

TEXAS

CLOSED LANDFILL INVENTORY

RESOURCE GUIDE



WASTE

GARBAGE

GENERAL INFORMATION FOR DEVELOPERS AND ENVIRONMENTAL CONSULTANTS

GET THE FACTS...

about the Closed Landfill Inventory for the H-GAC Region

Q. Why are we concerned with closed landfills?

A. As garbage decomposes, it produces methane gas, which can lead to explosions in high concentrations. Several years ago, in the Austin area, an apartment complex built above an unknown landfill had to be evacuated because of a methane gas leak.

The Texas Closed Landfill Inventory provides valuable information regarding potential development limitations for environmental consultants and others investigating historical use of properties.

Q. Why are H-GAC and other Texas COGs involved in the Closed Landfill Inventory?

A. It's the law. In 1993, the Texas Legislature passed HB 2537 which required COGs to develop an inventory of closed municipal solid waste landfills as part of their regional solid waste management plans. More than 500 sites were identified in H-GAC's region and compiled into a database. Then, additional legislation in 1999 (SB 1447) required COGs to focus more detail on site boundaries, where feasible.

Q. Is more research required before development?

A. Yes. The majority of the sites in the Closed Landfill Inventory (CLI) for the H-GAC region are unpermitted sites, meaning an application was never filed with and/or a permit was never granted by the Texas Commission on Environmental Quality (TCEQ), Texas Department of Health or another permitting or regulatory agency.

Without permit information, there is little to no hard copy documentation of the history or use of the landfill. The CLI is another resource to aid in researching property - the CLI is not intended to eliminate research for environmental site assessments or other environmental documents. It may be necessary to perform additional research in the form of soil borings, etc. to confirm boundaries, waste types, etc.



Q. Does the CLI require clean up for these sites?

A. No. Clean up was not included in the legislation. New legislation would have to be passed requiring clean up of sites.



Q. What kind of development is allowed on a closed landfill?

A. For sites that are deed recorded, development is allowed, but limited. This limitation is to protect against any potential disturbance of the landfill's final cover or liner. Disturbance of the final cover or liner systems is prohibited according to the Texas Administrative Code. Some of these

prohibitions include borings, piers, spread footings, foundations for light standards, fence posts, manholes, on-site disposal systems and recreational facilities. (For more information, please see: TAC, Title 30, Part 1, Chapter 330, Subchapter T – Use of land over closed municipal solid waste landfills, §330.951 - §330.964).

Q. What if a closed landfill is identified on a property but there never was a landfill?

A. There is an appeal process if a property owner wants to dispute the identification of a closed landfill on the property. The property owner may offer proof that the waste was removed from the site and/or may sign an affidavit attesting that the property was never used as a landfill; however, the TCEQ ultimately makes the decision.

Q. How to get a copy of the CLI?

A. The CLI contains information for over 500 sites in the H-GAC region. Each site is approximately four pages in length. Due to the high number of pages involved in just one copy of the CLI, a fee will be assessed for copies of the CLI. Interested parties may view available records for individual closed landfill sites by appointment only. The CLI is available online at no charge at www.hgac-cli.com

If you have any questions please contact us at:

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