



Certification of Compliance with LDC Ch. 25-1-84/30-1-114
Applications Relating to a Closed Municipal Solid Waste Landfill

Site Address _____

Complete Section A if your site is:

- Less than or equal to 1 acre and **not** within a landfill buffer as shown on the City of Austin Closed Landfills maps.

Complete Section B if your site is:

- Greater than 1 acre; or
- Less than or equal to 1 acre **and** within a landfill buffer as shown on the City of Austin Closed Landfills map.

See bottom of the form for information on where to obtain a map of Austin area closed landfills or how to obtain information about state development regulations.

Section A

The site for which I am submitting an application for subdivision, site plan, or building permit is less than 1 acre, is not within a landfill buffer, and I am not aware of any information indicating the site may contain any portion of a municipal waste landfill.

Signature of Applicant Print Name Date

Section B

Complete subsection (1) or (2) below:

(1) I certify the subject site does not contain a municipal solid waste landfill as referenced in TAC Ch. 330, Subch. T. This opinion is based on information gathered using:

- Completed Soil Test I in accordance with TAC §330.953*
- Completed Soil Test II in accordance with TAC §330.953*
- Completed Soil Test III in with TAC §330.953*

**Texas Administrative Code Title 30, Part 1, Chapter 330, Subchapter T, Rule §330.953*

Test I. *The licensed engineer shall observe all subsurface disturbances, undertaken for whatever reason, during development through the completion of the foundation. A subsurface investigation prior to construction is not required by Test I.*

Test II. *A subsurface investigation undertaken for the purpose of finding a closed municipal solid waste landfill unit. The investigation must incorporate a sufficient number of borings or excavations, the number of which shall be determined on a site-specific basis by the licensed professional engineer. Each boring or excavation shall be to a minimum depth of ten feet.*

Test III. *A subsurface investigation conducted at the development site for geotechnical or environmental purposes, or a housing and urban development test for a homeowner's warranty.*

Closed Landfill Name

Signature of Professional Engineer

Print Name

Engineer's Seal (required)

(2) I certify the subject site contains a municipal solid waste landfill as referenced in TAC Ch. 330, Subch. T, and one of the following has been completed and the corresponding documentation is enclosed with this form:

- A development permit from the Texas Commission on Environmental Quality (TCEQ) has been obtained.
- A written letter from the TCEQ that a development permit is not required has been obtained.*
- Certification from a licensed professional engineer that the applicant will conduct soil testing under the requirements of the TCEQ during the construction of the foundation to determine whether the site overlies a CMSWL as defined by TAC Ch. 330 Subch T (TCEQ Soil Test I).

Closed Landfill Name

Signature of Professional Engineer

Print Name

Engineer's Seal (required)

*The Texas Commission on Environmental Quality has its own Development Permit that is required and is separate from the City of Austin development process. Please contact the TCEQ Municipal Solid Waste division for more information.

If waste is encountered during any point of the development phase, the applicant is required to stop all work and obtain a development permit from the Texas Commission on Environmental Quality.

The City of Austin Closed Landfills maps can be found online at <http://austintexas.gov/department/development-over-closed-landfills>. For questions on Austin area landfills email: ClosedLandfills@austintexas.gov.

Information on Texas Commission on Environmental Quality (TCEQ) soil test methods and regulations can be obtained online at https://www.tceq.texas.gov/permitting/waste_permits/msw_permits/closedlfs or by contacting the TCEQ at (512) 239-2335 or via email: mswper@tceq.texas.gov.