_\_ Photographs

\_\_\_ Correspondence from the facility

\_\_\_ Other (specify) :  
\_\_\_\_\_  
\_\_\_\_\_

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Stephanie Bergeron Perdue, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 16, 2018

Mr. Matt Montagna  
Landfill Operation Manager  
Blue Ridge Landfill TX, LP  
2200 FM 521  
Fresno, Texas 77545

Re: Complaint Investigation Conducted for:  
Blue Ridge Landfill, 2200 FM 521, Fresno, (Fort Bend County), Texas  
Regulated Entity No.: 102610102, TCEQ ID No.: FG0536E, FOP No.: O-01472,  
Investigation No.: 1409088, Incident No.: 256717

Dear Mr. Montagna:

On April 12, 2017, the Texas Commission on Environmental Quality (TCEQ) received initial information regarding a complaint concerning activities performed at your facility. In response to this complaint, Mr. Hasanain Alameen, investigator with the Air Section, conducted an investigation on April 25, 2017 through October 27, 2017.

No violations were noted concerning the activities alleged in the original complaint; however, it should be noted that a comprehensive compliance investigation was not performed. This letter should not be interpreted as a blanket notice of compliance with state and federal regulations governing air quality.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you have any questions concerning this investigation, please contact Mr. Alameen at (713) 422-8976.

Sincerely,

A handwritten signature in black ink, appearing to read "Letasha Miller".

Letasha Miller  
Team Leader, Air Section  
Houston Region Office

LM/HA/ddc

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Jon Niermann, *Commissioner*  
Emily Lindley, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 16, 2018

Returned letter dated 8/16/18, is being  
resent on 8/27/18, to Mr. Mark Meadows,  
Division Manager, Republic Services, Post  
Office Box 879, Fresno, Texas 77545

Mr. Matt Montagna  
Landfill Operation Manager  
Blue Ridge Landfill TX, LP  
2200 FM 521  
Fresno, Texas 77545

Re: Complaint Investigation Conducted for:  
Blue Ridge Landfill, 2200 FM 521, Fresno, (Fort Bend County), Texas  
TCEQ ID No.: FG0536E, FOP No.: O-01472, Investigation No.: 1409088,  
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Sincerely,

A handwritten signature in cursive script that reads "Letasha Miller".

Letasha Miller  
Team Leader, Air Section  
Houston Region Office

LM/HA/dc



TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

Region 12  
5425 Polk St., Ste. H  
Houston, Texas 77023-1452

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Mr. Matt Montagna  
Landfill Operation Manager  
Blue Ridge Landfill TX, LP  
2200 FM 521  
Fresno, Texas 77545

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