

ADDICKS UTILITY DISTRICT
1300 Post Oak Boulevard, Suite 1400
Houston, Texas 77056

December 12, 2017

Mr. Matthew Udenenwu
Texas Commission on Environment Quality
Office of the Chief Clerk, MC-124
P.O. Box 13087
Austin, Texas 78711-3087

Re: Greenhouse Road Landfill (“Landfill”); Municipal Solid Waste Permit Major Amendment, Proposed Permit Number 1599B (“Permit”); Comments from Addicks Utility District (“District”) in Response to Texas Commission on Environmental Quality (“TCEQ”) Request for Comments

Dear Mr. Udenenwu:

The District was previously notified that a major permit amendment has been requested for the above referenced Landfill. The Landfill is requesting a vertical and lateral expansion of its facility. We write to provide the Districts comments, and to strongly oppose the approval of the amendment.

Resident Complaints

The District has received numerous complaints regarding the proposed amendment from its residents, especially those residing in the Rolling Green subdivision adjacent to the Landfill. The most common complains include trash debris blown off-site, foul odors from the Landfill reaching the neighboring homes; and significant storm water runoff from the Landfill into the neighboring subdivision. The Permit Amendment should not be granted until the residents’ concerns are addressed.

Non-Compliance with Settlement Agreement

Although the District was not a party to the settlement, we are aware of the Settlement Agreement entered into between Harris County and G.O. Weiss, Inc. regarding the Landfill in 2000. Our understanding is that on May 4, 2017, Harris County conducted an inspection of the

Landfill to determine whether it was in compliance with the terms of the Settlement Agreement. Several deficiencies were identified, including insufficient or missing berms, and improperly located drainage ditches. The Permit Amendment should not be granted while the Landfill and its owners remain in breach of the 2000 Settlement Agreement with Harris County.

Tax Base of the District

The District relies on property taxes to support its day to day operations, as well as the payments of its long term debt. The expansion of the Landfill is likely to have a materially negative effect on the home values within the neighboring subdivision, which would cause a decrease in the District's tax base. It is possible that such a decrease could be large enough to require the District to raise its property tax rate in order to continue operating and paying its debt service. The Permit Amendment should not be granted unless the Landfill can provide convincing evidence that the expansion of the Landfill will have no materially negative effect on home values in the neighboring subdivision.

Storm Water Detention and Runoff

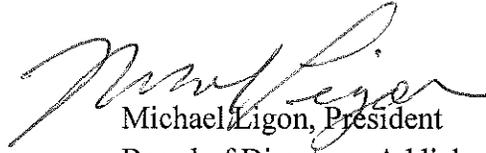
As a municipal utility district, one of the primary functions of the District is to consider the detention, collection, and transmission of storm water. The District is very concerned that the detention provided by the Landfill is inadequate. The area surrounding the Landfill is susceptible to flooding, as evidenced by Hurricane Harvey where numerous homes within the District flooded. The Landfill has already shown its disdain for storm water detention and transmission requirements by its breach of the 2000 Settlement Agreement. Further, any uncontrolled storm water runoff from the Landfill is likely to be more polluted than typical runoff, and may present a higher than average health risk to the surrounding community. The Permit Amendment should not be granted until the Landfill has physically constructed storm water detention and conveyance facilities that will protect the surrounding area and that conform to current regulatory requirements.

Groundwater Contamination

The base of the Landfill may extend into the water table of the Chicot Aquifer, providing severe risk of groundwater contamination. The Permit Amendment should not be granted unless the Landfill can provide convincing evidence that there is no risk of groundwater contamination.

For the above reasons and others, the District respectfully requests that you deny the proposed Major Permit Amendment No. 1599B, until such time as all of the above concerns have been adequately addressed. The District will continue to monitor these proceedings, and will supplement these comments as and when necessary. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Ligon". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Ligon".

Michael Ligon, President
Board of Directors, Addicks Utility District