| **NOD ID** | **MRI ID** | **App. Part** | **Citation** | **Location** | **1st NOD Type** | **NOD Description** |
| --- | --- | --- | --- | --- | --- | --- |
| NT1 | 12 | General | 330.57(d) | See Application Parts I through IV | Format | Revise discussions in Parts II and III to consolidate the historical information and updates, and to include references to drawings that show the features described in the statements.  Revise rule citations to be consistent with rule format; use lower-case case letters where rule letter is lower case. |
| NT2 | 18 | General | 330.57(f)(2) | See Application Parts I through IV | Format | Provide signature and seal date on all sealed items. |
| NT3 | 21 | General | 330.57(g)(2) | See Application Parts I through IV | Format | Revise all title pages with new application number, date prepared and submittal dates |
| NT4 | 22 | General | 330.57(g)(3) | See Application Table of Contents | Format | Revise all Table of Contents with consistent numbering and labels |
| NT5 | 24 | General | 330.57(g)(5) | See Application Parts I through IV | Incomplete | Provide page number (including application part and appendix) and date on all pages. |
| NT6 | 31 | General | 330.57(h)(4)(D) | See Application Parts I through IV | Incomplete | Provide PE seal on Part II of the application. |
| NT7 | 63 | General | 330.59(h), 330.671, 330.675 | Part III, Attachment A, Section 1.0 | N/A | Rectify Nido LTDs delinquent fee amount of $3,243.25 |
| T8 | 70 | Part I | 330.59(b)(1); 305.45(a)(1) | Form 0650, Section 12 | Inconsistent | Verify coordinates and elevation of facility permanent benchmark, show location and coordinates on site layout plan (Figures 2-1 and D1.1), and use benchmark coordinates in text and on drawings throughout the application wherever facility location is represented. |
| T9 | 82 | Part I | 330.59(c)(2) | Part I, Attachment 4 | Inconsistent | Review permit boundary provided in application. It is inconsistent with approved boundary from previous application. |
| T10 | 85 | Part I | 330.59(d)(1)(A) | Part I, Attachment 5 | Inconsistent | The stated acreages within the permit boundary for the existing permit and for the proposed expansion are not consistent throughout the application, and not consistent with the acreage for existing permit 1848. |
| T11 | 87 | Part I | 330.59(d)(1)(C) | Part I, Attachment 5 | Incomplete | Provide boundary metes and bounds description. |
| T12 | 88 | Part I | 330.59(d)(1)(D) | Part I, Attachment 5 | Incomplete | Provide drawing of boundary metes and bounds description. |
| T13 | 148 | Part II | 330.61(j)(1) | Part II, Attachment G | Inconsistent | Revise the general geology and soils statement to consolidate the historical information and updates, and to include references to drawings that show the features described in the statement. |
| T14 | 152 | Part II | 330.61(k)(1) | Part II, Attachment H | Incomplete | Revise the groundwater and surface water statement to include references to drawings that show the features described in the statement. |
| NT15 | 157 | Part II | 330.61(l)(1) | Part II, Attachment I | Incomplete | Revise the general geology and soils statement to consolidate the historical information and updates, and to include references to drawings that show the features described in the statement. |
| NT16 | 180 | Part II | 330.61(c)(10) | See Part II, Attachment B | Incomplete | Provide drawings showing locations and boundaries of easements, and information identifying where the easements are recorded in the county property records. |
| NT17 | 187 | Part II | 330.61(d)(3) | Part III, Attachment D1, Figure D1.1 | Ambiguous | Revise Figure 2-4 to clarify there is a piezometer inside the slurry trench and a separate monitor well outside the slurry trench at each location. |
| T18 | 196 | Part II | 330.61(d)(9)(D) | Part III, Attachment D1, Figure D1.2 | Omitted |  |
| NT19 | 275 | Part III | 330.63(b)(2)(D) | Attachment B, Section 3.0 | Inconsistent | Revise access control citation from Part IV-section 4.1 to Part IV section 8.1, on page B-4. |
| T20 | 290 | Part III | 330.305(a) | Attachment C | Incomplete | Clarify if HEC Modeling System was used for the drainage calculations in the existing permit with similar sub-drainage areas. Explain for using HEC Modeling System, instead of Rational Method for peak flow calculations for the sub-drainage areas of less than 200 acres. |
| T21 and T22 | 291 and 292 | Part III | 330.305(b) and 330.305(c) | Attachment D6, Figure D6-A | Incomplete | Provide sample design calculations, including cross-sectional details for the containment berms with a freeboard. |
| T23 | 294 | Part III | 330.305(d)(1) | Attachment C, Section 1.1 | Incomplete | Provide sample calculations for estimated peak velocities, and demonstrate that the estimated velocities will be less than the permissible non-erodible velocities at the top surfaces, and on the slopes during all phases of landfill operation. |
| T24 | 296 | Part III | 330.305(e) | Appendix C1-E and C1-F | Incomplete | Provide i) sample design calculations and ii) cross-sections for berms, swales, letdowns, channels, and ponds. |
| T25 | 298 | Part III | 330.305(e)(2) | Appendix C1-F | Incomplete | Provide i) sample design calculations and ii) cross-sections for berms, swales, letdowns, channels, and sediment collection pond for the interim phase of landfill operation. |
| T26 and T27 | 299 and 300 | Part III | 330.305(f)(1) and 330.305(f)(2) | Attachment C1 | Incomplete | Explain for not using Rational Method for drainage calculations for the sub-drainage areas of less than 200 acres. |
| T28 | 302 | Part III | 330.305(g) | Attachment D6, Section 2.2 | Incomplete | Provide sample calculations for the containment berm design, including cross-sectional details with the freeboard. |
| T29 | 303 | Part III | 330.63(c)(1)(A) | Attachment C1 | Incomplete | Provide a drainage map to indicate flow directions for each sub-drainage areas. |
| T30 | 304 | Part III | 330.63(c)(1)(B) | Appendix C1-D | Incomplete | Provide designs and cross-sections of all the proposed drainage facilities within the facility area, including for typical designs. |
| T31 | 305 | Part III | 330.63(c)(1)(B) | Appendix C1-D | Incomplete | Provide cross sectional details for the ditch, and ditch grades for entire length of the ditch. |
| T32 | 306 | Part III | 330.63(c)(1)(B) | Appendix C1-D | Incomplete | Provide flow rates, water surface elevation, velocities, and flowline elevations along the entire length of the ditch. |
| T33 | 307 | Part III | 330.63(c)(1)(C) | Attachment C1 | Incomplete | Provide sample calculations to demonstrate that the existing drainage patterns will not be adversely altered. |
| T34 | 308 | Part III | 330.63(c)(1)(D) | Attachment C1 | Ambiguous | Justify for using HEC Modeling Systems to estimate peak flow rates and runoff volumes for sub-drainage areas with less than 200 acres. |
| T35 | 311 | Part III | 330.63(c)(1)(D)(ii) | Appendix C1-B and Appendix C1-C | Incomplete | Provide sample hydraulic calculations for sizing berm, down chute, and pond, including for interim phases of landfill operation. |
| T36 | 312 | Part III | 330.63(c)(1)(D)(iii) | Attachment C | Incomplete | Since each of the comparison points/outfall points would receive runoff from sub-drainage areas with less than 200 acres, justify for using HEC Modeling System for drainage calculations. |
| T37 | 313 | Part III | 330.63(c)(1)(D)(iv) | Appendix C1-D and C1-E | Incomplete | Provide, i) sample design calculations, and ii) cross sectional details for berms, swales, perimeter channels, and ponds. |
| T38 | 314 | Part III | 330.63(c)(2)(A) | Attachment C1, Figures C1-1 and C1-2 | Incomplete | a) Provide figures as indicated in the Table of Contents of Attachment C2. b) Provide LOMR issued by FEMA for showing the facility boundary out of the 100-yr floodplain. |
| T39 | 315 | Part III | 330.63(c)(2)(B) | Attachment C2 | Incomplete | Provide drawing(s) showing the facility boundary on floodplain map with appropriate legend information. |
| T40 | 316 | Part III | 330.63(c)(2)(C) | Attachment C2 | Incomplete | a) Provide information detailing the specific flooding levels. Include data as required by 30 TAC Sections 301.33 - 301.36). Also, include cross-sections or elevations of landfill levees shown tied into contours. b) Ensure that this information is provided in the application for TCEQ review, and correspondences with FEMA, or with other agencies are included in Appendices for the record. |
| T41 | 318 | Part III | 301.33(a)(1) | Part III-Attachment D, Figure D-2, and Attachment C2 | Incomplete | Provide the details to address the rule requirements for the existing and proposed levees. |
| T42 | 319 | Part III | 301.33(a)(2) | Attachment C, Section 1.2 | Incomplete | Clarify if Cibolo Creek is the only watercourse that would be affected by the proposed landfill expansion. Also, provide the course of the creek indicating the direction of flow. |
| T43 | 320 | Part III | 301.33(a)(3) | Attachment C2, Page C2-1 | Omitted |  |
| T44 | 321 | Part III | 301.33(a)(4)(A) | N/A | Omitted |  |
| T45 | 322 | Part III | 301.33(a)(4)(B) | Will be provided at conclusion of LOMR review | Omitted |  |
| T46 | 323 | Part III | 301.33(b)(1) | Attachment C2 | Omitted |  |
| T47 | 324 | Part III | 301.33(b)(2) | Attachment C2 | Omitted |  |
| T48 | 325 | Part III | 301.33(b)(3) | not plausible with the existing creek section | Omitted |  |
| T49 | 326 | Part III | 301.34(1) | Attachment D5, Appendix D5-B | Incomplete | Provide stability analyses for perimeter berm under rapid drawdown case. |
| T50 | 327 | Part III | 301.34(2) | Attachment C2 | Omitted |  |
| T51 | 328 | Part III | 301.34(3) | Attachment C2 | Omitted |  |
| T52 | 331 | Part III | 301.34(6) | Attachment C2 | Incomplete | Provide cross sectional details to show a minimum freeboard of three feet above the 100-yr design flood hydraulic gradient. |
| T53 | 334 | Part III | 301.36 | See Part III | Omitted |  |
| T54 | 335 | Part III | 330.63(c)(2)(D) | Attachment C2 | Incomplete | Include (i) approval from the governmental entity with jurisdiction under Texas Water Code, Sections 16.236. (ii) a floodplain development permit. (iii) a Conditional Letter of Map Amendment from FEMA. (iv) a Corps of Engineers Section 404 Specification of Disposal Sites for Dredged or Fill Material permit for construction of all necessary improvements (e.g., pond construction). |
| T55 | 341 | Part III | 330.63(d)(1)(B) | Attachment D6 | Incomplete | Provide details for the control and containment of spills and contaminated water in the processing and recovery areas. Provide sample calculations supporting the design shown on Drawing D6-A. |
| T56 | 342 | Part III | 330.63(d)(1)(C) | Attachment B, Section 3.0 | Incomplete | Specify the maximum allowed period of time for processed and unprocessed wood waste and recyclable materials to remain in their areas. Provide details related to 330.63(d)(8) or remove the reference. |
| T57 | 347 | Part III | 330.63(d)(4)(A) | Attachment D, Section 3.1 | Ambiguous | Clarify whether "TxDOT approved traffic controls" refers to a traffic control plan approved by TxDOT. |
| T58 | 349 | Part III | 330.63(d)(4)(C) | Attachment D, Section 1.0 | Inconsistent | Delete references to the EPA and Subtitle D. Provide a consistent minimum elevation of landfill excavation throughout the application. Identify typical 150-ft by 150-ft processing and recovery area locations on Figures D-1and D1.3 through D1.5. |
| T59 | 351 | Part III | 330.63(d)(4)(E) | Attachment D2 | Incomplete | Provide a typical location on Figure D-1 for the berm shown in Figure D-2. Show soil borings, groundwater monitoring wells, and gas monitoring probes along the sections on Figures D2-1 and D2-2. |
| T60 | 352 | Part III | 330.63(d)(4)(E) | Attachment D2 | Incomplete | Label the positions of waste and the perimeter road on Figure D-2 relative to the perimeter berm. Label the slurry wall, existing perimeter berm, and proposed perimeter berm for the vertical expansion on Figures D2-1 and D2-2. |
| T61 | 356 | Part III | 330.63(d)(4)(F) | Attachment D3 | Incomplete | Revise the sidewall liner detail to reflect the existing perimeter berm with clay core and slurry wall. Provide a detail of the new berm and cover system relative to the existing perimeter berm with clay core and slurry wall. |
| T62 | 356 | Part III | 330.63(d)(4)(F) | Attachment D3 | Incomplete | Provide details of in situ and compacted soil liners that meet 330.331(d) for Type IV landfills. Revise the erosion layer in the final cover detail to match the erosion layer defined in the Surface Water Drainage Report. |
| T63 | 397 | Part III | 330.339(a) | Attachment D7 | Incomplete | Address the in situ clay liner, protective cover, the existing perimeter berm and its clay core, and the proposed perimeter berm for the vertical expansion. In Section 2.1, define the in situ soil liner and compacted soil liner that meet 330.331(d) for Type IV landfills. |
| T64 | 399 | Part III | 330.339(a)(1) | Attachment D7 | Omitted |  |
| T65 | 401 | Part III | 330.339(a)(2) | Attachment D7 | Incorrect | In Section 2.2, revise "should be on site during liner construction" to "will be on site during construction." |
| T66 | 403 | Part III | 330.339(b)(1) | Attachment D7 | Incorrect | In Section 3.4, delete the reference to stability analyses for interim slopes or provide those analyses. Replace "should not" with "will not". Revise "unless additional slope stability analyses are performed" to "unless the permit is revised." |
| T67 | 404 | Part III | 330.339(b)(2) | Attachment D7 | Incomplete | In Section 4.7, define the allowable slope or step for earthwork tie-ins. |
| T68 | 405 | Part III | 330.339(b)(2)(A) | Attachment D7 | Omitted |  |
| T69 | 413 | Part III | 330.339(c)(4)(A) | Attachment D7 | Incomplete | Provide a procedure to address failing permeability tests. |
| T70 | 418 | Part III | 330.339(c)(7) | Attachment D7 | Omitted |  |
| T71 | 420 | Part III | 330.339(c)(8) | Attachment D7 | Incomplete | Provide testing to verify the in-situ liner |
| T72 | 421 | Part III | 330.339(c)(9) | Attachment D7 | Omitted |  |
| NT73 | 474 | Part III | 330.63(e)&(1)(A) | Attachment E | Incomplete | Restructure the report to begin section numbering at 1. |
| T74 | 494 | Part III | 330.63(e)(4)(G) | Attachment E, Section 3.1.4 | Incomplete | Provide geologic cross sections prepared from the borings. |
| T75 | 501 | Part III | 330.63(e)(5)(B)(iii) | Attachment E, Section 3.1.5 | Incomplete | Provide discussion explaining why grain size analyses do not add up to 100%. |
| T76 | 504 | Part III | 330.63(e)(5)(C) | N/a | Incomplete | Provide complete historical groundwater elevation data for all monitoring wells, piezometers, and other borings. |
| NT77 | 506 | Part III | 330.63(e)(5)(E) | N/a | Format | Provide legible tables and charts of groundwater monitoring data. |
| T78 | 508 | Part III | 330.63(f) | N/a | Incomplete | Revise discussions in Groundwater Characterization Report to consolidate the historical information and updates, and to include references to drawings and tables in the application that show or detail the features described. |
| NT79 | 508 | Part III | 330.63(f) | N/a | Incomplete | Restructure the report to begin section numbering at 1. |
| T80 | 508 | Part III | 330.63(f) | N/a | Incomplete | Provide a map showing the waste area, property boundary, and groundwater monitor wells. |
| T81 | 508 | Part III | 330.63(f) | N/a | Incomplete | Revise the Overview of the Groundwater Sampling and Analysis Plan (GWSAP) in Appendix F-2 to indicate the GWSAP is part of the Site Development Plan (SDP). |
| NT82 | 508 | Part III | 330.63(f) | N/a | Incomplete | Provide the missing GWSAP Attachments 1,2, and 3. |
| NT83 | 556 | Part III | 330.403(a) | Attachment F | Incomplete | Annotate the monitor well data sheets in Appendix F1 to indicate which sheets are for monitor wells and which for piezometers. |
| NT84 | 556 | Part III | 330.403(a) | Attachment F | Incomplete | Revise sheets for monitor wells to show the show the casing stick up above the surface, and protective lockable collar. |
| NT85 | 556 | Part III | 330.403(a) | Attachment F | Incomplete | Annotate sheets for piezometers to clarify that there is not a concrete surface pad. |
| NT86 | 556 | Part III | 330.403(a) | Attachment F | Incomplete | Provide a discussion explaining what the single State of Texas Well Report represents. |
| NT87 | 556 | Part III | 330.403(a) | Attachment F | Incomplete | Annotate the casing drawings in Appendix F1 to identify whether they represent the monitor wells or the piezometers. |
| NT88 | 557 | Part III | 330.403(a)(1) | Attachment F, Section 3.1.1 | Incomplete | Provide tables and charts of groundwater monitoring that are legible. |
| T89 | 638 | Part III | 330.421(a)(1)(D) | Attachment F, Section 3.1.4 | Incomplete | Provide boring logs for monitor wells, sealed, and dated by a licensed professional geoscientist or engineer who is familiar with the geology of the area. |
| NT90 | 652 | Part III | 330.63(g) | Attachment G | Inconsistent | Revise titles and references in text and page headers to refer to Landfill Gas Management Plan. |
| NT91 | 652 | Part III | 330.63(g) | Attachment G | Inconsistent | Provide the drawings referenced in the text. |
| NT92 | 652 | Part III | 330.63(g) | Attachment G | Inconsistent | Remove references to specific brands or models of methane monitoring equipment, which may change if specified equipment becomes unavailable or better equipment is selected. |
| T93 | 656 | Part III | 330.371(b)(1)(D)&(E) | Attachment G, Section 1.0 | Incomplete | Reference a drawing that shows the facility structures referenced in the text. |
| T94 | 656 | Part III | 330.371(b)(1)(D)&(E) | Attachment G, Section 1.0 | Incomplete | Reference a drawing that shows the location of trenches and easements for utility pipelines that cross the facility boundary. |
| T95 | 658 | Part III | 330.371(c)-(1) | N/a | Incomplete | Revise reporting procedures in Section 3.0 to indicate that actions will be taken if methane concentration in any gas probe exceeds the levels in 330.371(a) (1.25% in facility structures and 5% at the facility boundary). |
| T96 | 666 | Part III | 330.371(f) | Attachment G, Section 2.0 | Incomplete | Provide gas vents in utility trenches that cross the facility boundary and procedures for monitoring the vents. |
| T97 | 680 | Part III | 330.453(a) and (b) | Attachment D8 - Final Cover Quality Control Plan | Incomplete | In Section 2.1, revise the erosion layer to match the erosion layer defined in the Surface Water Drainage Report. In Section 4.7, define the allowable slope or step for cover tie-ins. In Section 4.8, provide a procedure to address failing permeability tests. |
| T98 | 681 | Part III | 330.453(c) | Attachment D5, including Appendix D5-B | Incorrect | a. Clarify whether the slope stability analyses use total or effective stress parameters.  b. Revise the slope stability analyses to delete the in-situ clay liner along the side slopes above the shale.  c. Provide a stability analysis for a 3H:1V excavation side slope.  d. In Section 6: Remove the reference to interim waste slope stability analyses or provide the analyses.  e. Revise "will necessitate that the slope stability analyses be revised to reflect the changed conditions" to "will require that the permit be revised."  f. Revise "unless additional slope stability analyses are performed" to "unless the permit is revised. "  g. In Section 8.2, revise the erosion layer to match the erosion layer defined in the Surface Water Drainage Report. |
| T99 | 681 | Part III | 330.453(c) | Attachment D5, Appendix D5-A | Incomplete | Provide a cross-section and sample 10-layer settlement calculation. Identify the effect of waste settlement on the 6% final cover slopes and the drainage bench flowlines. |
| T100 | 758 | Part IV | 330.65(a) | Part IV | Inconsistent | Revise SOP for new current permit number 1848A, and new application submittal date September 2022 |
| T101 | 764 | Part IV | 330.123 | Part IV. Section 1.4 | Inconsistent | Revise Part IV section 1.4 to satisfy rule requirement |
| NT102 | 787 | Part IV | 330.127(1) | Part IV. Section 3.2 | Incomplete | Missing Table 3.1 |
| NT103 | 788 | Part IV | 330.127(2) | Part IV. Section 4.0 | Incomplete | Missing Table 4.1 |
| NT104 | 789 | Part IV | 330.127(2) | Part IV. Section 4.0 | Incomplete | Missing Table 4.1 |