

June 6, 2012

Mr. Conrad J. Schaefer
Texas Commission on Environmental Quality
Waste Permits Division
Municipal Solid Waste Permits Section / MC 124
P.O. Box 13087
Austin, Texas 78711-3087

RECEIVED

JUN 06 2012

**WASTE PERMITS DIVISION
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**Reference: Response to Second Technical Notice of Deficiency
Application for New MSW Registration
Nexus Continuum, LLC
Type V Material Recovery and Transfer Station
Harris County, Houston, Texas
Application No. 40260
Tracking Nos. 15035373, 15058216, 15098596, and 15730388
RN104419460/CN603985979**

Dear Mr. Schaefer:

On behalf of Nexus Continuum, LLC (Nexus), HDR is submitting an original, three unmarked copies, and three marked copies of application revisions to the referenced application. This submittal is in response to the Second Technical Notice of Deficiency letter from TCEQ dated May 7, 2012 requesting additional information. This response letter provides the additional information requested, and the attached forms, text and attachments have been revised as appropriate. For ease of review, TCEQ questions are reproduced below in *italics* with the associated response non-italicized:

General

- In our first NOD we stated that "as per 30 TAC §330.57(i)(1), the owner or operator shall provide a complete copy of any application, including all revisions and supplements to the application, on a publicly accessible internet Web site. We are unable to locate revisions to the application on the internet Web site where the application is provided." It appears that this requirement has not yet been met as only a small percentage of revisions were available for viewing at the URL provided in the NOD response (<http://www.nexusdisposal.com/nc.html>). Please fully comply with the rule.*

All current revisions and supplements have been added to the website for viewing at the URL posted.

Part II

- We received your detailed response to our comment 4 of Part II in the first NOD, however, the request to be authorized to dispose of waste at the Altair Landfill is denied based on that landfill being located more than 50 miles from the proposed facility. Rule 30 TAC 330.7 requires facilities that store or process solid waste to obtain a permit unless another type of authorization is provided by the rules. A registration tier authorization is provided in 30 TAC 330.9(f) for facilities subject to the restrictions of having to recycle 10 percent and*