



North Central Texas Council of Governments

NCTCOG Facility Conformance Review Process

Updated: July 8, 2022

Effective Date: August 10, 2023

Background:

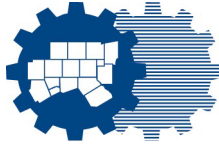
In accordance with the [Permit and Registration Application Procedures of 30 Texas Administrative Code §330.61\(p\) \(2006\)](#), the owners or operators of municipal solid waste (MSW) facilities must submit to the Texas Commission on Environmental Quality (TCEQ) documentation showing that Parts I and II of their applications were submitted for review to the applicable council of governments for compliance, or conformance, to the regional solid waste plan. As the regional solid waste planning agency for the North Central Texas region, the North Central Texas Council of Governments (NCTCOG) maintains the [Regional Solid Waste Management Plan, 2022 – 2042](#) for North Central Texas, which was recently updated, approved by TCEQ, and became effective on August 10, 2023. Therefore, NCTCOG is responsible for conformance reviews for municipal solid waste facility applications in the 16-county North Central Texas region.

The facility conformance review process *only* evaluates whether permit or registration applications for existing or new facilities conform to the *goals and objectives* of a region's solid waste management plan and is completed in a supporting role to TCEQ's overall review of permit and registration applications. TCEQ is the agency responsible for reviewing and then approving or denying permit or registration applications in Texas. Therefore, it is also TCEQ's role to receive public comment on permit or registration applications.

Summary of Overall Process:

The conformance process at NCTCOG is initiated when NCTCOG receives a mailed letter from the solid waste permit or registration applicant requesting a review along with a copy of Parts I and II of the application. NCTCOG will then reach out to the applicant to confirm receipt, request the completion of the Municipal Solid Waste (MSW) Facility Evaluation Form for Conformance Review (attached on page 3), and schedule a meeting between NCTCOG, the applicant, and the [Facility Conformance Subcommittee](#), the group that evaluates the documentation submitted by the applicant. The Facility Conformance Subcommittee is a subcommittee of the [Resource Conservation Council \(RCC\)](#), which is the solid waste advisory committee for the North Central Texas region. The RCC votes on the final approval of the conformance determination after receiving the subcommittee's recommendation.

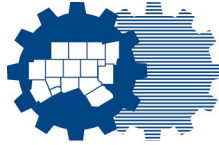
At NCTCOG, conformance reviews are completed as applications are received. The applicant is asked to attend a meeting of the Facility Conformance Subcommittee, provide a brief presentation on how the facility permit or registration application conforms to the goals and objectives of the *Regional Solid Waste Management Plan, 2022-2042* for North Central Texas, and be available for questions. Prior to the meeting, the subcommittee reviews Parts I and II of the application along with the applicant's completed NCTCOG form, the MSW Facility Evaluation Form for Conformance Review (attached on page 3). The subcommittee will make a recommendation as to whether the permit or registration application conforms



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or does not conform to the goals and objectives of the aforementioned regional solid waste plan. This recommendation is transmitted to the RCC for a vote at its next meeting. After the RCC has voted on the conformance recommendation from the Facility Conformance Subcommittee, NCTCOG, on behalf of the Chair of the RCC, will mail a formal letter stating the final outcome and email a scanned copy of the letter to TCEQ and the applicant.

Given the substantive documents to review and coordination required among the applicant, the subcommittee members, and the RCC, the entire NCTCOG conformance review process takes about three months. This review occurs concurrently with TCEQ's review of the application.



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MSW Facility Evaluation Form for Conformance Review

Please complete this form as fully and as accurately as possible.

Section 1: General Applicant Information

1.1 Applicant's Name: _____
Mailing Address: _____
City, State, Zip Code: _____
Contact Person: _____

1.2 Site Location
Address: _____

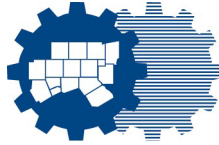
Nearest City: _____
Zip Code: _____
County: _____

1.3 Is this a new facility?
 Yes No

1.4 If this is an amendment, please provide the following:
 Permit No. _____ Registration No. _____

1.5 What type of MSW facility is being registered or permitted?
 Type I Landfill Type IV AE Landfill
 Type I AE Landfill Type V Facility
 Type IV Landfill Other (please describe)

Describe "Other" below:



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1.6 What type(s) of waste(s) is/are currently accepted at your facility?

- | | |
|--|--|
| <input type="checkbox"/> Municipal Waste | <input type="checkbox"/> Industrial Class III |
| <input type="checkbox"/> Industrial Class I | <input type="checkbox"/> Special Waste (please describe) |
| <input type="checkbox"/> Industrial Class II | <input type="checkbox"/> Other (please describe) |

Describe "Special Waste" and/or "Other" below:

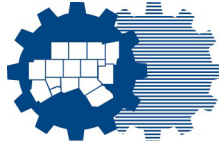
Source: TAC 30, §330.61 (b)(1)

1.7 What types of waste(s) will be accepted at your facility in the future?

- | | |
|--|--|
| <input type="checkbox"/> Municipal Waste | <input type="checkbox"/> Industrial Class III |
| <input type="checkbox"/> Industrial Class I | <input type="checkbox"/> Special Waste (please describe) |
| <input type="checkbox"/> Industrial Class II | <input type="checkbox"/> Other (please describe) |

Describe "Special Waste" and/or "Other" below:

Source: TAC 30, §330.61(b)(1)



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MSW Facility Evaluation Form for Conformance Review

Section 2: Regional Conformance

Another component of evaluating conformance includes how the facility will affect the regional solid waste management goals of the North Central Texas Council of Governments that are included in the recently updated regional solid waste management plan, *Regional Solid Waste Management Implementation Plan Volume II*, which will be submitted to TCEQ for approval in August 2022. In order to complete this evaluation, please provide a description of how your facility will contribute to the attainment of these goals.

In requesting this information, NCTCOG recognizes that individual facilities alone will not be held responsible to achieve these regional goals. However, solid waste facilities represent an important component of a regional integrated solid waste management system, and can contribute to the attainment of regional goals. Facilities will be expected to make a good faith effort to contribute to the attainment of the regional solid waste goals.

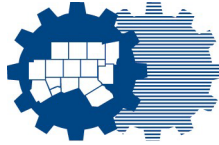
To assist in the completion of this section, examples of activities/programs that could be implemented to assist in the attainment of these regional goals are listed for each of the five goals. These examples are based directly on objectives included in the Regional Plan. However, they are intended to only serve as examples, as individual facilities need to determine how they will contribute to regional goals.

Goal No. 1: Support Materials Management Education and Training

Examples for Facilities to Consider

- Support outreach and education programs to facilitate long-term increases in source reduction, reuse, and recycling.
- Educate the public about proper waste management opportunities and alternatives to illegal dumping.
- Encourage cost-effective illegal dumping programs, such as cleanup events, purchasing of cleanup trailers, or other collaborations with the public/private sector.
- Educate the public about proper management and alternative options for household hazardous waste.

2.1 Please describe any services or activities that you can provide, or are currently providing, to the region to assist with meeting this regional goal.



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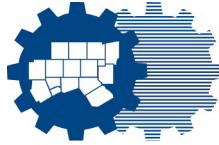
MSW Facility Evaluation Form for Conformance Review

Goal No. 2: Promote Creation and Expansion of Waste Management Programs

Examples for Facilities to Consider

- Encourage the reuse and recycling of construction and demolition materials.
- Encourage the reuse and recycling of organic material, such as yard waste and food waste.
- Assist in the expansion of existing collection and management alternatives for other wastes, such as scrap tires, electronics, household hazardous waste, or those outside of the curbside materials typically collected.
- Promote integrated waste management practices.
- Support the planning, design, and/or construction of citizens' collection stations.
- Provide ample and convenient collection and disposal options in rural and underserved areas, including the establishment and expansion of transfer stations and citizen collection stations.
- Transfer stations can contribute to this goal by providing more efficient transportation to more distant landfills.

2.2 Please describe any services or activities that you can provide, or are currently providing, to the region to assist with meeting this regional goal.



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Goal No 3. Measure Regional Waste Reduction Efforts

Examples for Facilities to Consider

- Encourage the maintenance of disposal and processing capacity to meet the needs of the region.
- Encourage efforts to reduce additional landfill capacity needs, including initiatives for source reduction and reuse, recycling and composting, and energy recovery.

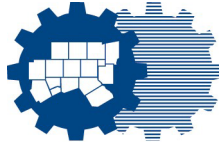
2.3 Please describe any services or activities that you can provide, or are currently providing, to the region to assist with meeting this regional goal.

Goal No. 4. Support and Encourage Innovative Technologies for Other Waste

Examples for Facilities to Consider

- Encourage innovative technologies to reduce, manage, and process emerging waste streams.

2.4 Please describe any services or activities that you can provide, or are currently providing, to the region to assist with meeting this regional goal.



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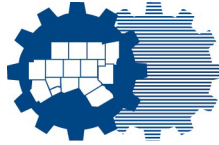
MSW Facility Evaluation Form for Conformance Review

Goal No. 5. Promote Public and Private Sector Partnerships

Examples for Facilities to Consider

- Expand waste collection opportunities.
- Provide enhanced resident and private sector education in rural and underserved areas.
- Participate in collaborations with the public sector to increase recycling and material recovery.

2.5 Please describe any services or activities that you can provide, or are currently providing, to the region to assist with meeting this regional goal.



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MSW Facility Evaluation Form for Conformance Review

Section 3: Certification

I certify that the information contained in this form is complete and accurate and that the information in fact represents the MSW facility for which this entity is requesting a TCEQ permit or registration.

Type or Printed Name of TCEQ Permit/Registration Application Signatory

Title of TCEQ Permit/Registration Application Signatory

Signature of TCEQ Permit/Registration Application Signatory

Date