

**NOTICE OF APPLICATION AND PRELIMINARY DECISION  
FOR MUNICIPAL SOLID WASTE PERMIT/REGISTRATION MODIFICATION**

**PERMIT NO. 2105A**

**APPLICATION AND PRELIMINARY DECISION.** Angelina County, P.O. Box 908, Lufkin, Texas 75902-0908, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit modification to authorize changes to the Site Operating Plan to allow for an additional alternate daily cover material, Posi-Shell, to be used on a permanent basis in accordance with Title 30 Texas Administrative Code, Section 330.165 (d) (relating to Landfill Cover). The facility is located approximately 1 mile south of the intersection of Farm-to-Market Road ( FM) 58 and FM 2108 on 7521 FM 58, 75901 in Angelina County, Texas. This application was received by the TCEQ on January 29, 2010.

The TCEQ executive director has completed the technical review of the application and has prepared a draft permit modification. The draft modification, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision that this permit modification, if issued, meets all statutory and regulatory requirements. The permit modification application is available for viewing and copying at the TCEQ Region 10 Office, 3870 Eastex Fwy, Beaumont, Texas 77703-1830.

**PUBLIC COMMENT.** You may submit public comments about this application. Written public comments must be received in the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically submitted to <http://www10.tceq.state.tx.us/epic/ecmnts/> within 23 days after the date this notice was mailed. After the deadline for public comments, the executive director will review and consider the comments. The executive director is not required to file a response to comments. If approved, notice of issuance will be mailed to everyone who submitted public comments or requested to be on the mailing list for this application. If comments are received, the mailing will also provide an explanation of the opportunity to file a motion to overturn the executive director's decision.

**MAILING LIST.** In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the Office of the Chief Clerk. You may request to be added to: (1) the mailing list for this specific application; (2) the permanent mailing list for a specific applicant name and permit number; and/or (3) the permanent mailing list for a specific county. Clearly specify the mailing list(s) you wish to be placed on and send your request to the TCEQ Office of the Chief Clerk at the address provided above. Unless you otherwise specify, you will be included only on the mailing list for this specific application.

**INFORMATION.** If you need more information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at (800) 687-4040. General information about the TCEQ can be found at our web site at [www.tceq.state.tx.us](http://www.tceq.state.tx.us).

Further information may also be obtained from the Angelina County at the address stated above or by calling The Honorable Wes Suiter, Angelina County Judge, at 936-634-5413.

This notice was mailed on May 21, 2010.