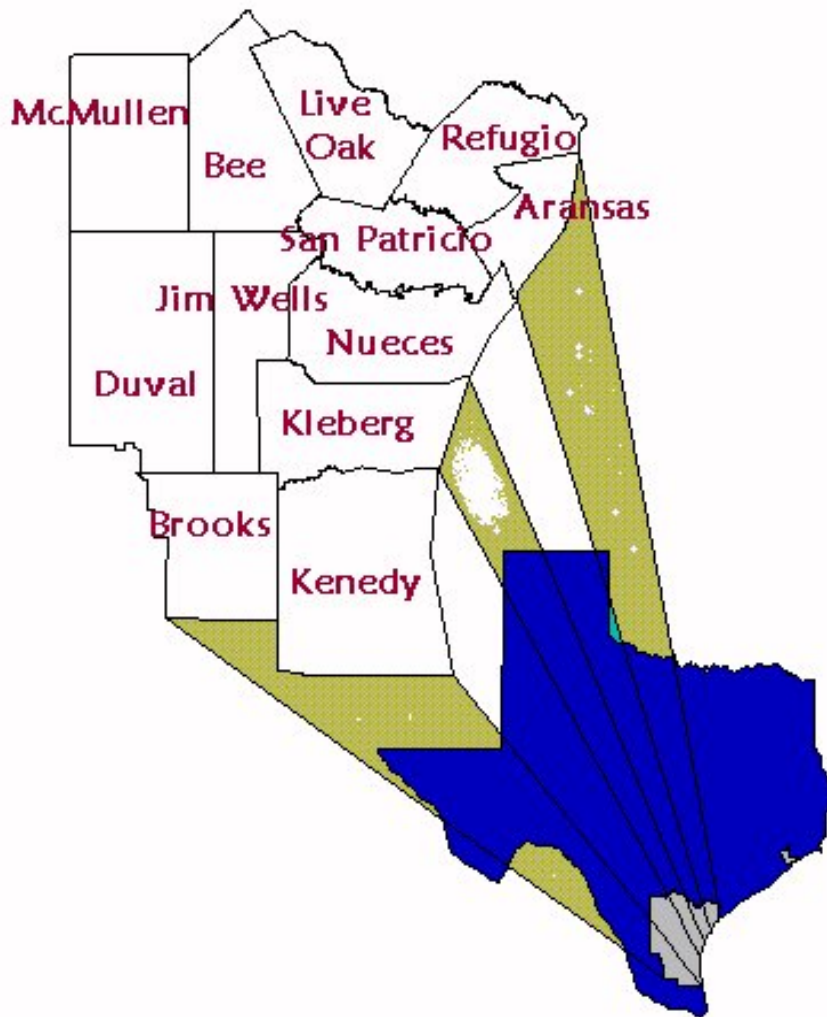


# Coastal Bend Council of Governments



CBCOG



Amended Regional  
Solid Waste  
Management Plan

2000-2020

Adopted in Draft form by  
the Coastal Bend Council  
of Governments on  
December 2, 2002. \*

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**AMENDED SOLID WASTE MANAGEMENT PLAN****Table of Contents**

Executive Summary	Page 1
Coastal Bend Council of Governments	Page 2
Acknowledgements	Page 3
Solid Waste Advisory Committee	
Introduction	Page 4
• Guiding State Laws and Regulations	Page 4
• The Role of the Amended Solid Waste Management Plan	Page 5
• Permitting Decisions	Page 5
• Local and Sub-regional Planning	Page 5
• Establishing Grant Funding Priorities	Page 6
• Regional Activities	Page 6
Chapter I – Regional Description / Demographics	
• Regional Description	Page 7
• Table 1.1 - Regional Characteristics by County	Page 8
- Aransas, Bee, Brooks	Page 8
- Duval, Jim Wells, Kenedy	Page 9
- Kleberg, Live Oak, McMullen	Page 10
- Nueces, Refugio	Page 11
- San Patricio	Page 12
• Figure 1.1 - Map of Coastal Bend Region	Page 13
• Population and Growth Patterns	Page 14
• Table 1.2 - Regional Population Statistics	
- Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen	Page 15
- Nueces, Refugio, San Patricio	Page 16
• Population Projections	Page 17
• Table 1.3 - Population Projections by County 2000-2020	Page 18
• Figure 1.2 - Population Projections Coastal Bend Region	Page 19
• Economic Conditions and Outlook	Page 20
• Table 1.4 - 2001 Unemployment Rate by County	Page 23

• Table 1.5 - Covered Employment Coastal Bend Region	Page 24
Chapter II – Municipal Solid Waste Management, Facilities and Services in the Coastal Bend Region.	
• Waste Generation and Characterization	Page 25
- Definition of MSW	
- Data Used	
- EPA Waste Generation Definition	Page 26
- Imports and Exports	Page 26
- Waste Generation Estimate (FY 2001)	Page 26
- Waste Characterization	Page 27
• Regional and Local MSW Disposal Capacity	Page 28
- Disposal Capacity and Landfills in the Coastal Bend Region	Page 28
- Permitted Facility Data for 2001	Page 29
- Disposal Capacity for the Sub-regions of the Coastal Bend	Page 30
• Type I and Type IV Facilities in the Coastal Bend Region	Page 30
- J.C. Elliot and Cefe Valenzuela Landfills	Pages 30-32
- El Centro Landfill	Pages 33-34
- City of Kingsville Landfill	Page 35
- City of Alice Landfill	Pages 36-37
- BFI Sinton Landfill	Pages 38-39
- McMullen County Landfill	Page 40
- Brooks County Landfill	Pages 41-42
- Duval County Landfill	Page 43
• Other MSW Facilities	Page 44
- Pristine Systems Refugio County	
- Registered MSW Facilities and Citizen Collection Stations	Pages 44-45
• Recycling in the Coastal Bend Region	
- Recycling Markets in the Coastal Bend Region	Page 46
- Materials Recycled in the Coastal Bend Region	Page 46

Chapter III – Assessment of the Needs of the Region - Problems and Opportunities for managing solid waste in the Coastal Bend Region

• Regional Solid Waste Management Program	Page 47
- Funding Plan	Page 48
- Regional Solid Waste Management Plan Priorities	Page 48
- Specific Projects	Page 48
- Allocation and Priorities	Page 48
• Regional Solid Waste Grant Program	Page 50
- Purpose	Page 50
- Eligible Recipients	Page 50
- Governing Standards	Pages 50-51

- Authorized Project Categories	Page 52
Category 1. Local Enforcement	Page 52
Category 2. Source Reduction and Recycling	Page 53
Category 3. Local Solid Waste Management Plans	Page 54
Category 4. Citizens' Collection Station and Small Registered Transfer Stations	Page 54
Category 5. Household Hazardous Waste Management	Page 55
Category 6. Technical Studies	Page 55
Category 7. Community Cleanup Events	Page 56
Category 8. Litter and Illegal Dumping Cleanup	Page 56
Category 9. Education and Training Projects	Page 57
Category 10. Other Types of Projects	Page 57
- Eligible Expenses	Page 57
Personnel	Page 57
Travel	Page 58
Supplies	Page 58
Equipment	Page 58
Construction	Page 59
Contractual Expenses	Page 59
Other Expenses	Page 59
Indirect	Page 60
Types of Expenses that May be Appropriate under each Project Category	Pages 61-63
- Supplemental Funding Standards	Page 63
Payment of Fees	Page 63
Land Acquisition Costs	Page 63
Municipal Solid Waste-Related Programs Only	Page 63
Activities Related to the Disposal of MSW	Page 63
Projects Requiring TCEQ Permit	Page 64
Projects Requiring TCEQ Registration	Page 64
Projects that Create a Competitive Advantage Over Private Industry	Page 64
Supplanting Existing Funds	Page 64
Food/Entertainment Expenses	Page 64
Use of Alcoholic Beverages	Page 65
State Contracts	Page 65
Intended Purpose	Page 65
Consistency with Regional Solid Waste Management Plan	Page 65
Lobbyists	Page 65
Enforcement Actions	Page 65

Penalties	Page 66
- Notification of Private Industry Required	Page 66
Applicable Categories	Page 66
Applicant Notification Requirements	Page 66
- How Proposals will be Considered	Page 67
- Screening Criteria	Page 67
- Selection Criteria	Page 68
Project Merits and Needs	Page 68
Local Resources and Commitment	Page 69
Project Cost Evaluation	Page 70
- Scoring Process and Procedures	Page 71
- Conflict of Interest	Page 72
• Plan Conformance/Facility Application Review	Page 73
- Impacts of a Facility Site on Residents and Community	Page 73
- Conformance with Local SWM Plans	Page 74
- Voluntary Pre-Application Review	Page 74
- Process of Review of MSW Facility Application	Page 75
- Plan Conformance and Recommendations	Page 76
- Report on SWAC Review Findings	Page 76
- Appeal Process	Page 76
<b>Chapter IV – Goals and Actions of the Coastal Bend Region</b>	
• Goals and Objectives	Page 78
- Goal 1.	Page 78
- Goal 2.	Page 78
- Goal 3.	Page 79
• Actions for the Current and Short-term Planning Period (Present-2006)	Pages 79-80
• Actions for the Mid-term Planning Period (2007-2011)	Page 81
• Action for the Long-term Planning Period (2012-2020)	Page 81
• Appendix A - Classification of Solid Waste	Pages 82-83

# AMENDED SOLID WASTE MANAGEMENT PLAN

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## Executive Summary

The changing nature of municipal solid waste management needs, regulation, and technologies requires local governments in the Coastal Bend Council of Governments (CBCOG) region to periodically examine their current technical and institutional waste management system and determine whether viable alternatives to current practices can improve the local environment and keep costs at a reasonable level. The following plan proposes a common sense approach to solid waste management in the region that takes into account some serious problems that are being faced within the Coastal Bend Counties.

The CBCOG Region includes 12 counties in southeast Texas. These counties include: Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, San Patricio, and Refugio. The Region had an overall 2000 population of 549,012. In 2001, it is estimated that the region generated approximately 594,651 tons of municipal solid waste, equal to 5.93 pounds per capita per day. Assuming current generation rates and long-term population increase, the Region's disposal sites are not anticipated to reach capacity in the current planning period (2000 - 2020).

This amendment to the Regional Solid Waste Management Plan includes goals, objectives, and actions that will dictate the funding of projects through the Regional Solid Waste Grants Program. Through direct implementation of projects that address the goals, objectives, and actions suggested by this plan, the CBCOG hopes to see a reduction in the environmental impacts of waste generation, collection, and disposal. The integrated goals, objectives and actions to be addressed by the grants program include source reduction, recycling, composting, litter abatement and the cleanup of illegal dump sites, household hazardous waste programs, and resources to address special wastes. Implementing such a program will require residents, businesses, and industries to examine their current waste generation patterns and make changes.

CBCOG

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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### **THE COASTAL BEND COUNCIL OF GOVERNMENTS**

The Coastal Bend Council of Governments (CBCOG) was founded in March 1966 as a voluntary association of local governments, cities, and counties, formed to provide a cost-effective way to plan, coordinate, and implement regional projects and provide technical assistance. This association deals with the problems and planning needs that cross boundaries of individual local governments or those that require regional attention. The CBCOG is one of twenty-four (24) regional councils in the state of Texas and is defined as a political subdivision of the state.

The broad purpose of a Council of Governments is to provide a regional approach to problem solving. Through cooperative action the CBCOG provides assistance through a variety programs including emergency communications (9-1-1), criminal justice, solid waste, and water quality planning. In addition, the CBCOG is a designated Area Agency on Aging and an Economic Development District.

The General Membership, consisting of voting representatives of the 12 member counties and 33 member cities (65 persons), is designated as the governing body of the Coastal Bend Council of Governments.

A system of policy advisory committees composed of elected officials, appointed local government officials, and citizens assist in defining the needs of the region. The Solid Waste Advisory Committee serves in this capacity for solid waste planning in the Coastal Bend Region.

# AMENDED SOLID WASTE MANAGEMENT PLAN

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## ACKNOWLEDGEMENTS

The Coastal Bend Council of Governments wishes to thank the members of the Solid Waste Advisory Committee who have devoted a significant amount of time and effort in developing the Plan. Their concern for the Region’s environment and interest in sound public policy are clearly evident in the following document. Solid Waste Advisory Committee Members include:

### Solid Waste Advisory Committee

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Director of Recycling  
City of Kingsville

Bill Hennings  
Private Citizen

Mickey Shuford  
Browning – Ferris Industries

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Ron Young  
City Administrator  
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Bee County

Joyce Rotge  
Recycling Coordinator  
City of Alice

Wes Felts  
Building Official  
City of Ingleside

Mike Elles  
Rad Tec Fabricators, Inc.

Gary Mysorski  
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City of Port Aransas

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Citizen Group

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Mark A. Cantu  
Deputy Constable  
Nueces County

John Torre  
Captain Hook Services



# AMENDED SOLID WASTE MANAGEMENT PLAN

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## Introduction

The first CBCOG Plan and subsequent amendments were written in response to Federal law and the laws and regulation of the State. The 71<sup>st</sup> Texas Legislature, in Senate Bill 1519 in 1989, stipulated that solid waste management plans were to be developed by the State of Texas, regional planning agencies and local governments. In so doing, the State Legislature was itself responding to provisions of the (Federal) Resource Conservation and Recovery Act of 1976, which in its Subtitle D prohibited disposal of waste in open dumps in the United States and directed the states to write and maintain solid waste management plans. Under Subtitle D, “The state is responsible for identifying appropriate management areas, developing regional plans through the use of local and regional authorities, compiling inventories and closing or upgrading existing open dumps and generally assessing the need for additional solid waste disposal capacity in the area.” [Environmental Law Handbook, Fourteenth Edition, T.F.P. Sullivan, Ed, page 358].

### Guiding State Law and Regulations

The efforts of the 1989 Legislature in creating Senate Bill 1519 became codified in State law as Chapter 363 of the Texas Health and Safety Code. Section 363.062 requires planning regions to create a plan, as we have done here. The writing of local plans is optional. Of interest to governments and private individuals is Section 363.006, which requires all public and private solid waste activities to conform to adopted regional and local plans (if written):

“363.066(a) on the adoption of a regional or local solid waste management plan by commission rule, public and private solid waste management activities and state regulatory activities must conform to that plan.”

To give greater guidance to the content of regional plans, the TCEQ promulgated regulations related to plan writing by the 24 regional planning commissions (COG’s) in Texas. These regulations are found in 30 Texas Administrative Code 330.561-330.569, also known as Subchapter O: Guidelines for Regional and Local Solid Waste Management Plans. (See Appendix C) some of the requirements of Subchapter O include the creation of a regional Advisory Committee to “...provide input, review, and comment during the development of regional and local plans...” contained in 330.565. Notice also the regulatory language that requires

membership to represent a broad range of community interests including a) a representative of the TCEQ, b) public officials, c) private operators, d) citizens groups, and e) interested individuals. This is the regulatory basis for the membership of the original and the present Solid Waste Advisory Committee (SWAC) listed on the Acknowledgements page of this document. Provisions of 330.563 (a)(3)(O) list the requirement for COG's to conduct an inventory of closed municipal landfill units, as specified originally in Subtitle D of the Resource Conservation and Recovery Act of 1976. This project was relegated to the regional planning commissions for completion in FY 2000/2001. The Closed Landfill inventory for CBCOG was recommended for adoption with this Plan.

#### The Role of the Amended Solid Waste Management Plan

The standing of the Plan is contained in 330.566(d), which closely duplicated the statutory language contained in Health and Safety 363.066:

“(d) If a regional or local solid waste management plan is adopted by rule of the commissioners, public and private solid waste management activities and state regulatory activities shall conform to the adopted regional or local solid waste management plan.”

The Executive Director of TCEQ may grant variances from the plan, for the causes outlined in 330.566(g), following a public hearing [330.566(h)]. Consequently, following the CBCOG Plan's adoption by the TCEQ, all public and private solid waste management activities thereafter must be in conformity with the adopted Plan.

#### Permitting Decisions

When the TCEQ performs its review of a permit application (e.g. new landfill permit in the region), a routine aspect of such review is to determine if the proposed activity conforms to the Regional Plan. Under the contract between CBCOG and the TCEQ governing the solid waste coordination and grant program, CBCOG will, when requested, supply its determination on this point to the TCEQ permitting section.

#### Local and Sub-regional Planning

Designation of “who is responsible for what” can be found in the 330.568(e) as the region moves to implementation of the Regional plan. Note that:

“It shall be the responsibility of regional planning commissions to coordinate the implementation of regional policies and recommended actions in an approved regional plan and coordinate local planning efforts. It

shall be the responsibility of affected local governments to implement the policies and recommended actions of adopted regional and local plans and to maintain policies and activities that do not conflict with provisions in current state, regional, and local solid waste management plans.”

The division of labor is straightforward under this regulation: the COG’s coordinate and the local governments implement the recommendations and policies of the Plan. Note that the law establishes no penalty for failing to coordinate or implement the provisions of CBCOG Regional Solid Waste Management Plan. Sometimes in local government, given the overwhelming number of rules applicable to operations, those regulations that carry no penalty are simply ignored. However, even in the absence of specific penalties, most governments closely follow regulations anyway, once citizens and other elements of government bring the provisions of the regulation to their attention. The 24 Regional Solid Waste Coordinators working in the State at their COG’s routinely undertake this community education function.

#### Establishing Grant Funding Priorities

Most planning documents in the United States go directly to the shelf to gather dust. However, the 24 plans adopted in the regions of Texas are a little different. In the case of these solid waste plans, the TCEQ has followed the direction of the State Legislature by establishing an enabling process: the Regional Solid Waste Coordinators and Solid Waste Grant Program. The plan has designated priorities that will direct grant funding for the short-term planning period (Present through 2006). These priorities will be reevaluated after four years in order to determine if the needs of the region have changed and priorities need to be redirected.

#### Regional Activities

The Plan will serve as a guide to provide direction in the coordination activities conducted by the CBCOG. Coordination activities include maintaining solid waste advisory committee, providing technical assistance to local governments, providing outreach, education, and training, maintaining current regional planning data and reference materials, review of permit applications for consistency with regional solid waste management plans, updating the regional solid waste management plans, and maintaining the inventory of Closed MSW Landfill – An inventory of closed municipal solid waste landfill units is required to be compiled by each COG under 363.064 (a)(10) of the Texas Health & Safety Code, as amended by Senate Bill 1447, 76<sup>th</sup> Texas Legislature.

## **Chapter I: Regional Description / Demographics**

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### **Regional Description**

The Coastal Bend Region is located on the broad gulf coastal plain of Texas. It contains twelve counties in South Texas with the total land area of 7,353,000 acres. From the low-lying tidelands along the Gulf Coast, the surface rises gently culminating in gently rolling hill country in the inland counties. The coastal counties include Aransas, Kenedy, Kleberg, Nueces, Refugio, and San Patricio, all of which are separated from the Gulf of Mexico by barrier islands. Between the coastal counties and the barrier islands lie numerous shallow bays, tidal flats and estuaries. The inland counties include Bee, Brooks, Duval, Jim Wells, Live Oak, and McMullen. The land in these counties is primarily gentle to rolling hills and principal use is for cattle rangeland.

The Coastal Bend Region is near two major metropolitan areas. Houston, which is 200 miles to the northeast, attracts Coastal Bend labor and provides a marketing area for the region. San Antonio is 150 miles to the northwest and attracts Coastal Bend resident with jobs, tourist attractions and markets. To the south are the Rio Grande Valley and Mexican Border with an urban area extending from Brownsville in the east to McAllen in the west. This area has a population of about 900,000 on the U.S. side and a greater amount on the Mexican side of the border. Laredo is directly west of the region and provides a link to the Mexican interior specifically Monterrey, which is the industrial center of Northern Mexico.

**AMENDED SOLID WASTE MANAGEMENT PLAN****Regional Characteristics**

Table 1.1

County:	<b>Aransas</b>
County Seat:	Rockport (7,385)
Other Cities:	Aransas Pass (8,138), Fulton (1,553)
Physical Features:	Coastal plains; sandy loam; coastal clays; bays, inlets, mesquites, oaks.
Economy:	Tourism, fishing and shrimping; oil production; refining; shipbuilding, offshore equipment fabricated; carbon plant.
Area (sq. mi.):	527.9
Land Area (sq. mi.)	252.0
Rainfall (in.):	36.9

County:	<b>Bee</b>
County Seat:	Beeville (13,129)
Other Towns:	Mineral (50); Normanna (121); Pawnee (201); Pettus (608); Skidmore (1,013); Tuleta (292), Tynan (301)
Physical Features:	South Coastal Plain, level to rolling' black clay, sandy loam soils; brushy
Economy:	Government/services' agriculture and hunting leases oil and gas business.
Area (sq. mi.):	880.3
Land Area (sq. mi.)	880.2
Rainfall (in.):	32.1

County:	<b>Brooks</b>
County Seat:	Falfurrias (5,297)
Other Towns:	Encino (177)
Physical Features:	On Rio Grande plain near Gulf; level to rolling; brushy; light to dark sandy loam soils.
Economy:	Oil, gas, cattle, hunting leases, watermelons.

Area (sq. mi.):	943.6
Land Area (sq. mi.)	943.3
Rainfall (in.):	25.9

County:	<b>Duval</b>
County Seat:	San Diego (4,753) part in Jim Wells County
Other Cities/Towns:	Freer (3,241); Benavides (1,686); Concepcion (61); Realitos (209)
Physical Features:	Southwestern county; level to hilly; brushy in most areas; varied soils.
Economy:	Ranching; petroleum; tourism, government/services.
Area (sq. mi.):	1,795.7
Land Area (sq. mi.)	1792.9
Rainfall (in.):	24.8

County:	<b>Jim Wells</b>
County Seat:	Alice (19,010)
Other Cities:	Ben Bolt (110); Orange Grove (1,288); Premont (2,772); Rancho Alegre (1,775); Sandia (431); Part of San Diego (4,753)
Physical Features:	South Coastal Plains; level to rolling; sandy to dark soils; grassy with mesquite brush.
Economy:	Oil; gas production, sorghum and cattle.
Area (sq. mi.):	868.2
Land Area (sq. mi.)	864.7
Rainfall (in.):	27.8

County:	<b>Kenedy</b>
County Seat:	Sarita (250)
Other Towns:	Armstong (20); Norias (45)
Physical Features:	Gulf coastal county; flat; sandy terrain, some loam soils; motts of live oaks.
Economy:	Oil, ranching, hunting leases/eco-tourism.
Area (sq. mi.):	1,945.5
Land Area (sq. mi.)	1,456.9
Rainfall (in.):	29.7

Table 1.1 (con't)

County:	<b>Kleberg</b>
County Seat:	Kingsville (25,575)
Other Towns:	Riviera (1,064)
Physical Features:	Coastal plains, broken by bays; sandy, loam, clay soils; tree motts.
Economy:	Oil & gas; naval air station; chemicals and plastics; agriculture; Texas A&M University Kingsville.
Area (sq. mi.):	1,090.4
Land Area (sq. mi.)	871.1
Rainfall (in.):	27.6

County:	<b>Live Oak</b>
County Seat:	George West (2,524)
Other Cities:	Three Rivers (1,878); Dinero (344); Lagarto (753); Oakville (260); Pernitas Point (269); Whitsett (200)
Physical Features:	Brushy plains between San Antonio and Corpus Christi, partly broken by Nueces and tributaries; black waxy, gray sandy, other soils.
Economy:	Oil, government/services, tourism, agribusinesses.
Area (sq. mi.):	1,078.8
Land Area (sq. mi.)	1,036.4
Rainfall (in.):	27.6

County:	<b>McMullen</b>
County Seat:	Tilden (450)
Other Towns:	Calliham (200)
Physical Features:	Southern county of brushy plain, sloping to Frio, Nueces rivers and tributaries; saline clay soils.
Economy:	Livestock, hunting leases, oil and gas.
Area (sq. mi.):	1,142.6
Land Area (sq. mi.)	1,113.1
Rainfall (in.):	23.4

Table 1.1 (con't)

County:	<b>Nueces</b>
County Seat:	Corpus Christi (277,454)
Other Cities/:	Port Aransas (3,370); Robstown (12,727); Agua Dulce (737); Banquete (449); Bishop (3,305); Chapman Ranch (100); Driscoll (825); La Paloma-Lost Creek (323); North San Pedro (920); Petronilla (83); Rancho Banquete (469); Sandy Hollow-Escondidas (433); Spring Garden-Tierra Verde (693); Tierra Grande (362).
Physical Features:	Southern Gulf Coastal county, flat, rich soils, broken by bays, Nueces River, Petronilla Creek; includes Mustang Island, north tip of Padre Island.
Economy:	Diversified economy includes petroleum processing and production; deepwater port facilities; agriculture; tourism, conventions; coastal shipping; manufacturing; military complex.
Area (sq. mi.):	1,166.4
Land Area (sq. mi.)	835.9
Rainfall (in.):	30.1

County:	<b>Refugio</b>
County Seat:	Refugio (2,941)
Other Cities:	Austwell (192); Bayside (360); Tivoli (550); Woodsboro (1,685)
Physical Features:	Coastal plain, broken by streams, bays, sandy, loam, black soils; mesquite, oak, huisache motts
Economy:	Petroleum, petrochemical production, agribusinesses, tourism, commuting to Corpus Christi, Victoria.
Area (sq. mi.):	818.6
Land Area (sq. mi.)	770.3
Rainfall (in.):	38.0



Table 1.1 (con't)

County:	<b>San Patricio</b>
County Seat:	Sinton
Other Cities/Towns:	Aransas Pass (8,138); Portland (14,827); Edroy (420); Gregory (2,318); Ingleside (9,388); Ingleside-on-the-Bay (659); Lake City (526); Lakeside (333); Mathis (5,034); Odem (2,499); San Patricio (318); Taft (3,396); Taft Southwest (1,721).
Physical Features:	Grassy, coastal prairie draining to Aransas, Nueces rivers, and to bays, sandy loam, clay, black loam soils; lake.
Economy:	Oil, petrochemicals; agribusiness; manufacturing; tourism, naval base, in Corpus Christi metropolitan area.
Area (sq. mi.):	707.0
Land Area (sq. mi.)	691.8
Rainfall (in.):	35.0

**Source: Texas Almanac 2002/2003**



## **Population and Growth Patterns**

The Coastal Bend Region had a population of 549,012 according to the 2000 Census. The six coastal counties have 443,071 people including the 380,783 residing in the two metropolitan counties of Nueces and San Patricio. The region experienced a 9.6 percent growth since the 1990 Census while the state of Texas grew by 22.8 percent. The population of Corpus Christi, the region's major city, increased from 257,453 to 277,454 a 7.8 percent increase. Two of the four other principal cities in the region had a decrease in their population at the same time the counties where they are located had increased in population. Beeville had a 3.1 percent decrease in population while Bee County experienced a 28.7 percent increase. The city of Alice saw a 3.9 percent decline in population while Jim Wells County saw a 4.4 percent growth. While Kleberg County was growing by 4.2 percent, the city of Kingsville had a 1.2- percent growth. The city of Portland grew by 21.3 percent and San Patricio County had a 14.3 percent growth. Overall, of the thirty-seven cities in the region, 19 lost population. The incorporated cities in the region accounted for 30,837 people of the regions 48,207 increase in population growth, which indicates that over one-third of the population growth occurred in the unincorporated areas of the counties. All of Bee County's growth and most of Live Oak County's growth occurred outside the cities. Aransas, Nueces, and San Patricio counties had most of their population growth within their cities. The percent of the region's population living in cities dropped from 83.25 percent in 1990 to 81.6 percent in 2000.

The Coastal Bend Region is noted for being rural and spacious. It is this characteristic that facilitates the trend of people moving from incorporated areas to unincorporated areas in counties region wide. This trend does present a significant challenge for county officials to provide services and creates challenges for solid waste service management. A key concern is illegal dumping and the proper disposal of special wastes.

**AMENDED SOLID WASTE MANAGEMENT PLAN**

Table 1.2 - Coastal Bend Council of Governments  
2000 Regional Population Statistics

County	Major Cities	2000 Population
Aransas County		22,497
	Aransas Pass City	8,138
	Fulton	1,553
	Rockport	7,385
	Other City/ Rural	5,421
Bee County		32,359
	Beeville	13,129
	Other City/ Rural	19,230
Brooks County		7,976
	Falfurrias	5,297
	Other City/ Rural	2,679
Duval County		13,120
	Benavides	1,686
	Freer	3,241
	San Diego	4,753
	Other City/ Rural	3,440
Jim Wells County		39,326
	Alice	19,010
	Orange Grove	1,288
	Premont	2,772
	Other City/ Rural	16,256
Kenedy County		414
Kleberg County		31,549
	Kingsville	25,575
	Other City/ Rural	5,974
Live Oak County		12,309
	George West	2,524
	Three Rivers	1,878
	Other City/ Rural	7,907
McMullen County		851

**AMENDED SOLID WASTE MANAGEMENT PLAN**

Table 1.2 (con't)

County	Major Cities	2000 Population
<b>Nueces County</b>		<b>313,645</b>
	Agua Dulce	737
	Bishop	3,305
	Corpus Christi	277,454
	Driscoll	825
	Petronilla	83
	Port Aransas	3,370
	Robstown	12,727
	Other City/ Rural	15,144
<b>Refugio County</b>		<b>7,828</b>
	Austwell	192
	Bayside	360
	Refugio	2,941
	Woodsboro	1,685
	Other City/ Rural	2,650
<b>San Patricio County</b>		<b>67,138</b>
	Aransas Pass	8,138
	Gregory	2,318
	Ingleside	9,388
	Lake City	526
	Lakeside City	984
	Mathis	5,034
	Odem	2,499
	Portland	14,827
	San Patricio	318
	Taft	3,396
	Taft Southwest CDP	1,721
	Other City/ Rural	17,989
<b>Total Region</b>		<b>549,012</b>

Source: U.S. Department of Commerce; U.S. 2000 Census

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### Population Projections

Population projections were attained for Texas, the Coastal Bend Region, and the counties that make up the Coastal Bend Region. The data was taken from the Texas State Data Center web site (<http://txsdc.tamu.edu>). Projections of the Population of Texas and Counties in Texas by Age, Sex and Race/Ethnicity for 2000-2040 was produced by Population Estimates and Projections Program, Texas State Data Center, Texas Agricultural Experiment Station, Texas A& M University System, and the Center for Demographic and Socioeconomic Research and Education Department of Rural Sociology, Texas Agricultural Experiment Station, Texas A& M University System in the Office of the State Demographer, State of Texas, December 2001.

All population projections are Projection Scenario 0.5. It was recommended that this scenario be used because it was the most appropriate for most counties during the present time for the following reasons:

First, the 1990-2000 period was a period of expansive growth in the Texas economy. There has been a general slowdown in the U.S. and Texas economies since 2000 that is likely to slow population growth. Although a recovery will occur it is uncertain at this time when it will occur. The 0.5 scenario produces a statewide annual rate of growth of approximately 1.5 percent slower than 1990-2000 but still substantial growths, given the 2000-population base. It thus represents a rate of growth more moderate than the rapid growth of the 1990s but one that produces substantial population growth in the State.

Second, the 2000 Census count showed a substantially larger U.S. and Texas population than was anticipated. Although the Census Bureau has not fully determined the reasons for this, it is likely that the 2000 count included persons who were missed in 1990. Since residual migration measures classify such persons as 1990-2000 migrants and the scenarios are based on 1990-2000 migration patterns, it is possible that the migration rates for some groups, for some periods, for some counties are too high suggesting the use of a more moderate rate of growth scenario.

Third, although the scenarios use trends in births and deaths, they assume constant levels of migration. Such an assumption is used because of the lack of historical

## AMENDED SOLID WASTE MANAGEMENT PLAN

data of sufficient specificity to trend these rates over time. Our analyses of such rates suggest that it is unlikely that such trends (especially in some key groups) will continue at the level of the 1990s. At the same time, the overall direction of trends and differences among racial/ethnic groups seem likely to continue suggesting the need for the use of a scenario that is based on 1990-2000 trends in migration but shows slower growth--the 0.5 scenario.

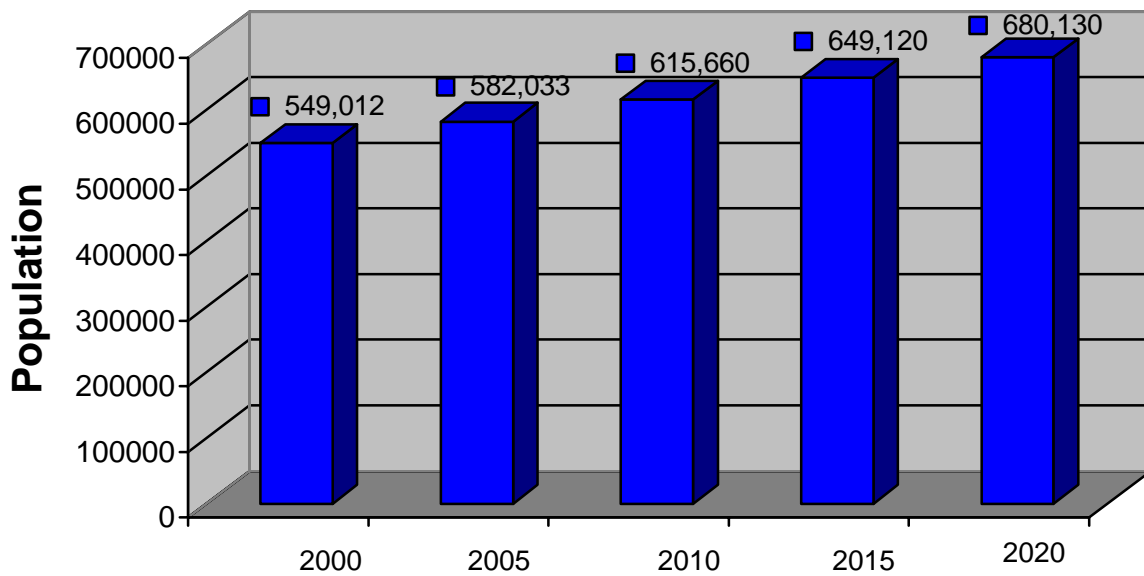
Table 1.3 - Coastal Bend Council of Governments  
Population Projections through 2020

County	2000 Census Count	2005	2010	2015	2020
Aransas	22,497	23,399	24,281	25,086	25,726
Bee	32,359	33,336	34,289	35,287	36,099
Brooks	7,976	8,252	8,607	8,965	9,303
Duval	13,120	13,496	13,881	14,243	14,528
Jim Wells	29,326	40,871	42,434	43,958	45,303
Kenedy	414	444	467	481	495
Kleberg	31,549	34,201	36,959	39,273	40,849
Live Oak	12,309	12,554	12,822	13,086	13,298
McMullen	851	880	920	950	957
Nueces	313,645	332,803	352,073	371,395	389,686
Refugio	7,828	8,002	8,217	8,398	8,505
San Patricio	67,138	73,795	80,701	88,007	95,381
Coastal Bend Region	549,012	582,033	615,660	649,120	680,130
State of Texas	20,851,820	22,489,182	24,178,507	25,936,845	27,738,378

Source: Texas State Data Center  
www.tsdc.tamu.edu

Figure 1.2

Population Projections for the Coastal Bend Region



Source: Texas State Data Center



## AMENDED SOLID WASTE MANAGEMENT PLAN

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### **Economic Conditions and Outlook**

For the past decade, the Coastal Bend's economy has not grown and developed like the state and the nation. While the Texas economy had strong and sustained growth, the Coastal Bend Region economy grew at a slower rate. In Texas, population and employment expanded steadily, personal income had grown in real terms, and unemployment had fallen significantly. Texas led all states in job creation in the 1990's. Beginning in 2000, the Texas economy began to experience the economic softening that was occurring in the nation. A series of events in 2001 has possibly brought the Texas economy into recession along with the nation. Some of these were the sharp downturn in high-technology industries that led to a decline in manufacturing activity and weak growth in the service sector. Demand for Texas products dropped in the national and world markets. Mexico, an important Texas trading partner, entered recession, which sharply reduced activity along the border. Then came September 11 and with it a national economic slump and a decline in energy prices which worsened the outlook for economic growth in Texas. The energy industry cut back activity and the airline and travel industries laid off thousands of workers. The filing for bankruptcy by Enron caused additional damage to the Texas economy. These events have resulted in a reduction in consumer spending which accounts for two-thirds of the country's economic activity. Although, a slowing economy and reduction in consumer spending may lead to a reduction in waste from packaging and material associated with purchased goods, there may also be a trend of cutting back on less than efficient programs and services associated with solid waste management Texas has had strong employment growth for more than ten years and the impact of these events has not been felt as much in the state as in the nation. The Coastal Bend Region and Texas both had a 6.0 percent unemployment rate in January 2002 while the national rate was 6.3 percent. By January 2003, both Texas and the nation had increases in their unemployment rate to 6.8 percent and 6.5 percent respectively while the Region had a 6.5 percent rate. The state and nation had a larger increase in their unemployment rate compared to the Coastal Bend Region. Between January 2002 and January 2003, the work force in the Coastal Bend Region increased by 1.1 percent and the number of persons employed increased by 1.0 percent. The number of unemployed persons in increased by 8.3 percent

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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resulting in an unemployment rate for the Region of 6.5 percent. Only Kenedy, Kleberg, and Refugio counties had lower unemployment rates in January 2003 than the regional rate. The only counties to see their work force grow were Bee, Kleberg, Nueces and Refugio counties.

The economy of the Region is a composite of the economies of the counties that make up the Region. Agriculture plays an economic role in all the counties of the Region. While there has been a decrease in the number of farms, the number of acres in cultivation has increased. This trend of larger farms reflects the farmer's attempt to take advantage of economies of scale. With agriculture as a significant player in the economy of the region, the CBCOG will continue to encourage the recycling of green waste through composting and the proper disposal of potentially hazardous agricultural waste products. In addition to agriculture, oil and gas production can be found in all the Region's counties. With the higher gasoline prices, there has been an increase in drilling activities across the Region. The less productive leases will now come into play. The coastal counties continue to support offshore drilling activities. Oil refineries and chemical plants in the Coastal Bend Region continue to be a major economic source of jobs and income. The Port of Corpus Christi generates more than 31,000 jobs. About 10,000 jobs are directly associated with marine cargo activity and the rest are induced or indirectly related to port activity. Two other activities that the Port is pursuing are the development of a container port and serving as the port of deployment for the military. Currently, the Port is constructing the Joe Fulton International Trade Corridor that will open the north side of the harbor for development. A major long-term project is the replacement and relocation of the Harbor Bridge. While this is several decades into the future, it has an impact in investment around the harbor. With this and other large-scale construction projects and investments the CBCOG will continue to encourage the reuse and recycling of construction and demolition debris.

There are other major transportation projects being undertaken and proposed around the Region. The City of Corpus Christ is in the process of completing improvements to its airport. The JFK Causeway elevation project between Padre Island and the mainland should be completed in the summer of 2004. The Crosstown Exchange at South Padre Island Drive is forty percent complete. These

## AMENDED SOLID WASTE MANAGEMENT PLAN

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three projects have been identified as necessary for the growth of City of Corpus Christi. Proposed transportation projects that will influence the growth of the Region are focused upon facilitating trade resulting from the North American Free Trade Act. The five counties between Corpus Christi and Laredo have formed a coalition to explore the possibility of establishing a Regional Mobility Authority that could construct a toll route between the two cities that would accommodate only trucks. This would make the Port of Corpus Christi an attractive choice for trucks coming out of Laredo. There is also a coalition of chambers of commerce that is looking to develop projects that will connect U.S. Highway 77 to a major new highway coming out of Mexico City and going to Harlingen, Texas. This would provide a major route between Houston and Mexico City and would go right through the Coastal Bend Region. Transportation is one of the major development forces in the Region. With development in transportation comes greater access to the communities of the region. The CBCOG will continue to support local enforcement and litter abatement efforts, as illegal dumping may be a potential problem associated with increased access and cargo transportation in the area.

There are other activities that have an economic impact on the Region. Tourism is important in most of the Region's counties. The coastal counties benefit from water-related activities and the inland counties have hunting, fishing and other outdoor activities. The Region has two universities and two junior colleges, so education is an important ingredient in the economic mix of the Region. Of primary concern, at the present time, is the possibility that one of the Region's three military bases might be closed through the Base Realignment and Closure round in 2005. A regional effort is underway to prepare to make a strong case to support these bases. The Region continues economic activities that have supported its people with jobs and income and at the same time, the Region looks for new ways to expand its economy. These additional activities that support the regional economy will continually require a partner in solid waste management. The CBCOG through the support of anti-litter programs, and other educational venues will continue to provide assistance with solid waste management issues

**AMENDED SOLID WASTE MANAGEMENT PLAN**

Table 1.4

**Coastal Bend Council of Governments  
2001 Unemployment Rate**

Jurisdiction	Labor Force	Employment	Unemployment	Rate
Texas	10,462,712	9,955,270	507,442	4.90
Coastal Bend Region	240,823	227,306	13,517	5.60
Aransas County	10,233	9,636	597	5.80
Bee County	10,395	9,871	524	5.00
Brooks County	3,444	3,246	198	5.70
Duval County	4,971	4,612	359	7.20
Jim Wells County	17,408	16,413	995	5.70
Kenedy County	220	216	4	1.80
Kleberg County	12,386	11,789	597	4.80
Live Oak County	4,487	4,374	113	2.50
McMullen County	291	282	9	3.10
Nueces County	144,506	136,233	8,273	5.70
Refugio County	2,649	2,526	123	4.60
San Patricio County	29,836	28,109	1,727	5.80

Source: 2001 Annual Average, Texas Workforce Commission

**AMENDED SOLID WASTE MANAGEMENT PLAN**

Table 1.5

**COVERED EMPLOYMENT 1997 - 2000**

Major Division	1997	1998	1999	2000	97-00 Change
Agriculture	3,492	3,294	3,596	3,720	6.5%
Mining	6,769	6,933	5,569	5,965	-11.9%
Construction	13,056	13,753	13,933	14,762	13.1%
Manufacturing	14,790	14,828	13,702	14,353	-3.0%
Trans, Comm, PU	8,133	8,417	8,516	9,163	12.7%
Wholesale Trade	7,222	7,423	7,006	7,202	-0.2%
Retail Trade	39,780	40,311	40,503	40,430	1.6%
Fin., Ins., R.E.	7,817	7,846	7,754	7,977	2.0%
Services	54,730	58,410	57,915	58,326	6.6%
Federal	7,512	7,212	7,111	7,283	-3.0%
State	8,713	8,469	8,658	8,726	0.1%
Local	27,131	28,510	27,792	28,115	3.6%
Total:	199,145	205,406	203,055	206,022	3.5%

Source: CBCOG, Comprehensive Economic Development Strategy  
2001

**Chapter II: Solid Waste Management Systems, Facilities and, services in the Coastal Bend Region**

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**Waste Generation and Characterization**

Definition of Municipal Solid Waste

The definition of municipal solid waste (MSW) is found in the Texas Administrative Code (TAC), Title 30, Chapter 330, Subchapter A (General Information). MSW is defined as “solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial waste.”

Nonhazardous industrial waste may be accepted at certain permitted MSW facilities in Texas, though it is not defined as MSW under 30 TAC Chapter 330. Further, the Texas definition of MSW differs from that of the EPA and several other states, particularly in that the Texas definition includes construction and demolition (C&D) debris and municipal sludge.

Data Used

The data in this summary is condensed from reports submitted to the TCEQ by the 11 permitted MSW facilities located in the Coastal Bend Region in 2001. The facility report consisted of administrative information (who is operating the facility), operational information (what is the average haul distance to the facility), and activity information (what wastes are accepted, are wastes diverted for beneficial use).

All population data was obtained from the Texas State Data Center population estimates ([Http://txsdc.tamu.edu](http://txsdc.tamu.edu)), which are created using U.S. Census data.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### EPA Definition

The U.S. Environmental Protection Agency defines MSW generation as the sum of disposal (landfilling and combustion), recycling (including composting), and the net of imports and exports.

### Imports and exports in the Coastal Bend Region

There were two facilities that indicated that they received waste from outside the 12 county region for disposal, however an approximate tonnage could not be estimated. One facility reported accepting 10,743 tons of Class II / Class III nonhazardous industrial waste from around the state and Mexico to be disposed of in the region. One small community indicated that a contractor that used a disposal facility out of the Coastal Bend region picked up their residents' household waste. Again an approximate tonnage could not be estimated. As a result a net import of 10,743 tons will be utilized for the purpose of developing a waste generation estimate

### Waste Generation Estimate (FY 2001)

$$\begin{array}{rcl} \text{Disposal} + \text{Recycling} + (\text{Net Import/Export}) & = & \text{Waste Generation}^* \\ 587,268 + 18,126 + (-10,743) & & = 594,651 \text{ tons} \end{array}$$

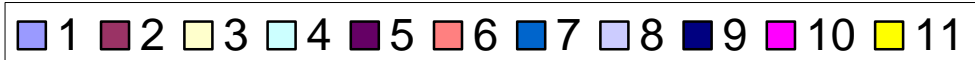
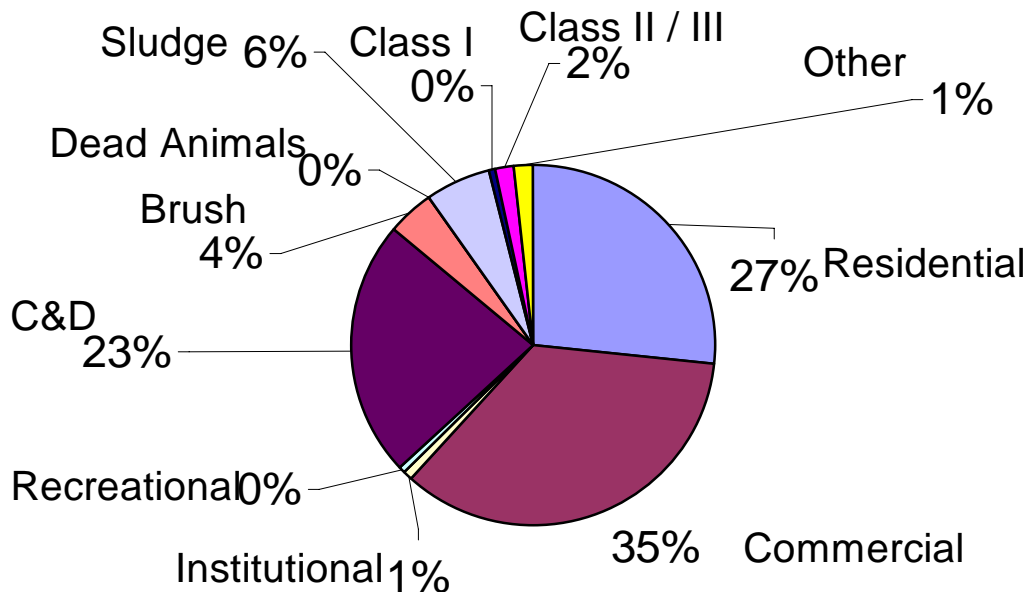
\* Some information reported by permitted facilities could not be utilized in the waste generation estimate due to unknown origin of waste, incorrect unit value, etc. Information not included in the waste generation estimate includes the disposal of 500,000 gallons of sludge and 96,000 gallons of grease and grit trap waste, the reuse of 20,000 cubic yards of concrete, the collection of unknown amounts of used tires at permitted facilities throughout the region, and the disposal of 2,685 tons of Class I (asbestos only) Nonhazardous Waste in FY 2001.

# AMENDED SOLID WASTE MANAGEMENT PLAN

## Waste Characterization

When evaluating waste characterization in the Coastal Bend Region it can be noted that there is a great deal of opportunity to target waste reduction and recycling. Waste composition percentages for the Coastal Bend Region were based upon 2001 Landfill Municipal Solid Waste (MSW) Annual Reports submitted by the permitted facilities in the Coastal Bend Region. Commercial, residential and construction/demolition wastes were the greatest sources of waste for the region. Reductions in the amount of paper from commercial sources, as well as yard trimmings from both construction and residential sources could significantly impact the waste disposed of in regional landfills. Source reduction and recycling could also be considered to reduce the amount of waste from construction and demolition activities being disposed.

**Figure 1.3 - Characterization of Waste Disposed of in the Coastal Bend Region**





**AMENDED SOLID WASTE MANAGEMENT PLAN**

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**Regional and Local MSW Disposal Capacity**Disposal Capacity and Landfills in the Coastal Bend Region

There are eleven permitted facilities in the Coastal Bend Region. Of the eleven permitted facilities in the region there are eight facilities that were listed as having “A” status, which means that they accepted waste during FY 2000. There are four different types of landfills in the Coastal Bend Region. J.C. Elliot, Cefe Valenzuela, City of Kingsville, City of Alice, City of Port Aransas, El Centro, and the BFI landfill are all permitted at type 1 facilities (sanitary landfills requiring daily cover). The McMullen County landfill is classified as type 1 AE (Sanitary landfill, daily cover required, Arid exempt designation). Brooks County and Duval County landfills are classified as type 4 AE (Sanitary landfill for brush and/or construction-demolition material, arid exempt designation). In Refugio County Pristine Systems has a type 5WI facility, which is a solid waste incineration facility with no energy recovery.

In 1998, the 12 county Coastal Bend Region was identified as one of two regions in the State of Texas that had less than 10 years of disposal capacity. However an assessment of the Landfill MSW Annual Reports submitted for FY 2001 for all permitted facilities in the region indicated that the Coastal Bend has well over 100 years of disposal capacity. Table 1.5 identifies the permitted facilities in the Coastal Bend and their reported facility data for FY 2001.

**Table 1.6 - MSW Landfills in the Coastal Bend Region  
Permitted Facility Data for 2001**

County	Permit	Permit Holder	Type	Status	Total Tons	Remaining Cubic Yards	Remaining Tons	Remaining Years
Brooks	379	Brooks County	4AE	A	2,331	308,647	61,729	26.47
Duval	1481	Duval County	4AE	A	4,546	39,527	19,763	4.4
Jim Wells	262	City of Alice	1	A	34,851	1,740,090	1,081,466	31
Kleberg	235	City of Kingsville	1	A	16,831	4,129,759	1,687,007	100
McMullen	571	McMullen County	1AE	A	500	60,000	6,000	12
Nueces	423	City of Corpus Christi	1	A	357,308	2,748,735	1,670,841	4.68
Nueces	2269	City of Corpus Christi	1	IN	0	130,495,000	65,247,500	130.5
Nueces	597	City of Port Aransas	1	IP	0	0	0	0
Nueces	2267	Texas Ecologists, Inc.	1	A	117,189	18,401,706	8,791,415	75.02
Refugio	2177	Pristine Systems	5WI	IN	0	0	0	0
San Patricio	242	BFI Waste Systems Inc.	1	A	53,712	384,560	111,366	2.07

Source: TCEQ MSW Annual Report Data

<u>Field Name</u>	<u>Code</u>	<u>Explanation</u>
Status	A	Accepted waste during FY 2001
	IN	Did not accept waste in FY 2001, but waste has been accepted prior to FY 2001
	IP	No waste has ever been accepted.
	C	Facility has closed to the acceptance of waste but permit may not be expired or revoked
Type	1	Sanitary landfill, daily cover required
	4	Sanitary landfill for brush and/or construction-demolition material
	AE	Arid exempt designation
	5	Miscellaneous solid waste processing facility
	5AC	Medical waste autoclave
	5GG	Grease and grit trap processing facility
	5RC	Resource recovery/Composting facility
	5RE	Resource recovery/waste-to-energy
	5RR	Resource recovery/recycling facility
	5TS	Transfer station
	5WI	Solid waste incineration facility with no energy recovery
	9GR	Methane gas recovery from inactive landfill or portion of landfill

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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Disposal Capacity for the Subregions of the Coastal Bend

The Coastal Bend has traditionally been divided into 5 subregions.

Subregion 1 - Bee and Live Oak Counties

Subregion 2 - Jim Wells, Duval, and McMullen Counties

Subregion 3 - Kleberg, Kenedy, and Brooks Counties

Subregion 4 - Nueces County

Subregion 5 - San Patricio, Refugio, and Aransas Counties

Three of the five subregions of the Coastal Bend have an active MSW landfill with 30+ years of capacity. Subregions 1 and 5 that do not have a MSW landfill in the specified area do have transfer stations an/or citizens' collection stations to aid in the proper disposal of waste. The counties of Bee, Live Oak, San Patricio, Refugio, and Aransas may need to look at additional facilities for collection and transport of waste should waste management become an overwhelming problem.

**Type I and Type IV Facilities in the Coastal Bend Region**J.C. Elliot and Cefe Valenzuela Landfills

The City of Corpus Christi's J.C. Elliott landfill is considered to be the regional landfill for the Coastal Bend. Elliot landfill is located at 7001 Ayers Street (State Highway 286) within the extraterritorial jurisdiction of the City of Corpus Christi in Nueces County. The newly permitted Cefe Valenzuela landfill when constructed will have over 2,268 acres and 130.5 million cubic yards of permitted airspace for an estimated 65.2 million tons of waste in its 810-acre disposal area. Cefe landfill will be located in Nueces County approximately four miles southeast of the Town of Petronilla, and 14 miles southeast of Corpus Christi. It is in the southwest quadrant of the intersection of Farm-to-Market Road 2444 and County Road 20. Of importance to the region, J.C. Elliot landfill is expected to reach capacity in 2005. The City of Corpus Christi is evaluating three alternatives to the development of the Cefe landfill, 1.) Expanding the Elliot landfill postponing the construction of the Cefe landfill, 2.) Develop Cefe – City Construction/Operation, or 3.) Develop Cefe – Private Contractor Construction/Operation.

**AMENDED SOLID WASTE MANAGEMENT PLAN****J.C. Elliot Landfill****Permit # 423A****Type I Facility****Original Permit Issued: 1972**

**General Information:** The J.C. Elliot Landfill reported accepting waste on-site during FY 2001 (September 1, 2000 – August 31, 2001). The facility indicated that scales are located on site. Monitoring activities include ground water monitoring, methane monitoring, leachate monitoring, and stormwater monitoring. Management activities on the facility include venting and flaring for gas, as well as the discharge or transfer of leachate to publicly owned treatment works (POTW). The facility estimated an average haul distance of 20 miles and that the contributing waste streams come from the counties of Nueces, San Patricio, Aransas, Live Oak, Jim Wells, Duval, Kleberg, Bee, Refugio, Goliad, Kenedy, and McMullen.

**Tipping Fees:**

\$27.67/ ton

\$9.82/ compacted cubic yard

\$7.33/ uncompacted cubic yard

**Waste Diversion and Other Waste Management Activities:**

12.852 tons of green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

620.75 tons of metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility also indicated that tire collection, automotive waste collection and chipping/ mulching operations took place at the facility in FY 2001.

**Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
City of Corpus Christi	423	357,307.54	1,670,841	4.68

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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The J.C. Elliot landfill reported that the capacity in cubic yards remaining at the end of FY 2001 was 2,748,735.

**Characterization of On-Site Waste Disposal**

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	C & D Waste (Tons)	Brush (Tons)	Dead Animals (Tons)	Sludge (Tons)
357,307.54	82,741.89	138,553.59	80,982.46	17,114.30	319.54	33,726.89

The clean up of illegal dumpsites was indicated as contributing 3,888.87 tons of non-specified waste to the total waste accepted in FY 2001.

**Cefe F. Valenzuela Landfill**

**Permit # 2269**

**Type I Facility**

**Original Permit Issued: 1999**

**General Information:** The Cefe F. Valenzuela Landfill reported that no waste has ever been accepted on-site. The facility does expect to begin receiving waste in 2004. This landfill is authorized to accept Class I Nonhazardous waste. The estimated fill space that will be dedicated to accepting this type of waste has not been specified.

**Facility Capacity**

Permit Holder	Permit #	Total Design Capacity (cubic yards)	Non-fill areas (e.g., buildings, roads, buffers, etc.) (acres)	All other fill areas (acres)	Total permitted site area (acres)
City of Corpus Christi	2269	130,495,000	1,458	810	2,268

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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**El Centro Landfill**

In January 2000, the El Centro landfill received its permit from the TCEQ (No. MSW 2267). El Centro Landfill is located in Nueces County, on the southwest corner of County Road 30 and County Road 69, approximately 4.2 miles south of the intersection of State Highway 44 and County Road 69. Petronilla, Texas is the nearest town located approximately 2.5 miles southeast of the facility. The boundary of the landfill encompasses approximately 160 acres and has a disposal area of approximately 112 acres, which translates to a disposal capacity of about 18,647,000 in-place cubic yards. In 2001, El Centro reported a total of 117,189 tons received, with a remaining capacity of 8,791,415 tons (18,401,706 cubic yards) or a remaining life span of approximately 75 years. On February 13, 2003 BFI took over the operations of El Centro Landfill, which had originally been managed by Texas Ecologist.

**El Centro Landfill****Permit # 2267****Type I Facility****Original Permit Issued: 2000**

**General Information:** The El Centro Landfill reported accepting waste on-site during FY 2001 (September 1, 2000 – August 31, 2001). The facility indicated that scales are located on site. Monitoring activities include ground water monitoring, methane monitoring, leachate monitoring, and stormwater monitoring. Management activities on the facility include recirculation of leachate. The facility estimated an average haul distance of 25 miles and that the contributing waste streams come for the counties of Nueces, San Patricio, Aransas, Live Oak, Jim Wells, Duval, Kleberg, Bee, Refugio, Brooks, and Kenedy.

**Tipping Fees:**

Type I Waste (household garbage) \$20.75 + state fee

Type IV Waste (C&amp;D and brush) \$16.25 + state fee

Contract Rate \$15.00 + state fee

\$7.77 + state fee/ per compacted cubic yard

\$5.00 + state fee/ per uncompacted cubic yard

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### Waste Diversion and Other Waste Management Activities:

No green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

15 tons of metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility also indicated that 20,000 cubic yards of concrete was diverted from the facility for reuse and that 42.07 tons of tires were collected at the facility and then transferred to Island Industries, Registration No. 26981 for disposal.

### Facility Capacity

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
Texas Ecologists, Inc.	2267	117,189.66	8,791,415	75.02

El Centro landfill reported that the capacity in cubic yards remaining at the end of FY 2000 was 18,647,000 and that the capacity in at the end of FY 2001 was 18,401,706 cubic yards. This indicated that 245,294 cubic yards of available fill space was consumed in FY 2001.

### Characterization of On-Site Waste Disposal

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	C & D Waste (Tons)	Dead Animals (Tons)	Sludge (Tons)
117,189.66	38,101.74	38,101.74	40,735.12	12.00	239.06

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### City of Kingsville Landfill

The City of Kingsville Landfill is an existing Type I and Type IV municipal solid Waste disposal Facility that has served an equivalent population of 36,000 people (i.e., in the City of Kingsville and Kleberg County). The Kingsville landfill is located on County Road 2130 approximately 5 miles southeast of the City of Kingsville. In 2001 the Kingsville landfill expanded their facility.

### **City of Kingsville MSW Landfill**

**Permit # 235B**

**Type I Facility**

**Original Permit Issued: 1986**

**General Information:** The City of Kingsville MSW Landfill reported accepting waste on-site during FY 2001 (September 1, 2000 – August 31, 2001). The facility indicated that scales are located on site. Monitoring activities include ground water monitoring, methane monitoring, and non-methane organic compound (NMOC) monitoring. The facility estimated an average haul distance of 6 miles and that the contributing waste streams come for the counties of Brooks, Duval, Jim Wells, Kenedy, Kleberg and Nueces.

### **Tipping Fees:**

\$23.75/ ton

\$32.50/ compacted cubic yard

\$15.00/ uncompacted cubic yard

### **Waste Diversion and Other Waste Management Activities:**

1,601.94 tons of green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

517 tons of metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility also indicated that tire collection and stationary waste compaction took place at the facility in FY 2001.



**AMENDED SOLID WASTE MANAGEMENT PLAN****Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
City of Kingsville	235	16,831	1,687,007	100

The City of Kingsville MSW landfill reported that the capacity remaining at the end of FY 2000 was 4,170,961 cubic yards and that the capacity remaining at the end of FY 2001 was 4,129,759. This indicates that the waste accepted during FY 2001 consumed 41,202 cubic yards of available capacity at the facility.

**Characterization of On-Site Waste Disposal**

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	C & D Waste (Tons)	Dead Animals (Tons)	Sludge (Tons)
16,831	6,791.98	6,895.94	2,900.86	42.65	200.08

City of Alice Landfill

The City of Alice operates a municipal solid waste Type 1 landfill located in Jim Wells County. The landfill is located at 109 County Road 118. Alice landfill serves a population of about 23,500 people.

**City of Alice MSW Landfill****Permit # 262C****Type I Facility****Original Permit Issued: 1984**

**General Information:** The City of Alice MSW Landfill reported accepting waste on-site during FY 2001 (September 1, 2000 – August 31, 2001). The facility indicated that scales are located on site. Monitoring activities include ground water monitoring and methane monitoring. Gas management is accomplished with venting and recalculation is used for leachate management. The facility estimated

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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an average haul distance of 11 miles and that the contributing waste streams come for the counties of Jim Wells, Brooks, and Bee.

**Tipping Fees:**

\$25.00/ ton inside city limits

\$37.50/ ton outside city limits

\$8.34/ uncompacted cubic yard inside city limits

\$12.50 uncompacted cubic yard outside city limits

**Waste Diversion and Other Waste Management Activities:**

4,302.8 tons of green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

3,243.7 tons of metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility also indicated that tire collection and chipping and mulching brush took place at the facility in FY 2001.

**Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
City of Alice	262	34,851	1,081,466	31

The City of Alice MSW landfill reported that the capacity remaining at the end of FY 2000 was 1,796,165 cubic yards and that the capacity remaining at the end of FY 2001 was 1,740,090. This indicates that the waste accepted during FY 2001 consumed 56,075 cubic yards of available capacity at the facility.

**AMENDED SOLID WASTE MANAGEMENT PLAN****Characterization of On-Site Waste Disposal**

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	Brush (Tons)	C& D Waste (Tons)	Other (Tons)
34,851	12,006	12,366	3,084	1,628	Dead Animals – 62 Dirt – 5,705

**BFI Landfill (near Sinton, TX)**

BFI's Sinton Landfill is located in San Patricio County, about 4.5 miles southwest of the City of Sinton. This landfill accepts class 1 non-hazardous industrial waste, Class 2 non-hazardous industrial and municipal solid waste. In 1999 BFI amended their permit so that it now accommodates for more municipal waste and less Class 1&2 waste. This amendment allowed for an extra 11,000 cubic yards/ month of municipal waste. According to the TCEQ, it was estimated that the BFI landfill had 2.9 years remaining. The BFI Sinton Landfill stopped accepting waste late 2002/early2003.

**BFI Sinton Landfill****Permit # 242****Type I Facility****Original Permit Issued: 1976**

**General Information:** The BFI Sinton Landfill reported accepting waste on-site during FY 2001 (September 1, 2000 – August 31, 2001). The facility indicated that scales are located on site. Monitoring activities include ground water monitoring, methane monitoring, leachate monitoring, and stormwater monitoring. Management activities on the facility include flaring gas, as well as recirculation of leachate. The facility estimated an average haul distance of 40 miles and that the contributing waste streams come for the counties of San Patricio, Nueces, Bee, Kleberg, Kenedy, Hidalgo, Cameron, Willacy, Starr, Zapata, Webb, Duval, Jim Wells, Live Oak, McMullen, Bexar, Travis, Bastrop, Karnes, Goliad, Atascosa,

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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Jackson, Bell, Bandera, Coryell, Milan, Uvalde, Williamson, McLennon, Washington, Jim Hogg, Dewitt, Burnett, Blanco, Kerr, Lee, Brazos and Burleson.

**Tipping Fees:**

\$8.00/ compacted cubic yard

\$8.00/ uncompacted cubic yard

**Waste Diversion and Other Waste Management Activities:**

No green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

No metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility indicated that tire collection and liquid waste processing took place at the facility in FY 2001. Processed at the facility were 500,000 gallons of sludge, 48,000 gallons of grease trap waste, and 48,000 gallons of grit trap waste.

**Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
BFI Waste Systems N. Amer. Inc.	242	53,712	111,366	2.07

The BFI Sinton landfill reported that the capacity in cubic yards remaining at the end of FY 2001 was 384,560.

**Characterization of On-Site Waste Disposal**

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	Institutional (Tons)	Recreational (Tons)	C&D Waste (Tons)	Brush (Tons)
53,712	16,114	9,668	5,372	2,685	3,760	2,685

## AMENDED SOLID WASTE MANAGEMENT PLAN

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In addition to these waste categories, the BFI Sinton Landfill accepted 2,685 tons of Class I (asbestos only) Nonhazardous Industrial Waste and a total of 10,743 tons of Class II/Class III Nonhazardous Industrial Waste (9,400 tons from in state and 1,343 tons from Mexico).

### McMullen County Landfill

The McMullen County Landfill is a type 1 sanitary landfill with an arid exempt designation (AE). It is located at 2000 Hackberry St. in Tilden.

### **McMullen County Landfill**

**Permit # 571**

**Type 1AE Facility**

**Original Permit Issued: 1975**

**General Information:** The McMullen County Landfill reported accepting waste in-site during FY 2001 (September 1, 2000 – August 31, 2001). Monitoring activities include methane monitoring. The facility estimated an average haul distance of 7 miles and that the contributing waste stream comes from within the county.

### **Tipping Fees:**

No tipping fee information was reported in the FY 2001 annual report submitted to the Texas Commission on Environmental Quality.

### **Waste Diversion and Other Waste Management Activities:**

No green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

No metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility indicated that 4.415 tons of tires were collected at the facility in FY 2001. The tires were reported to have been transferred to Island Industries, Registration No. 26981 for disposal.

**AMENDED SOLID WASTE MANAGEMENT PLAN****Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
McMullen County	571	500	6,000	12

The McMullen County landfill reported that the capacity remaining at the end of FY 2000 was 65,000 cubic yards and that the capacity remaining at the end of FY 2001 was 60,000. This indicates that waste accepted during FY 2001 consumed 5,000 cubic yards of available capacity at the facility.

**Characterization of On-Site Waste Disposal**

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	C & D Waste (Tons)	Brush (Tons)	Other (Tons)
500	500	0.00	0.00	0.00	0.00

Note: this landfill is authorized to accept Class 1 nonhazardous industrial waste and has an estimated 60,000 cubic yards of space remaining that is dedicated to accepting this type of waste. No class 1 nonhazardous industrial waste was accepted.

**Brooks County Landfill**

The Brooks County Landfill is a type IV sanitary landfill for brush and/or construction-demolition material with an arid exempt designation. It is located in Brooks County, 2 miles west of Falfurrias, TX on Travis Rd.

**Brooks County Landfill****Permit # 379****Type 4AE Facility****Original Permit Issued: 1976**

## AMENDED SOLID WASTE MANAGEMENT PLAN

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**General Information:** The Brooks County Landfill reported accepting waste in-site during FY 2001 (September 1, 2000 – August 31, 2001). Monitoring activities include methane monitoring. The facility estimated an average haul distance of 25 miles and that the contributing waste stream comes from Brooks County.

**Tipping Fees:**

No tipping fee information was reported in the FY 2001 annual report submitted to the Texas Commission on Environmental Quality.

**Waste Diversion and Other Waste Management Activities:**

221.4 tons of green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

No metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

The Facility also indicated that 81.07 tons of tires were collected at the facility in FY 2001. The tires were reported to have been transferred to Safe Tire Disposal Corporation of Texas, Registration No. 25965 for disposal.

**Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
Brooks County	379	2,331.4	61,729.4	26.47

The Brooks County landfill reported that the capacity remaining at the end of FY 2000 was 320,304 cubic yards and that the capacity remaining at the end of FY 2001 was 308,647. This indicates that waste accepted during FY 2001 consumed 11,657 cubic yards of available capacity at the facility.

**Characterization of On-Site Waste Disposal**

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	C & D Waste (Tons)	Brush (Tons)	Other (Tons)
2,331.4	0.00	0.00	2,331.4	0.00	0.00

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### Duval County Landfill

The Duval County Landfill is a type IV sanitary landfill for brush and/or construction-demolition material with an arid exempt designation. It is located 2 miles west of San Diego, TX on State Highway 44.

### **Duval County Landfill**

**Permit # 1481**

**Type 4AE Facility**

**Original Permit Issued: 1982**

**General Information:** The Duval County Landfill reported accepting waste on-site during FY 2001 (September 1, 2000 – August 31, 2001). There are no monitoring activities taking place at this facility. The facility estimated an average haul distance of 20 miles and that the contributing waste streams come from Jim Wells and Duval Counties.

### **Tipping Fees:**

\$10.00/ uncompacted cubic yard

### **Waste Diversion and Other Waste Management Activities:**

No green waste (i.e., brush, branches, bark, leaves, and grass) was diverted at the facility in FY 2001.

No metals, glass, paper, cardboard, and construction material were diverted for recycling or reuse in FY 2001.

### **Facility Capacity**

Permit Holder	Permit #	Waste accepted in FY 2001 (tons)	Remaining Capacity (tons) as of Aug. 31, 2001	Facility life expectancy (years)
Duval County	1481	4,546.08	19,763.48	4.4



## AMENDED SOLID WASTE MANAGEMENT PLAN

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The Duval County landfill reported that the capacity remaining at the end of FY 2000 was 66,803.44 cubic yards and that the capacity remaining at the end of FY 2001 was 39,526.96. This indicates that waste accepted during FY 2001 consumed 27,276.48 cubic yards of available capacity at the facility.

### Characterization of On-Site Waste Disposal

Total Waste Accepted in FY01 (Tons)	Residential (Tons)	Commercial (Tons)	C & D Waste (Tons)	Brush (Tons)	Other (Tons)
2,331.4	0.00	0.00	4,183.68	362.40	0.00

### Other Permitted MSW Facilities

#### Pristine Systems Refugio County

Pristine Systems was identified in the Regional as being a form of “other” permitted MSW facility. The facility is a type 5WI – solid waste incineration facility with no energy recovery. Pristine Systems has not reported accepting any waste at its facility.

#### Registered MSW Facilities and Citizens Collection Stations

In identifying these citizens’ collection stations and registered MSW facilities (transfer stations), the total amount of waste handled could not be determined. Figure 2.3 identifies registers MSW facilities and citizens’ collection stations in the Coastal Bend Region.

## AMENDED SOLID WASTE MANAGEMENT PLAN

**Figure 1.3**

**Registered MSW Facilities and Citizens' Collection Stations in the Coastal Bend Region.**

<b>County</b>	<b>Facility</b>	<b>Location</b>
Aransas County	Aransas County Transfer Station # MSW - 40027 Solid Waste, #C81136 - Auto Waste Gen., #9266 - Tire Recycling	1301 Priairie Rd., Fulton, TX
Bee County	Normanna Citizen Collection Center	E. King Ln. Off Business 181
Bee County	Skidmore Citizen Collection Center	1 mile North of Skidmore on E. side of Business 181
Jim Wells County	West Orange Grove citizen Collection Station	Off Hwy. 624
Kleberg County	County Citizen Colleciton Station	Northwest corner of Co. Rd. 2130 and Co. Rd. 2619
Live Oak County	Citizens Collection Point	FM 534 and Co. Rd. 176
Live Oak County	Live Oak County Transfer Station - # MSW - 40002	W. side of U.S. 281, midway between Three Rivers & George West
Nueces County	County Citizen Colleciton Station	F.M. 624 & Co. Rd. 83
Nueces County	Agua Dulce citizen Colleciton Station	Co. Rd. 32 & Co. Rd. 95
Refugio County	Tivoli Citizen Collection Station	on Austwell Road; 3.5 miles S.E. of Tivoli
Refugio County	Refugio Citizen Collection Station	on the Refugio County Fairgrounds; West side of the Town of Refugio
Refugio County	Woodsboro Citizen Collection Station	on Landfill Road; 1.5 miles E. of Woodsboro off Hwy. 136
San Patricio County	Gregory Citizen Colleciton Station	Hwy. 136 % Hwy. 35
San Patricio County	Mathis Citizen Collection Station	410 W. Rockport, Mathis, TX

## **Recycling in the Coastal Bend Region**

### Recycling Markets in the Coastal Bend Region

The Coastal Bend Region has recycling markets, but no manufacturing facilities to use these recycled materials. The exact reason for this is not known, but speculation may be pointed at the cost involved in opening a facility, depressed fees paid for recyclables in comparison to virgin material, and the lack of a strong state mandate for diversion in the State of Texas. The Coastal Bend has the need for recycled content manufactures and the infrastructure to support any facility that want to open here (port, major highways, etc.).

Some cities in the Coastal Bend, which offer drop-off or curbside recycling, must subsidize these programs in order for them to continue. Currently, there are 6 cities offering curbside recycling and 9 offering drop-off centers (2 of these also offer curbside) to their citizenry. Browning Ferris Industries operates a recycling process facility in the City of Corpus Christi on Agnes Street. This BFI Agnes Street Center has acts as a hub for the other Coastal Bend Region recycling centers and recycling efforts. BFI bulks the various recyclables and then finds markets for them through out the State. Generally, the materials are sent to Houston, TX or San Antonio, TX, but due to economics, they will be sent wherever profitable. Through its efforts, BFI has been helping local governments and organizations maintain recycling as an option to its citizens instead of landfilling these products.

### Materials Recycled in the Coastal Bend Region

In order to estimate a recycling rater per capita in the region and determine an average annual tonnage for recycling specific recyclable material was looked at and two sets of recycling data was used.

1.) The first recycling data came from a 1998 report that came out of the Texas Commission on Environmental Quality's Texas Recycling Rate Project. This report indicated that TCEQ Region 14, which contains counties from two regional planning agencies, (Golden Crescent Regional Planning Commission and the Coastal Bend Council of Governments) recycled an estimated 59,534 tons of material. The total U.S. Census Population for TCEQ Region 14 was 710,556; of this 526,651(74.1) were located in 8 counties that are also part of the Coastal Bend Council of Governments. Although the CBCOG has a total of 12 counties the four counties not located in TCEQ Region 14 are very rural and do not actively

CBCOG

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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participate in any recycling programs. Based, then, on the population distribution it was estimated that 44,114 tons were recycled in the region ( $59,534 \times 74.1\% = 44,114$ ).

## **Chapter III: Assessment of the Needs of the Region – Problems and Opportunities for Managing Solid Waste in the Region**

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### **Regional Solid Waste Management Program**

In the state of Texas, the 24 regional councils of governments (COG's) are allocated money for conducting required solid waste management activities, and funding various local projects intended to implement their adopted regional solid waste management plans. As required by legislation, the grant allocation to each COG is determined through a formula, which takes into account population, area, solid waste fees generation, and public health needs.

According to TCEQ contract provision the COG's are responsible for conducting a number of activities to coordinate solid waste management in their regions, including

- Maintaining solid waste advisory committees
- Providing technical assistance to local governments
- Providing outreach, education, and training
- Maintaining current regional planning data and reference material
- Review of permit application for consistency with regional solid waste management plans
- Updating the regional solid waste management plans
- Inventory of closed MSW Landfill – An inventory of closed municipal solid waste landfill units is required to be compiled by each COG under 363.064(a)(10) of the Texas Health & Safety Code, as amended by Senate Bill 1447, 76<sup>th</sup> Texas Legislature.
- Implementing a Regional Solid Waste Grant Program to pass through grant funds to eligible entities within the region to implement solid waste management projects

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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### Funding Plan

With public input, the COG's develop specific funding plans for their regions, focusing on implementation of the goals and objectives of their regional solid waste management plans. As a result, not all COG's offer the same grant categories, or make the same percentages of funding available in various grant categories.

### Regional Solid Waste Management Plan Priorities

The Coastal Bend Council of Governments has chosen to prioritize grant categories that would address litter and illegal dumping, as well as special wastes. This would include but is not limited to the grant categories of "Local Enforcement", "Litter and Illegal Dumping Clean up", and "Household Hazardous Waste Management". These categories will be identified as priority projects in the competitive selection process.

### Specific Projects

The Coastal Bend Council of Governments has chosen not to identify specific projects for grant funding allocation in this plan. Entities eligible for grant funding will continue to develop grant application which address the goals, objectives and implementation strategies of this plan, and submit them to the Solid Waste Advisory Committee for review and funding recommendations.

### Allocation and Priorities

Although the CBCOG has prioritized specific categories that address pressing needs in the region, the Regional Solid Waste Grant Program funding will remain the same. All applicants will have to go through a competitive scoring process to determine funding.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### **Regional Solid Waste Grant Program**

#### PURPOSE

Provide grant funding for projects that will provide a direct and measurable effect on reducing the amount of waste going into Texas landfills, by diverting various materials from the municipal solid waste stream for beneficial use or by reducing waste generation at the source.

#### ELIGIBLE RECIPIENTS

The following public entities are eligible for grant funding under this program (non-profit organizations and private companies are not directly eligible, but may be subcontracted by eligible public entities):

- Cities
- Counties
- Public school districts (excluding universities and other post-secondary educational institutions)
- General and special law districts created in accordance with State law with the authority and responsibility for water quality protection or municipal solid waste management (e.g., river authorities and municipal utility districts)
- Councils of Governments (COGs)

#### GOVERNING STANDARDS

The conduct of projects provided funding under this program should be in accordance with all applicable state and local statutes, rules, regulations, and guidelines. The main governing standards, include, but may not be limited to, the following:

## AMENDED SOLID WASTE MANAGEMENT PLAN

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1. Section 361.014, Texas Health & Safety Code (as amended by H.B. 3072, 74th Texas Legislature);
2. Section 330.569 of the TCEQ Municipal Solid Waste Regulations (30 TAC Chapter 330);
3. The Grant Agreement between the Council of Governments and TCEQ; and
4. Except as may be modified by the grant agreement, the *Uniform Grant Management Standards* (UGMS) developed under directive of the Uniform Grant and Contract Management Act of 1981, Chapter 783, Texas Government Code. The UGMS has been developed and published by the Governor's Office of Budget and Planning to provide uniform grants administrative procedures. The UGMS adopts, with state annotations, the provisions of five federal circulars promulgated by the Office of Management and Budget; those are:
  - Circular No. A-87: Cost Principles for State and Local Governments;
  - Circular No. A-110: Grants and Agreements with Institutions of Higher Education, Hospitals, and other Private Nonprofit Corporations: Uniform Administrative Requirements. Attachment A (Cash Depositories), Attachment F (Standards for Financial Management Systems), and Attachment O (Procurement Standards);
  - Common Rule for Circular A-102: Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Sections 20 (Standards for Financial Management Systems) and 36 (Procurement);
  - Circular No. A-128: Audits of State and Local Governments; and
  - Circular No. A-133: Audits of Institutions of Higher Education and Other Private Nonprofit Corporations.



## AMENDED SOLID WASTE MANAGEMENT PLAN

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### AUTHORIZED PROJECT CATEGORIES

The following project categories are eligible for funding. Under each category heading is a brief description of the purpose of that category, as well as special requirements pertaining to that project category. The first four categories represent the priority funding areas of the TCEQ.

#### **Category 1. Local Enforcement**

This category consists of projects that contribute to the prevention of illegal dumping of municipal solid waste, including liquid wastes. Under this category, grant recipients may investigate illegal dumping problems; enforce laws and regulations pertaining to the illegal dumping of municipal solid waste, including liquid waste; establish a program to monitor the collection and transport of municipal liquid wastes, through administration of a manifesting system; and educate the public on illegal dumping laws and regulations. Funding limitations applicable to this category include:

- Funds may not be provided to any law enforcement agency regulated by Chapter 415, Texas Government Code, unless: (a) the law enforcement agency is in compliance with all rules developed by the Commission on Law Enforcement Standards and Education pursuant to Chapter 415, Texas Government Code; or (b) the Commission on Law Enforcement Officer Standards and Education certifies that the requesting agency is in the process of achieving compliance with such rules.
- When funding is to be provided for salaries of local enforcement officers, the funds recipient must certify that at least one of the officers has attended or will attend within the term of the funding the TCEQ's Criminal Environmental Law Enforcement Training or equivalent training.
- Local enforcement vehicles and related enforcement equipment purchased entirely with funds provided under this program may only be used for activities to enforce laws and regulations pertaining to littering and illegal dumping, and may not be used for other code enforcement or law enforcement activities. Vehicles and equipment that are only partially funded must be dedicated for use in local enforcement activities for a percentage of time equal to the proportion of the purchase expense funded.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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- Entities receiving funds for a local enforcement officer, enforcement vehicles, and/or related equipment for use by an enforcement officer, must investigate major illegal dumping problems, on both public and private property, in addition to investigating general litter problems on public property.
- Entities receiving funds to conduct a local enforcement program must cooperate with the TCEQ's regional investigative staff in identifying and investigating illegal dumping problems. Lack of cooperation with the TCEQ staff may constitute a reason to withhold future funding to that entity for local enforcement activities.
- Funds may not be used for investigation and enforcement activities related to the illegal dumping of industrial and/or hazardous waste. Instances where industrial or hazardous waste is discovered at a site do not preclude the investigation of that site, so long as the intent and focus of the investigation and enforcement activities are on the illegal dumping of municipal solid waste.

### **Category 2. Source Reduction and Recycling**

This category may include projects that are intended to provide a direct and measurable effect on reducing the amount of MSW going into landfills, by diverting materials from the MSW disposal stream for recycling or reuse, or by reducing waste generation at the source. This category does not include the collection, processing, and/or recycling of scrap tires. Funding limitations applicable to this category include:

- Any program or project funded under this program with the intent of demonstrating the use of products made from recycled and/or reused materials shall have as its primary purpose the education and training of residents, governmental officials, private entities, and others to encourage a market for using these materials.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### **Category 3. Local Solid Waste Management Plans**

This category includes projects to develop and/or amend local solid waste management plans by local governments, in accordance with Subchapter D, Chapter 363, TX Health & Safety Code, as implemented by state rule, Subchapter O, 30 TAC Chapter 330. It is recommended that at least one year be allowed for the completion and adoption of a local plan. Funding limitations applicable to this category include:

- All local solid waste management plans funded under this program must be consistent with the COG's regional solid waste management plan, and prepared in accordance with 30 TAC Subchapter O, Chapter 330, TCEQ Regulations, and the Content and Format Guidelines provided by the TCEQ.

### **Category 4. Citizens' Collection Stations and Small Registered Transfer Stations**

This category includes projects to construct MSW collection facilities in areas of the state that are underserved by collection services or lack public access to proper disposal facilities. Projects funded under this category include citizens' collection stations, as these facilities are defined under the TCEQ's MSW regulations (30 TAC Chapter 330); and construction of small municipal solid waste and liquid waste transfer stations that qualify for registration under §330.4(d) or §330.4(r) of the regulations. Funding limitations applicable to this category include:

- The design and construction of citizens' collection stations, as those facilities are defined under 30 TAC Chapter 330, TCEQ Regulations, may be funded. The costs associated with operating a citizens' collection station once it is completed may not be funded.
- The design and construction of small municipal solid waste and liquid waste transfer stations that qualify for registration under §330.4(d) or §330.4(r), TCEQ Regulations, may be funded. Other permitted or registered transfer stations may not be funded. A municipal solid waste transfer facility may be eligible for a registration if it serves a municipality with a population of less than 50,000, or a county with a population of less than 85,000, or is used in the transfer of 125 tons or less of municipal solid waste per day. A liquid waste transfer station may qualify for a registration if it will receive less than 32,000

## AMENDED SOLID WASTE MANAGEMENT PLAN

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gallons or less per day. The costs associated with operating a transfer station once it is completed may not be funded.

### **Category 5. Household Hazardous Waste (HHW) Management**

This category includes projects that provide a means for the collection, recycling, reuse, or proper disposal of household hazardous waste, including home chemicals, other materials and electronic waste. This category may also include events conducted under the TCEQ's Texas Country Cleanup program. Projects may include permanent collection facilities, periodic collection events, consolidation and transportation of collected materials, recycling or reuse of materials, proper disposal of materials, and education and public awareness programs. Funding limitations applicable to this category include:

- All household hazardous waste collection, recycling, and/or disposal activities must be coordinated with the TCEQ's HHW program staff, and all applicable laws, regulations, guidelines, and reporting requirements must be followed.
- All Texas Country Cleanup events must be coordinated with the TCEQ's Texas Country Cleanup program staff, and all applicable laws, regulations, guidelines, and reporting requirements must be followed.
- First-time applicants may request funds for disposal costs. Second year requests will be at the discretion of the Solid Waste Management Committee (SWMC). Disposal costs are limited to no more than two years.

### **Category 6. Technical Studies**

This category includes projects for the collection of pertinent data, analysis of issues and needs, evaluation of alternative solutions, and identification of recommended actions to assist in making solid waste management decisions at the local or regional level. Projects under this category may also include research and investigations to determine the location, boundaries, and contents of closed old and abandoned MSW landfills, and to assess the possible risks to human health or the environment associated with those landfills or sites. Funding limitations applicable to this category include:

## AMENDED SOLID WASTE MANAGEMENT PLAN

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- All technical studies funded under this program must be consistent with the COG's regional solid waste management plan, and prepared in accordance with guidelines provided by the TCEQ.

### **Category 7. Community Cleanup Events**

Periodic community collection events, to provide for collection of residential waste materials for which there is not a readily available collection alternative, may also be funded. This type of project may not include regular solid waste collection efforts, such as weekly waste collection. Collection events may be held no more frequently than four times per year, and must only be intended to provide residents an opportunity to dispose of hard-to-collect materials, such as large and bulky items that are not picked up under the regular collection system. Funding limitations applicable to this category include:

- Periodic community collection events, to provide for collection and proper disposal of non-recyclable residential waste materials for which there is not a readily available collection alternative, may be funded. This type of project may not include regular solid waste collection activities, such as weekly waste collection. Funded collection events may be held no more frequently than four times per year, and must only be intended to provide residents an opportunity to dispose of hard-to-collect materials, such as large and bulky items that are not picked up under the regular collection system, and might otherwise be illegally dumped by residents.

### **Category 8. Litter and Illegal Dumping Cleanup**

This category may include both ongoing and periodic activities to clean up litter and illegal dumping of MSW, excluding cleanup of scrap tire dumping sites. Projects under this category may support Lake and River Cleanup events, conducted in conjunction with the TCEQ's and Keep Texas Beautiful's Lake and River Cleanup program. Eligible expenses include waste removal; disposal or recycling of removed materials, fencing, barriers and signage. Placement of trash collection receptacles in public areas with chronic littering problems may also be funded. Reuse or recycling options should be considered for managing the materials collected through these efforts, to the extent feasible. Cleanup of hazardous waste will not be eligible for funding. Funding limitations applicable to

## AMENDED SOLID WASTE MANAGEMENT PLAN

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this category includes:

- Lake and River Cleanup events must be coordinated with the TCEQ's cleanup program staff and/or the Keep Texas Beautiful organization, which is contracted by the TCEQ to administer the Lake and River Cleanup program.
- Projects funded to clean up litter or illegal dumping on private property must be conducted through a local government sponsor or the COG. Funds may not be provided directly to a private landowner or other private responsible party for cleanup expenses. The local government sponsor or the COG must both contract for and oversee the cleanup work, or conduct the work with its own employees and equipment.
- The costs for cleanup of hazardous waste that may be found at a municipal solid waste site must be funded from other sources, unless a waiver from this restriction is granted by the TCEQ to deal with immediate threats to human health or the environment.
- The costs for cleanup of Class 1 non-hazardous industrial waste that may be found at a municipal solid waste site must be funded from other sources, unless a waiver from this restriction is granted by the TCEQ to deal with immediate threats to human health or the environment. The cleanup of Class 2 and 3 non-hazardous industrial waste that may be found at a municipal solid waste site may be funded in conjunction with the cleanup of the municipal solid waste found at a site.
- All notification, assessment, and cleanup requirements pertaining to the release of wastes or other chemicals of concern, as required under federal, state, and local laws and regulations, including 30 TAC Chapter 330, TCEQ's MSW Regulations, and 30 TAC Chapter 350, TCEQ's Risk Reduction Regulations, must be complied with as part of any activities funded under this program.
- All materials cleaned up using funds provided under this program must be properly disposed of or otherwise properly managed in accordance

## AMENDED SOLID WASTE MANAGEMENT PLAN

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with all applicable laws and regulations. To the extent feasible, it is recommended that materials removed from a site be reused or recycled. For projects to clean up large amounts of materials, the COG will withhold at least ten (10%) percent of the reimbursements under a pass-through grant or subcontract, until documentation is provided that the cleanup work has been completed and the materials properly managed.

### **Category 9. Educational and Training Projects**

This category is intended for educational projects or training events dealing with a variety of MSW management topics. This category does not include the educational components of projects funded under the other categories. Funding limitations applicable to this category include:

- Educational and training programs and projects funded under this program must be primarily related to the management of municipal solid waste, and funds applied to a broader education program may only be used for those portions of the program pertaining to municipal solid waste.

### **Category 10. Other Types of Projects**

Other types of projects, not specifically prohibited from funding under the more detailed funding standards and restrictions, may be considered by CBCOG on a case-by-case basis.

### **ELIGIBLE EXPENSES**

The following categories of expenses may be eligible for funding under this program. All expenses must directly relate to the conduct of the proposed project.

**Personnel.** Appropriate salaries and fringe benefits for employees working directly on the funded project are authorized under most of the grant categories. Personnel funding is limited to no more than 2 years; however, second year funding is not guaranteed. All second year funding requests will need to compete in the overall grant process, as any other grant application would need to compete. Also, grant funds cannot supplant existing salaries and overtime is treated the same as salary.



**AMENDED SOLID WASTE MANAGEMENT PLAN**

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**Travel.** Travel expenses directly related to the conduct of the funded program are authorized. Only the employees of the funds recipient assigned to the project will receive reimbursement for travel expenses. In accordance with the UGMS, in those instances where grantees do not have an established organization-wide written travel policy approved by the governing board of the local jurisdiction, all employee-related travel expenses must be claimed at no higher than the same rates allowed by the State of Texas for its employees.

**Supplies.** Expenses for supplies necessary for the conduct of the funded project are authorized. Expenses included under the Supplies expense category of a project budget should be for non-construction related costs for goods and materials having a unit acquisition cost (including freight) of less than \$1,000. Such expenditures must generally relate to the routine purchase of office supplies (paper, pencils, and staplers) or other goods that are consumed in a relatively short period of time, in the regular performance of the general activities of the proposed project.

**Equipment.** Equipment necessary and appropriate for the proposed project is authorized. Equipment purchases must be for either first-time equipment purchases or for enhancement/expansion purposes. Grant funds may not be used to replace equipment previously purchased with grant funds unless the equipment replacement is for enhancement and/or expansion purposes. No grants will be awarded for a single piece of equipment. The COG must carefully evaluate all requests for equipment to determine appropriateness of the equipment for the project. No equipment is to be purchased by a pass-through grant recipient unless approved in advance by the COG. Expenses included under the Equipment expense category should be for non-construction related, tangible, personal property having a unit acquisition cost of \$1,000 or more (including freight and set up costs) with an estimated useful life of over one year. Any equipment that will be used for other projects or activities, in addition to the funded project, may only be funded at an amount reflecting the appropriate percentage of time that the equipment will be directly used for the funded project.



## AMENDED SOLID WASTE MANAGEMENT PLAN

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**Construction.** Appropriate construction costs are authorized. Expenses budgeted under this category should be for costs related to the enhancement or building of permanent facilities. A pass-through grant recipient shall incur no construction costs unless the COG approves the construction details in advance. Appropriate costs that may be included are:

- a. The cost of planning the project;
- b. The cost of materials and labor connected to the construction project;
- c. The cost of equipment attached to the permanent structure; and
- d. Any subcontracts, including contracts for services, performed as part of the construction.

**Contractual Expenses.** Professional services or appropriate tasks provided by a firm or individual that is not employed by the pass-through grant recipient for conducting the funded project are authorized for subcontracting by the funds recipient. A pass-through grant recipient shall incur no contractual costs unless the COG approves the subcontract in advance. *Applicable laws and regulations concerning bidding and contracting for services must be followed.* The COG must approve any amendment to a subcontract that will result in or require substantive change to any of the tasks required to be performed in writing.

**Other Expenses.** Other expenses, not falling under the main expense categories, are included, if connected with the tasks and activities of the proposed project. Expenses in this category include:

- a. Postage/delivery
- b. Telephone/FAX
- c. Utilities
- d. Printing/reproduction
- e. Advertising/public notices
- f. Signs
- g. Training
- h. Office space
- i. Basic office furnishings
- j. Computer Hardware (under \$1,000 and not listed under the Equipment category)
- k. Computer Software

## AMENDED SOLID WASTE MANAGEMENT PLAN

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**Indirect.** Indirect costs may be funded, if applicable to the project. In accordance with the UGMS, indirect charges are authorized if the applicant has a negotiated indirect cost rate agreement signed within the past 24 months by a federal cognizant agency or state single audit-coordinating agency. Alternatively, the applicant may be authorized to recover up to 10% of direct salary and wage costs (excluding overtime, shift premiums, and fringe benefits) as indirect costs, subject to adequate documentation. If the Applicant has an approved cost allocation plan, enclose documentation of the approved indirect rate with the project application.

### **Types of Expenses That May Be Appropriate Under Each Project Category**

Following are *examples of some of the types* of expenses that may be appropriate under each of the project categories.

#### **Category 1: Local Enforcement**

- Equipment, such as vehicles, communications equipment, and surveillance equipment
- Program administration expenses, such as salaries/fringe benefits, office supplies and equipment, travel, training, and vehicle maintenance
- Protective gear and supplies
- Educational materials

#### **Category 2: Source Reduction and Recycling**

- Facility design and construction
- Equipment, such as chippers, balers, crushers, recycling and composting containers, trailers, forklifts, and trucks
- Program administration expenses, such as salaries/fringe benefits, office supplies and equipment, travel, and training
- Educational materials
- Printing and advertisement expenses

#### **Category 3: Local Solid Waste Management Plans**

- Consultant services
- Printing and advertising expenses
- Program administration expenses, such as salaries/fringe benefits, office supplies, and travel

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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### **Category 4: Citizens' Collection Stations and Small Registered Transfer Stations**

- Facility design and construction
- Equipment, such as dumpsters or roll-off containers, compactors, crushers, scales, and recycling containers
- Protective gear

### **Category 5: Household Hazardous Waste Management**

- Design and construction of permanent collection facilities
- Equipment for permanent collection facilities, such as recycling containers, trailers, forklifts, and crushers
- Protective gear
- Contractual services for special collection events
- Educational materials
- Printing and advertising expenses

### **Category 6: Technical Studies**

- Consultant services
- Printing and advertising expenses
- Program administration expenses, such as salaries/fringe benefits, office supplies, and travel

### **Category 7: Community Cleanup Events**

- Annual or quarterly events
- White goods collection
- Brush collection

### **Category 8: Litter and Illegal Dumping Cleanup Events**

- Waste removal, disposal or recycling
- Fencing or barriers
- Signage
- Trash receptacles

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### **Category 9: Educational and Training Projects**

- Educational materials
- Printing and advertising expenses
- Contractual services
- Program administrative expenses, such as salaries/fringe benefits, office supplies, and travel

### **Category 10: Other**

- Construction and demolition debris management
- Remediation of abandoned landfills
- Liquid wastes

### SUPPLEMENTAL FUNDING STANDARDS

In addition to the standards set forth in applicable law and regulations, as well as the category-specific funding limitations, the standards outlined below apply to all uses of the FY 2004 solid waste grant funds.

**Payment of Fees.** Local and regional political subdivisions subject to the payment of state solid waste disposal fees and whose payments are in arrears are not eligible to receive grant funding.

**Land Acquisition Costs.** Funds may not be used to acquire land or an interest in land.

**Municipal Solid Waste-Related Programs Only.** Funds may not be used for programs dealing with wastes that are not considered municipal solid waste (MSW), including programs dealing with industrial or hazardous wastes.

**Activities Related to the Disposal of Municipal Solid Waste.** Except as may be specifically authorized under an eligible project category, funds may not be used for activities related to the disposal of municipal solid waste. This restriction includes: solid waste collection and transportation to a disposal facility; waste combustion (incineration or waste-to-energy); processing for reducing the volume of solid waste which is to be disposed of; any landfill-related facilities or activities, including the closure and post-closure care of a landfill; or other activities and

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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facilities associated with the ultimate disposal of municipal solid waste. This provision does not apply to activities specifically included under an authorized project category.

**Projects Requiring a TCEQ Permit.** Funds may not be used for expenses related to projects or facilities that require a permit from the TCEQ and/or that are located within the boundaries of a permitted facility, including landfills, wastewater treatment plants, and other facilities. This provision, however, may be waived by the TCEQ, at its discretion, for otherwise eligible activities to be located at a closed permitted facility and/or for recycling activities that will take place within the boundaries of an open facility. Recycling activities that may qualify for such a waiver may include recyclables collection, composting, and land application of bio-solids for beneficial use. The applicant and/or the COG will request a preliminary determination from the TCEQ as to the eligibility of the project prior to consideration for funding.

**Projects Requiring TCEQ Registration.** Projects or facilities that require registration from the TCEQ, and which are otherwise eligible for funding, may be funded. However, the registration for the facility must be finally received before that project can be selected for funding.

**Projects that Create a Competitive Advantage Over Private Industry.** In accordance with §361.014(b) of the Texas Health and Safety Code, a project or service funded under this program must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. Under this definition, the term private industry includes non-profit entities.

**Supplanting Existing Funds.** Funds may not be used to supplant existing funds. In particular, staff positions where the functions assigned to that position will remain the same and that were active at the time of the grant application, and were funded from a source other than a previous solid waste grant, are not eligible for grant funding.

**Food/Entertainment Expenses.** Funds may not be used for food or entertainment expenses, including refreshments at meetings and other functions. This provision

## AMENDED SOLID WASTE MANAGEMENT PLAN

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does not apply to authorized employee per diem expenses for food costs incurred while on travel status.

**Use of Alcoholic Beverages.** Funds may not be used for payment of salaries to any employee who uses alcoholic beverages on active duty. None of these funds may be used for the purchase of alcoholic beverages, including travel expenses reimbursed with these funds.

**State Contracts.** Funds may not be provided through a pass-through grant or subcontract to any public or private entity that is barred from participating in state contracts by the Texas Building and Procurement Commission, under the provisions of §2155.077, Government Code, and 1 TAC §113.02, GSC Regulations.

**Intended Purpose.** All equipment and facilities purchased or constructed with funds provided under this program shall be used for the purpose intended in the funding agreement.

**Consistency with Regional Solid Waste Management Plan.** A project or service funded under this program must be consistent with the COG's approved regional solid waste management plan, and must be intended to implement the goals, objectives, and priorities established in the regional plan.

**Lobbyists.** Funds may not be used for employment or otherwise contracts for services of a lobbyist or for dues to an organization that employs or otherwise contracts for the services of a lobbyist.

**Enforcement Actions.** Funds may not be used to assist an entity or individual to comply with an existing or pending federal, state, or local judgment or enforcement action. This restriction includes assistance to an entity to comply with an order to clean up and/or remediate problems at an illegal dumpsite. However, the TCEQ may waive this restriction, at its discretion and on a limited case-by-case basis, to address immediate threats to human health or the environment, and where it is demonstrated that the responsible party does not have the resources to comply with the order.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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**Penalties.** Funds may not be used to pay penalties imposed on an entity for violation of federal, state, or local laws and regulations. This restriction includes expenses for conducting a supplemental environmental project (SEP) under a federal or state order or penalty. Funds may be used in conjunction with SEP funds to support the same project.

### **Notification of Private Industry Required**

According to state law (*Section 361.014 (b) TX Health & Safety Code*), a project or service funded under this program must promote cooperation between public and private entities, and the grant-funded project or service may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. In accordance with grant requirements established by the Texas Commission on Environmental Quality, an applicant for funding under one of the listed project categories below must adhere to the requirements listed below.

### **Applicable Categories**

1. Source Reduction and Recycling
2. Citizens' Collection Stations and Small Registered Transfer Stations
3. A demonstration project under the Educational and Training Projects category

### **Applicant Notification Requirements**

1. Contact in person or in writing the known private service providers of similar services that, at the time of the application development, are providing services within the geographic service area that the project intends to serve, prior to making the application. A list of private service providers within the region is available from the COG.
2. Inform the private service providers of the basic details of the proposed project and consider any input and concerns from the private service providers about the project when completing the project proposal.

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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3. Consider, where appropriate, meeting directly with private service providers that may have a concern about the proposed project to attempt to resolve any concerns before an application is submitted.
4. Complete applicable information on the appropriate grant application forms to provide documentation that private service providers were notified of the project prior to submission of the application and submit written comments provided by any private service provider.

### **HOW PROPOSALS WILL BE CONSIDERED**

CBCOG's Solid Waste Grants Review Subcommittee, using screening and selection criteria developed in cooperation with the Texas Commission on Environmental Quality (TCEQ), will review proposals. The Solid Waste Grants Review Subcommittee, consisting of members with representation from local government, private industry, non-profit organizations, and CBCOG staff, will score the solid waste grant applications. All review committee members, excluding CBCOG staff, are members of CBCOG's Solid Waste Advisory Committee.

### **SCREENING CRITERIA**

In order for any proposed project to be considered, the following screening criteria must be met. If these screening criteria are not met, the proposed project will receive no further consideration for grant funding.

1. The application must be complete and all application requirements and procedures followed, including requirements to notify private service providers of the proposed project, when applicable.
2. The proposed project must conform to eligible category standards, eligible recipient standards, and allowable expense and funding standards, as established by the TCEQ and the COG and under all applicable laws and regulations.
3. The applicant must agree to document the results of the project as required by the COG.



## AMENDED SOLID WASTE MANAGEMENT PLAN

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4. The proposed project must be technically feasible, and there must be a reasonable expectation that the project can be satisfactorily completed within the required time frames.
5. The proposed project activities and expenses must be reasonable and necessary to accomplish the goals and objectives of the project. One factor in determining reasonableness of expenses shall be whether comparable costs are proposed for comparable goods and services.
6. The proposed project must be consistent with applicable goals, objectives, and recommendations of the adopted regional solid waste management plan.

### SELECTION CRITERIA

If a proposed project meets all of the applicable screening criteria, CBCOG's Solid Waste Grants Review Subcommittee, using the following selection criteria will evaluate it. There are three sets of selection criteria:

- Project Merits and Needs (0 - 50 points)
- Local Resources and Commitment (0 - 25 points)
- Project Cost Evaluation (0 - 25 points)

### **PROJECT MERITS AND NEEDS (0 - 50 Points)**

The SWAC gives the most points for “Project Merits and Needs.” Limit your narrative to no more than two (2) pages addressing the following items. *Exceeding page limitation may result in a lower score on this section. Use no smaller than a 10-point font.*

- Project Title: Provide a title that clearly summarizes your project.
- Program Objective and Summary: Describe the proposed project and justify its needs consistent with the applicable grant category (i.e., local enforcement and illegal dumping, source reduction and recycling, etc.).
- Project Service Area: Indicate the area/geography (city, county, or other jurisdictions) covered by the project. Map(s) are to be provided in the Attachments and are not included in the two (2) page limit.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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- Severity of Problem: Explain *the magnitude of the problem, which the grant project will address. To what extent will this project resolve the problem?*
- Feasibility of Project: Explain *how feasible your project is? Can the tasks be accomplished? Is it a sustainable project beyond the grant subsidy?*
- Public Information: Explain *what steps you will take to promote the program with the public, local officials, etc. Are there adequate levels of customer incentives, public education or public input, as appropriate to the proposed project?*
- Regional versus Local Impact: Identify *how this proposed project would impact your local area's need and how the project will impact regional needs.*
- Local Public/Private Partnerships/Joint Projects: If your project is multi-jurisdictional, cooperative, or regional in nature, describe the partnership and identify the primary applicant and partners (these may be subcontractors). Specifically indicate whether public agency and private sector, or non-profit agency partners. If this project is selected, a resolution or other appropriate statement of commitment from each partner will be expected prior to contract. If project is not a joint project, the maximum total points for application is only 96 points.
- Project Status:
  1. Indicate if this is a startup or pilot project where no such program exists; how does it benefit the local government or region? Or,
  2. Indicate if this is an enhancement of an existing program; give a brief description of your existing program and indicate how the proposed project would significantly improve the program or,
  3. Indicate if this project has received solid waste grant funding in the past years (FY93 – FY03).

### LOCAL RESOURCES AND COMMITMENT (0 -25 POINTS)

In this section, describe the ways your organization intends to provide resources to make the project succeed during the grant period and even beyond. Limit your

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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narrative to no more than one (1) page addressing the following items. *Exceeding page limitation may result in a lower score on this section. Use no smaller than a 10-point font.*

- Project Staff Qualification and Experience: Identify *the proposed staff responsible for undertaking the project tasks and briefly describe their experience and importance to the project. (Resumes may be in Attachment and are not included in the one (1) page limit.)*
- Intention to Sustain the Project: If *the proposed project could become an ongoing service, describe how this project may be sustained beyond the grant period.*
- Environmental Risk: Explain *how the project will reduce risk to the environment. Identify any existing immediate threats to the environment.*
- Cash/in-kind Matching Local Contribution: For *the FY2004, SWMC intends to encourage local match through cash or in-kind services. If applicant is providing significant contributions (at least 10% of grant request) to the project either through cash matching funds or in-kind services, please describe. In-kind services should relate only to staff or services directly involved with the proposed project. Your narrative should show the relative importance or effort of the local contribution in relationship to the entire project. (CBCOG Solid Waste Grants Review Subcommittee understands that due to the timing of this RFA, cash contributions may not be feasible.) Note: This section is located on your budget worksheet.*
- Supporting Documentation: *(Please place copies of letters, resolutions, etc. in Attachments. These documents are not included in the one (1) page limit.)*

**PROJECT COST EVALUATION (0- 25 Points)**

This section describes how the project is cost-effective and a good use of grant funds. Limit your narrative to no more than two (2) pages addressing the following items. *Exceeding page limitation may result in a lower score on this section. Use no smaller than a 10-point font.*

- Target Population to be Served by Project: \_\_\_\_\_

## AMENDED SOLID WASTE MANAGEMENT PLAN

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*Please name all participating communities that will be served or benefit from proposed activities and/or project.*

- Cost Per Impacted Capita: \_\_\_\_\_  
*Please explain calculations.*

- Amount to be Processed and Volume Displace from Landfill, if applicable:  
\_\_\_\_\_  
*Please explain calculations.*

- Cost Per Ton Processed: \_\_\_\_\_  
*Please explain calculations.*

### Other Cost Savings:

- Landfill Costs Saved: \_\_\_\_\_  
*Please explain calculations.*

- Clean-up Costs Saved: \_\_\_\_\_  
*Please explain calculations.*

- Cost Compared to Established Rates: *Please compare your program cost to other similar types of programs. Contact CBCOG staff for assistance, if needed.*

- Salary/Operational Expenses: *Are the future operational and maintenance costs fully evaluated? Are the total related costs of the project (not just grant expenditures) adequately defined? How much of the proposed grant costs will be used for on-going expenses?*

- Benefits Consistent and Reasonable to Cost: *Please compare your program cost to other costs associated with land filling, composting, and recycling and other source reduction methods. Are your measured cost savings justified?*

### SCORING PROCESS AND PROCEDURES

- Each applicant is required to submit 2 original signed copies of their applications to CBCOG.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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- Each member of the Solid Waste Grants Review Sub-committee will be provided with a copy of each application received by the deadline established. Staff will also provide a summary table of all applications received.
- Each applicant will have a representative available at the review meeting to provide a summary of the project and to answer review committee members' questions and concerns.
- The high and low scores will be eliminated. The remaining scores will be averaged to obtain at the final score.
- There will be no consensus scoring. Each member will score project individually.
- Ranking of projects will be based on scores derived from the review process.
- Scores will be tabulated and averaged (on less than full point intervals/decimal points) by staff, transmitted to the CBCOG Board of Directors (for final approval), provided to interested parties, and made available to applicants.
- Order of proposed project review will be determined by random drawing within the ten grant categories.

### CONFLICT OF INTEREST

No Solid Waste Grants Review Sub-committee member may participate in deliberations or a vote, regarding an application for funding in the following circumstances:

- If the member represents the jurisdiction (city or county) applying for funds, whether as an elected official, or an employee;
- If the member has direct financial interest in an application, whether through a salary, consultant agreement, or other arrangement, including any financial interest derived from family or business ties.
- County Judges and Commissioners or their representatives may not vote or take part in the deliberation of issues/applications from incorporated cities within their county.

## AMENDED SOLID WASTE MANAGEMENT PLAN

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### **Plan Conformance/ Facility Application Review**

The Texas Commission on Environmental Quality (TCEQ) requires that all municipal solid waste (MSW) facilities proposed for siting in the CBCOG region must conform to the Regional Solid Waste management Plan, as stated in the Texas Health and Safety Code §363.066 and the TCEQ rules (30 TAC §330.566).

CBCOG, with the assistance of the Solid Waste Advisory Committee (SWAC), will review permit and registration application filed with the TCEQ to assess their conformance to the plan. All applicants must complete a checklist that CBCOG has in place, which also covers TCEQ requirements. Determination of conformance will also address land use compatibility and local facility siting concerns. The committee's finding will be submitted to the TCEQ for consideration when the Commission decides whether to grant the permit or registration request.

The need for, or lack of need for, a particular facility will not be a factor in the plan conformance review. The importation and exportation of waste from one political subdivision into another will not be prohibited according to §330.563(a)(4), Subchapter O. If any county or city has a landfill-siting ordinance in place, designating the proposed site as suitable for a landfill, the regional plan will not contradict it.

#### Impacts of a Facility Site on Residents and the Community

The CBCOG and SWAC review of a permit of registration application will be of assistance to the TCEQ in considering the possible impacts of a proposed facility site on a city, community, group of property owners, or individuals.

The SWAC will consider the following factors when reviewing permits and registration applications:

1. Conformance to the goals and objectives of the plan
2. Proposed method of operation
3. Compliance history of the company
4. General compatibility of the proposed facility with surrounding land use

## AMENDED SOLID WASTE MANAGEMENT PLAN

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The SWAC will review and comment on the appropriateness of the proposed facility in relation to surrounding land use. In considering the facility's compatibility with existing and proposed land use, the SWAC will examine the following factors:

- Compliance with zoning or siting ordinances In the vicinity
- Character of surrounding land uses
- Growth trends of the nearest community and direction of major development
- Proximity to residences and other land uses
- Description and discussion of all known wells within 500 feet of the proposed site
- Impact of proposed facility on traffic patterns
- Proposed fill height and its impact on the appearance of the surrounding area
- The measures that will be taken, in necessary, to blend the appearance and operation of the proposed facility in with its surroundings

The SWAC reserves the right to solicit comments from individuals, organizations, and local governments located within the proposed facility's impact area when considering the general land use compatibility factor.

### Conformance with Local Solid Waste Management Plans

The review for conformance with the regional plan will include the consideration of any applicable local plans. State regulatory activities must conform to an adopted local solid waste management plan.

### Voluntary Pre-Application Review

A potential permit or registration applicant may request a meeting with the Coastal Bend Council of Governments (CBCOG) staff to discuss an impending application, its conformance with the regional plan and steps that may be taken to meet the region's solid waste planning goals. Staff will provide a copy of the Regional Solid Waste Management Plan, review plans for proposed facilities and explain the review process. This pre-application meeting is recommended but not required.



## AMENDED SOLID WASTE MANAGEMENT PLAN

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### Process of Review of MSW Facility Applications

Subchapter E of the TCEQ's permitting procedures (§330.51(10)) states that it is the responsibility of the applicant to demonstrate conformance with the regional solid waste plan. Applicants may request a conformance review of their registration or permit application by submitting the following information to the Coastal Bend Council of Governments (CBCOG):

1. A copy of the Application to the TCEQ for Permit or Registration, Parts 1 and 2
2. Solid Waste plan Conformance Checklist  
The applicant will complete the form to the best of his or her ability to indicate how the proposed facility will help in promoting the goals and objectives of the regional plan. The chief administrative officer of the applicant organization must sight the form to attest to the accuracy and truthfulness of the information presented.
3. Complete compliance history of the applicant and its owner(s), including all facilities owned or operated by the applicant in the State of Texas.
4. A cover letter with contract information for the applicant, the applicant's engineer and the TCEQ staff person to whom all review-related correspondence should be sent. Contact information should include name, phone number, mailing address and email address (if available).
5. A map showing the physical location of proposed or existing facility.
6. Any additional information the applicant wishes to provide to facilitate the SWAC review process.

Requests for permit or registration review shall be submitted to:

Coastal Bend Council of Governments  
Attn: Solid Waste Program Coordinator  
2910 Leopard St.  
Corpus Christi, TX 78408

The SWAC review and comment period will not begin until all required information has been submitted in its completed form. Once it has been determined that the information has been properly filed, the Solid Waste Coordinator will confirm its receipt in writing to the applicant and schedule a meeting of the SWAC to review the application at the earliest possible date. Applicants will be notified in writing of the application review date and are



## AMENDED SOLID WASTE MANAGEMENT PLAN

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strongly encouraged to attend the SWAC review meeting in order to present their application to the committee.

### Plan Conformance and Recommendations

The SWAC will determine whether the proposed facility conforms to the Regional Solid Waste Management Plan and recommend a course of action to the TCEQ. The committee does not approve or deny applications. Rather, it provides a means for the TCEQ to obtain qualified opinions from local governments in the affected region.

1. The permit or registration conforms to the plan.
  - a) The committee recommends approval of the permit or registration
  - b) The committee recommends approval with specific conditions attached.
  - c) The committee requires additional information before making a final recommendation.
  
2. The permit or registration does not conform to the plan.
  - a) The committee recommends denial of the permit or registration.
  - b) The Committee recommends withholding approval until specific deficiencies are corrected.
  - c) The committee recommends additional action by the TCEQ before making determination on the permit or registration.
  
3. The committee lacks sufficient information to make qualified conformance determination.

### Report on SWAC Review Findings

The CBCOG Solid Waste Program Coordinator will be responsible for communicating the SWAC's finding in writing to all affected parties. Within 10 days of the review meeting, the coordinator will send a letter signed by the SWAC chairperson or its designee to the TCEQ, relating the SWAC's finding, recommendation and concerns. Copies of the letter will be sent to the applicant.

### Appeals Process

The SWAC is an advisory committee to the Coastal Bend Council of Government's General Committee. As the General Committee has vested the responsibility for

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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MSW facility application review with the SWAC, its recommendation will generally be final.

An applicant may appeal the SWAC recommendations if the application review is not process and treated in accordance with the procedures set forth in this section. Appeals must be submitted to the CBCOG Executive Director in writing, including the specific alleged procedural violation(s). The Executive Director will investigate the allegation, forward it to the General Committee and place the appeal on the agenda of the CBCOG's General Committee.

SWAC members will receive copies of the appeal and select a representative to attend the General Committee meeting. The protesting applicant will be notified of the time and date for consideration of the appeal. At this time, the applicant may present its cast directly to the General Committee, which will render a decision on the matter.

An appeal can be filed at any time during the 10-day period following the SWAC's review meeting and decision. Any appeals received after the date will not be considered and the SWAC recommendation letter will be immediately forwarded to the TCEQ.

## **Chapter IV: Goals and Actions for the Coastal Bend Region**

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### **Goals and Objectives**

- Goal 1:      Ensure the proper management and disposal of municipal solid waste.
- 1.1** Citizen Collection Stations, Small Registered Transfer Stations, and Community Collection Events - Identify areas with inadequate collection, transportation, and/or processing services, and provide solid waste management alternatives that will encourage proper disposal and reduce illegal dumping.
  - 1.2** Local Enforcement, and litter and illegal dumping cleanup - Support local efforts to identify areas with litter and illegal disposal problems, implement enforcement and other programs to address those problems, and promote the management and cleanup of litter and illegal dumpsites.
  - 1.3** Household Hazardous Waste, and other - Target waste reduction activities and proper disposal practices to certain components of the waste stream that may pose special risks or problems. Including such wastes as HHW, tires, and others.
  - 1.4** Education and Training - Promote the continued training and education of professionals and the public to make them aware of a variety of solid waste topics that affect the proper management and disposal of solid waste in the region
- Goal 2:      Reduce the amount of Municipal solid waste generated and disposed of in the Coastal Bend Region.
- 2.1** Education and Training - Continue to use outreach and education programs to support program initiatives and to facilitate long-term changes in attitudes about source reduction and recycling.
  - 2.2** Source Reduction and Recycling - Promote the diversion of waste from regional landfills through recycling efforts, including corporate recycling, composting, and targeting major components

## AMENDED SOLID WASTE MANAGEMENT PLAN

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of the waste stream such as brush, paper, and construction and demolition debris.

- 2.3 Other - Promote regional, state, and federal partnerships within the region that encourage solid waste management, waste reduction and recycling.

Goal 3: Ensure the proper and safe management of solid waste, the availability of management alternatives, and implementation of statewide goals at the regional and local levels, through development and implementation of regional and local plans.

- 3.1 Implement a regional municipal solid waste management planning cycle to correspond to the state solid waste planning cycle, with updates and amendments to the regional plans every four years.
- 3.2 Clarify and then implement the role of regional plans in the COG's in MSW permitting decisions.
- 3.3 Use the Regional Solid Waste Grants Program as a tool to implement the regional solid waste management plans.
- 3.4 Complete regional inventories of closed municipal solid waste landfill sites, and establish a process to maintain those inventories.
- 3.5 Local Solid Waste Management Plans and Technical Studies - promote the development of local plans that better address the needs of a specific community or county while implementing the state and regional goals for MSW management.

### **ACTIONS FOR THE CURRENT AND SHORT-TERM PLANNING PERIOD (PRESENT THROUGH 2006)**

- **Composting** - The region will support the composting effort by promoting the separation of yard waste from the municipal solid waste stream and encourage any efforts to create a large scale permitted composting facility in the region.
- **Local Enforcement/ Illegal Dumping** - The region will support law enforcement agencies and promote the training of law enforcement officials in the enforcement of existing state and local laws to control littering and illegal

**AMENDED SOLID WASTE MANAGEMENT PLAN**

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dumping. In addition to this the CBCOG will continue to support local enforcement efforts, and the cleanup of illegal dumpsites.

- **Education/Outreach/ Training** - The region will encourage and support education programs that focus on changing people's attitudes about waste minimization, source reduction, composting and recycling. The CBCOG will enforce the connection between waste minimization, source reduction, composting and recycling and the positive impacts these activities have on air quality, water quality, human health and the environment in general.
- **Household Hazardous Waste, Other** - The region will support the continuance and development of HHW collection events/facilities and encourage source reduction of HHW in the home. In addition the CBCOG will support cleanup events that target special wastes, which present disposal challenges, including the recycling of tires collected as part of a cleanup effort.
- **Source Reduction and Recycling** – The CBCOG will promote and engage in information and outreach campaigns that encourage source reduction and recycling while encouraging programs that address the diversion of major components of the waste stream as identified in the region.
- **Regional Solid Waste Grant Program** - Regional entities eligible for Regional Solid Waste Grant Program-funding will be made aware of the goals, objectives, actions and needs set forth by this plan. The Coastal Bend Council of Governments will make every effort possible to utilize Regional Solid Waste Grant Program funds to achieve the goals of this plan.
- **Plan Conformance/Permit Review** - The Solid Waste Advisory Committee and the Coastal Bend Council of Governments will develop a checklist of this plan goals and objectives as they pertain to MSW facility siting issues. The SWAC and the CBCOG to determine conformance with the Regional Solid Waste Management Plan will use this checklist by MSW Facility permit applicants as designated in this plan.
- **Funding Opportunities** – The CBCOG will continue to track State and Federal funding sources for environmental management programs, distribute information and assist in the preparation of related applications.

## **AMENDED SOLID WASTE MANAGEMENT PLAN**

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### **ACTIONS FOR THE MID-TERM PLANNING PERIOD (2007 THROUGH 2011)**

- The Region will develop and implement waste diversion programs, and in addition to composting will reduce the volume of MSW disposed of at landfills. The Region will promote innovative technologies to reduce waste and also promote source reduction in the building industry while helping identify uses for construction and demolition debris.
- The Region will promote efforts to contact, subsidize and encourage construction of manufacturing companies that recycle, utilize recyclable commodities, and manufacture recycled products in our area.
- The Region will address the need for more formal cooperative administrative structures for multi-jurisdictional programs.
- The Region will address the need for a disaster preparedness plan that determines how to properly manage debris resulting from flooding, hurricanes, or other disasters.
- The CBCOG will support the use of organic waste from all sectors of the Region for use in a large scale permitted composting operation.
- The CBCOG will develop a risk assessment for the Closed Landfills in the Coastal Bend Region.

### **ACTIONS FOR THE LONG-TERM PLANNING PERIOD (2012 THROUGH 2020)**

- The CBCOG will promote the development of electronics-recycling programs within the Coastal Bend Region.
- Local Governments will continue to improve recycling programs to reduce the need for disposal capacity for MSW in the Coastal Bend Region.
- The Region will cooperatively develop a Materials Recovery Facility (MRF) to act as a regional sorting, storage, and distribution center for recyclable commodities from small and large jurisdictions region wide.

# Appendix A

## Classification of Solid Waste

## Texas Landfill Types, Waste Types and Classes

Waste	Definition
Municipal Solid Waste	Solid waste resulting from municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish ashes, street cleaning, dead animals, and abandoned automobiles.
Hazardous Waste	Waste that displays one or more of the following characteristics: ignitability, reactivity, corrosivity, and/or toxicity.
Nonhazardous Waste	Any industrial waste not listed as hazardous and does not have hazardous characteristics.
Industrial Waste	Waste resulting from operations of industry, manufacturing, mining, or agriculture.
Class 1 Nonhazardous Industrial Waste	Waste Considered potentially threatening to human health and the environment if not properly managed, because of its constituents and properties (e.g., water contamination with ethylene glycol). Requires special handling requirements. Also referred to as Type I waste.
Class 2 Nonhazardous Industrial Waste	Includes waste-activated sludge from biological wastewater treatment. Also referred to as Type II waste.
Class 3 Nonhazardous Industrial Waste	Includes materials such as demolition debris (e.g. bricks) that are insoluble, do not react with other materials and do not decompose. Also referred to as Type III waste. Similar to Type IV Municipal Waste, with Class 3 waste originating from an industrial source.
Nonindustrial Waste	Waste resulting from sources such as schools, hospitals, churches, dry cleaners, and laboratories serving the public.
Special Waste	Includes materials such as sludge, household hazardous waste, used oil, batteries, contaminated soils, medical waste, material containing non-friable asbestos, etc.

Source: TCEQ