



Office of the Secretary of State

CERTIFICATE OF FILING OF

High Plains Waste Water Disposal, LLC
File Number: 804112254

The undersigned, as Deputy Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Deputy Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 06/16/2021

Effective: 06/16/2021



A handwritten signature in black ink, appearing to read "Jose A. Esparza".

Jose A. Esparza
Deputy Secretary of State

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



**Certificate of Formation
Limited Liability Company**

Filed in the Office of the
Secretary of State of Texas
Filing #: 804112254 06/16/2021
Document #: 1059265360002
Image Generated Electronically
for Web Filing

Filing Fee: \$300

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

High Plains Waste Water Disposal, LLC

Article 2 - Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Willis E Malone

C. The business address of the registered agent and the registered office address is:

Street Address:

1900 SW 7th Avenue Amarillo TX 79106

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members. The names and addresses of the governing persons are set forth below:

Managing Member 1: **Willis E Malone**

Title: **Managing Member**

Address: **P.O. Box 32108 Amarillo TX, USA 79120**

Managing Member 2: **Tammy M Hutcheson**

Title: **Managing Member**

Address: **1900 SW 7th Avenue Amarillo TX, USA 79106**

Managing Member 3: **Kathy F Malone**

Title: **Managing Member**

Address: **P.O. Box 32108 Amarillo TX, USA 79120**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

General Purpose

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Kathy F. Malone P.O. Box 32108, Amarillo, TX 79120

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Kathy F. Malone

Signature of Organizer

FILING OFFICE COPY

TPDES CERTIFICATION STATEMENT

On behalf of High Plains Waste Water Disposal LLC, I, Willis Malone, Managing Member, certify that the appropriate Texas Pollutant Discharge Elimination System (TPDES) Permit coverage and any required local government stormwater permits will be obtained when required.

Willis E. Malone
(Owner Signature)

3/7/2023
(Date)

Property Owner Affidavit

I, **Willis Malone**, property owner of the **High Plains Waste Water Disposal** tract, acknowledge that the State of Texas may hold me either jointly or severally responsible for the operation, maintenance, and closure of the facility. I further acknowledge that I or the operator and the State of Texas shall have access to the property during the active life, and after closure for the purpose of inspection and maintenance, if required.

Willis Malone

Willis E. Malone

(Property Owner's Signature)

3/7/23

(Date)

Notary Public's Certificate

Subscribed and sworn to before me, by the said **Willis Malone**, this 7th day of March, 2023 to certify which witness my hand and seal of office.

Leslie Kim Dodson

Notary Public in and for Potter County, Texas.

My Commission expires 3/11/23



Evidence of Competency Information

List of all Texas solid waste operations that the owner and operator has operated in the last 10 years

Site Name	Operation Type	Permit/Reg. No.	County	Dates of Operation
Garbage Gators	Transporter		Potter	2011-? Expired
Wrangler Pumping	Transporter	ID No. 90744	Potter	2011-Present

List of all solid waste sites in all states, territories, or countries in which the owner and operator have a direct financial interest.

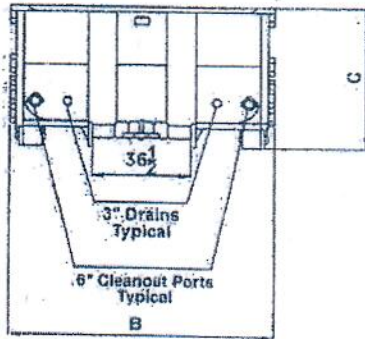
Site Name	Location	Dates of Operation	Regulatory Agency	(Name)
Wrangler Pumping	Amarillo, Tx	10/06/2011-Present	TCEQ	

Names of the principals and supervisors of the owner's and operator's organization, together with previous affiliations with other organizations engaged in solid waste activities.

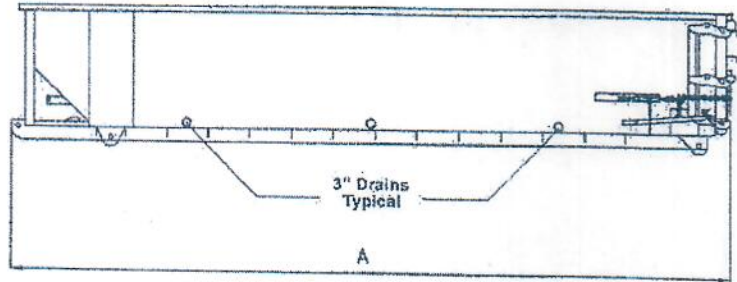
Name	Previous Affiliation	Other Organization
Willis Malone	President	Wrangler Pumping

Roll Off Container Filters

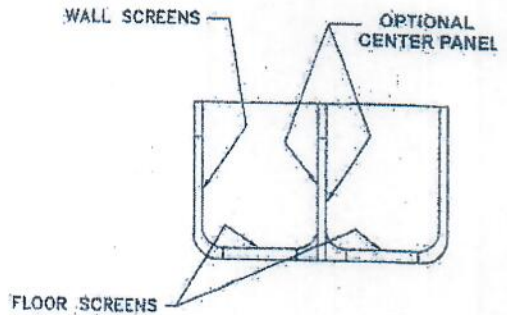
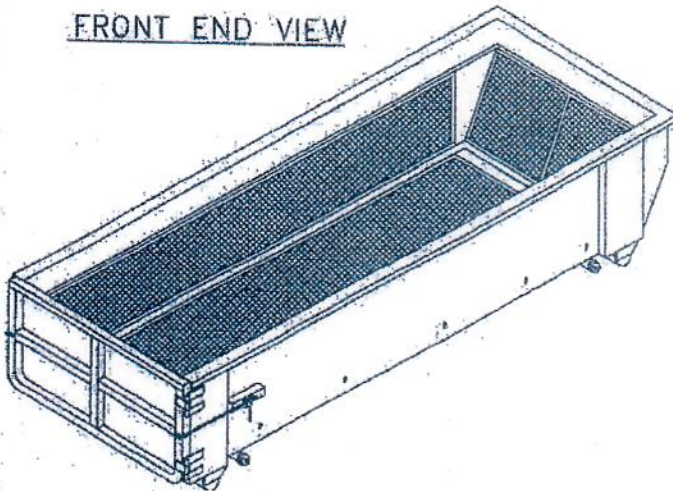
VOLUME	A	B	C
30 YD ³	271	90	71



FRONT END VIEW



SIDE VIEW



TYP CROSS SEC

FILTER SCREEN DATA:

STANDARD APPLICATION OF FILTER MEDIA IS INSTALLED ON SIX SIDES WITH THE FOLLOWING:
MONOFILAMENT-POLYESTER WITH PARTICULATE RETENTION RATED @ 330 MICRONS MAX. ATTACHED
TO MEDIA BACKING WITH STAINLESS STEEL STUD BUTTON HEAD BOLTS & STAINLESS STEEL LOCKING
CAP NUTS. ALL SCREENS TO BE MOUNTED FLUSH AND TIGHT WITH NO LEAKS FOR SOLIDS MIGRATION.

APPENDIX 4

SECONDARY CONTAINMENT CALCULATIONS (330.227)

This Appendix presents the High Plains Waste Water Disposal Facility secondary containment for spilled waste and rainwater at the unloading, processing and waste storage tank areas shown in Figure 4-1. The areas are designed to control and contain spills and contaminated water from leaving the facility. Each area is designed to contain spilled waste equal to the capacity of the largest liquid storage vessel. Additionally, 4.93 inches of rain from the 25 year, 24 hour storm (NOAA, Atlas 14) is controlled by:

- preventing accumulation with a roof, or
- providing full storage capacity at the area.

The calculations for secondary containment volumes are included as Tables in this Appendix.

Waste Storage Area

The design conditions assume that the largest 21,000 gallon waste storage tank leaks and loses all the liquid volume above the height of the released liquid contained inside the storage area. The other tanks remain intact, and they displace spill volume. This volume is subtracted in the storage calculations. The storage tanks are enclosed with a 2.5 ft tall clayey soil berm which is shown in Figure 4-1. This provides sufficient capacity to contain both the spilled volume of the largest tank and water from the 25 year, 24 hour storm, and it has 8 inches of freeboard above the level of the spill.

Processing Building, Including the Indoor Truck Unloading Area

Because the building contains a roof and its slab is elevated above surrounding grade, rainwater is not a factor in spill containment. The design conditions for the processing building assumes that a 5000 gallon tanker truck leaks and loses all of the liquid. The 4,847 gallon processing units in the building remain intact, and since they are elevated above the slab, their presence does not reduce the storage capacity within the containment. An office area and two lime and polymer tanks may be present in the building which displace storage volume, and this is subtracted in the calculations. The building contains a concrete slab which is sloped from the building perimeter to

a sump near the center of the building. The sloped slab will contain 0.13 ft of liquid adjacent to the sump without a spill leaving the building. A 4847 gallon sump is located near the center portion of the building, bringing total spill capacity to 7218 gallons. This provides sufficient capacity to contain a 5000 gallon spill.

FACILITY CLOSURE PLAN

1.0 CLOSURE REQUIREMENTS, 330.63(h), 330.459 and 330.461

No later than 90 days prior to the initiation of a final facility closure, High Plains Waste Water Disposal (HPWWD) shall, through a public notice in the newspaper(s) of largest circulation in the vicinity of the facility, provide public notice for final facility closure. This notice shall provide the name, address, and physical location of the facility, the permit number, and the last date of intended receipt of waste. HPWWD shall also make available an adequate number of copies of the approved final closure plan for public access and review. The facility will also provide a written notice to the TCEQ Executive Director of the intent to close the facility and will place this notice in the operating record.

Upon notification to the Executive Director, HPWWD will post a minimum of one sign at the main entrance and all other frequently used points of access for the facility notifying all persons who may utilize the facility or site of the date of closing for the entire facility or site and the prohibition against further receipt of waste materials after the stated date. To prevent the unauthorized dumping of solid waste at the closed facility, suitable barriers will be installed at all gates.

Within 10 days after completion of final closure activities of the facility, HPWWD will submit the certification of final closure and all necessary documents by registered mail.

All unprocessed, in-process, and processed material on-site will be evacuated to an authorized facility and remaining waste handling units and the loading/unloading/processing areas shall either be dismantled and removed off-site or decontaminated.

If there is evidence of release from the facility, the Executive Director may require an investigation into the nature and extent of the release and an assessment of measures necessary to correct an impact to groundwater.

HPWWD will complete final closure activities for the facility in accordance with the approved final closure plan within 180 days following the most recent acceptance of processed or unprocessed materials unless otherwise approved in writing by the executive director.

Within 10 days following completion of all final closure activities for the facility, HPWWD shall submit to the executive director a request for voluntary revocation of the facility permit and a documented certification, signed by an independent registered professional engineer, verifying that final closure has been completed in accordance with the approved final closure plan. The submittal to the executive director shall include all applicable documentation necessary for certification of final closure.

There will be no wastes remaining on-site after closure and no post-closure maintenance will be required.

2.0 CLOSURE COST ESTIMATE, 330.63 (j), 330.505

The following tables are a description of closure activities that would be required to be performed by a third party to close the facility. This closure cost estimate is the basis for the amount of financial assurance to be provided and assumes worst-case waste inventory conditions exist at the facility at the time of closure. The required documentation for financial assurance shall be submitted within 60 days of Permit Amendment approval and 60 days prior to initiation of Phase II operations. There are closure cost estimates included with this plan for both Phase I and II operations. The cost estimate representing actual conditions should be used at any time during the life of the facility. An increase in the closure cost estimate and the amount of financial assurance will be made if any changes to the facility conditions increase the maximum cost of closure at any time during the active life of the facility.

The financial assurance will be established and maintained for closure of the facility in accordance with TAC Chapter 37, Subchapter R, including annual inflation adjustments as required by TCEQ. Continuous financial assurance coverage for closure must be provided until all requirements of

the final closure plan have been completed and the site is determined to be closed in writing by the Executive Director. Closure activities would include at a minimum the following activities:

- Sampling and removal of all waste stored on-site. Closure costs assume that all storage tanks are full of unprocessed material and all processing tanks and units are full of waste or solids. These materials will be sampled for characterization and then transported to an authorized processing or composting facility or landfill for disposal;
- Washdown of all process areas, disconnection of pumps and other equipment so unauthorized use could not occur; and
- Final cleanup of site litter and debris, securing the site and vector control.

This Correspondence sent to jwa-01@suddenlink.net on 08-08-2022



Re: Project Review under the Antiquities Code of Texas
THC Tracking #202212195

Date: 08/08/2022

High Plains Waste Water Disposal, LLC
500 W. McAfee
Amarillo, TX

Description: registration of a facility to process sludge

Dear Client:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the Executive Director of the Texas Historical Commission (THC), pursuant to review under the Antiquities Code of Texas.

The review staff, led by Arlo McKee and Caitlin Brashear, has completed its review and has made the following determinations based on the information submitted for review:

Archeology Comments

- No effect on identified archeological sites or other cultural resources. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: Arlo.McKee@thc.texas.gov, caitlin.brashear@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit <http://thc.texas.gov/etrac-system>.

Sincerely,



for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Andersen & Associates Compliance Consultants, Inc.

March 1, 2023

Mr. Blair Johnson
District Engineer
Texas Department of Transportation
Amarillo District
8401 S. Washington St.
Amarillo, Texas 79118

Re: TCEQ Type V Municipal Solid Waste Permit Application Coordination
High Plains Waste Water Disposal Facility
Amarillo, Randall County, Texas

Dear Mr. Johnson:

High Plains Waste Water Disposal, LLC is preparing an application to the Texas Commission on Environmental Quality (TCEQ) for a Type V Municipal Solid Waste (MSW) Permit for the operation of a municipal liquid waste processing facility. The liquid processing facility will be located on approximately 5.0 acres at 500 E. McAfee Road, Randall County, Texas. The site is approximately 0.25 miles north of McAfee Road along a private road owned by Willis Malone, a Managing Member of the High Plains Waste Water Disposal, LLC. This road is known as Gettysburg Road and is an all-weather road with a crushed asphalt surface.

The private road gate at McAfee Road is approximately 0.5 miles east of the intersection of McAfee Road and Farm-to-Market Road 1541 (aka Washington Street). This intersection is approximately 4.5 miles south of the intersection of FM 1541 and Loop 335 in the southern portion of Amarillo, Texas. McAfee Road and Washington Street are two-lane asphalt paved roads maintained by the Texas Department of Transportation (TxDOT). The site is located at Latitude 35.0619667 N and Longitude 101.8417861 W. Please refer to the enclosed location map.

The subject property is un-zoned in a low density portion of Randall County. The processing facility will dewater municipal wastewater such as sludge, septage, grit trap waste and grease trap waste. Recovered solids will be trucked to an authorized area composting facility, processor or landfill. The recovered liquids will be disposed at an authorized wastewater facility. Future traffic impact is estimated to be 35 vehicles/day, which includes waste transport trucks as well as employee and visitor vehicles.

This letter is to request a letter of coordination with the TxDOT for traffic and location restrictions in accordance with TCEQ regulations at 30 TAC §330.61(i)(4). The information

APP 6-2

Mr. Johnson
March 1, 2023
Page 2

will be used to document coordination with your agency, to show adequate road service for the facility and to show that added traffic will not adversely affect the roadway. Information regarding the adequacy of the roads in the area as well as traffic counts for roads that are under the TxDOT jurisdiction is appreciated. Please e-mail your response to me at jerryandersen@suddenlink.net.

Thank you for your time and assistance. If you have any questions or need any additional information, please contact me at (806) 679-9735 or via the e-mail address provided above.

Sincerely,

Jerry Andersen, PG

Andersen & Associates Compliance Consultants, Inc.

APP 6-3

2318 Victoria

Amarillo, Texas 79106
L221227_TXDOT

806.679.9735



5715 CANYON DRIVE, AMARILLO, TEXAS 79110 | 806.356.3261 | WWW.TXDOT.GOV

11/3/2023

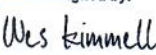
Jerry Anderson, PG
Anderson & Associates Compliance Consultants, Inc.
2318 Victoria
Amarillo TX 79106

Re: TCEQ Type V Municipal Solid Waste Permit Application Coordination
High Plains Waste Water Disposal Facility
Amarillo, Randall County, Texas

Mr. Anderson,

The proposal has been reviewed and the additional traffic will not adversely affect TxDOT. This proposal is approved by TxDOT. If changes occur, please contact us so we may reevaluate.

Sincerely,

DocuSigned by:

4091D73729A34DC...

Wes Kimmell, P.E.
Amarillo District Director of Operations

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

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Andersen & Associates Compliance Consultants, Inc.

March 1, 2023

Mr. Dustin Meyer
Executive Director
Panhandle Regional Planning Commission
415 S. W. 8th Avenue
Amarillo, TX 79101

Re: TCEQ Type V Municipal Solid Waste Permit Application Coordination
High Plains Waste Water Disposal Facility
Amarillo, Texas

Dear Mr. Meyer:

High Plains Waste Water Disposal, LLC is preparing an application to the Texas Commission on Environmental Quality (TCEQ) for a Type V Municipal Solid Waste (MSW) Permit for the operation of a municipal liquid waste processing facility. The approximately 5-acre site is located at 500 E McAfee Rd, Amarillo, Texas 78332 in Randall County.

Parts I and II of the TCEQ Permit Application contain general information about the project and are enclosed for your information and review for compliance with the regional solid waste plan. Other parts of the TCEQ application, which are not enclosed, contain detailed designs, operating plans and supporting documentation.

This facility plans to accept municipal or Class 2 or Class 3 nonhazardous industrial wastes comprised of grease trap, grit trap, lint trap and septage waste; raw sewage, lift station and chemical toilet waste; animal wastes; drinking water treatment and wastewater treatment sludge; food waste; stormwater and groundwater collection/drainage system cleanout wastes. The facility will offer an alternative to landfill and sewer plant disposal and will help keep problem liquids out of landfills and problem solids out of wastewater plants. At the proposed facility, liquid waste will be delivered via truck, checked for acceptability, and placed in the storage tanks prior to dewatering. Waste will typically be dewatered using a roll-off filtration unit. The solids will be transported to an authorized compost facility or landfill, and the separated wastewater will be disposed of at an authorized wastewater disposal facility.

If the Panhandle Regional Planning Commission has any comments regarding compliance with the regional solid waste plan, please send them to me in writing (via the e-mail address provided below). All correspondence will be included with the application to TCEQ.

APP 6-5

Mr. Meyer
March 1, 2023
Page 2

Thank you for your time and assistance. If you have any questions or need any additional information, please contact me at (806) 679-9735 or via e-mail at jerryandersen@suddenlink.net.

Sincerely,

Jerry Andersen, PG

Andersen & Associates Compliance Consultants, Inc.

APP 6-6

2318 Victoria

Amarillo, Texas 79106
L221227_Panhandle RPC

806.679.9735

From: Daphne Morcom
Sent: Tuesday, November 14, 2023 1:10 PM
To: jerryandersen@suddenlink.net
Subject: TCEQ Type V Municipal Solid Waste Permit Application Coordination

Good afternoon Mr. Andersen,

Your information was forwarded over to from our ED, Mike Peters, as I am the solid waste planner here at PRPC. Attached you will find the Plan Conformance/Permit Review paperwork that is required to be completed and presented to our Regional Solid Waste Management Advisory Committee per our Regional Solid Waste Management Plan. Please complete this and return it to me. Let me know if you have any questions.

Thanks,

Daphne Morcom
Regional Services Program Specialist
Panhandle Regional Planning Commission
PO Box 9257, Amarillo, TX 79105
415 Southwest Eighth Avenue, Amarillo, TX 79101
806.372.3381 p
806.373.3268 f
dmorcom@theprpc.org
www.theprpc.org



Find Recycling Information at the PRPC's Solid Waste web page: <http://theprpc.org/Programs/SolidWasteMgmt/default.html>
Find Criminal Justice Training Information at the PRPC's Law Enforcement Training website: www.plets.org