

Brooke T. Paup, *Chairwoman*  
Bobby Janecka, *Commissioner*  
Catarina R. Gonzales, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 12, 2025

Mr. Jeffrey Paine  
Owner  
Break It Down, L.L.C.  
P.O. Box 144851  
Austin, Texas 78714

Via Email

Subject: Break It Down Ranch Rd - Lee County  
Municipal Solid Waste - Notification No. 47084  
Composting Notification - Acknowledgement  
Tracking No. 30240138; RN112068390/CN604373332

Dear Mr. Paine:

We have completed the review of your notification to operate a compost facility, received September 3, 2024, with additional submittals dated October 8, 2024, December 30, 2024, January 8, 2025, January 17, 2025, and July 23, 2025, for the above referenced facility. The Office of Chief Clerk mailed Notice of the facility's operations to adjacent landowners et al., on November 19, 2024.

The submittal complies with the requirements in Title 30 Texas Administrative Code (30 TAC), Chapter 332, Subchapter A and Subchapter B, 30 TAC §328.4, and 30 TAC §328.5. Your facility has been assigned MSW No. 47084. Please reference this number in all future correspondence to the TCEQ.

As stated in the application, following are specifications related to this facility:

Name of Site Owner/Operator: Break It Down, L.L.C.

Contact Information: (512) 423-9559

Property Owner: Ranch Rd 3264 LLC

Facility Address: 0.2 miles north on CR 326 from CR 1624, and then one mile west after turning onto Private Road 3264, in Lee County

Materials Authorized for Composting: Meat, fish, dead animal carcasses, oil, grease, dairy materials, yard trimmings, clean wood, vegetative materials, paper, and manure from commercial, municipal, and institutional sources.

Combustible Materials Managed at the Facility: Yes

Maximum Volume of Combustible Materials Stored Outdoors: 2,200 cubic yards

Financial Assurance Amount: \$46,183.00

Financial Assurance Mechanism: Payment Bond

Mr. Jeffrey Paine  
MSW Notification No. 47084  
Page 2  
September 12, 2025

Enclosed is a copy of the requirements that apply to this facility. Please be aware that it is a continuing obligation of persons associated with a facility to ensure facility operations are conducted in a manner which does not cause a nuisance or endangerment of the public health, welfare or the environment. Failure to operate and maintain the facility in accordance with applicable federal and state laws and regulations, as proposed in the current Notice of Intent form, will be considered a violation that may be subject to enforcement action.

Please note that the facility may be subject to other regulatory requirements (e.g. storm water permits, air emission permits) and is required to obtain such authorization prior to commencing operations. For assistance with other required authorizations, please contact the TCEQ Environmental Assistance Section at (800) 447-2287 or access the MSW Permit Section's website at [www.tceq.texas.gov/goto/mswrecycle](http://www.tceq.texas.gov/goto/mswrecycle).

For questions regarding financial assurance, contact the Revenue Operations Section at (512) 239-0300. When addressing written correspondence to the Financial Assurance Section, please include the mail code MC 184.

If you have any questions about this letter, please contact MSW Permit Section Staff at (512) 239-2335 or [mswper@tceq.texas.gov](mailto:mswper@tceq.texas.gov) or the address on our letterhead (please include mail code MC 124 on the first line).

Sincerely,

A handwritten signature in black ink that reads "Charly Fritz". The signature is stylized with a large, looped "C" and a trailing flourish.

Charly Fritz, Deputy Director  
Waste Permits Division  
Texas Commission on Environmental Quality

CF/AA/JLB

Enclosure

## **TCEQ Requirements for Notification No. 47084**

### **Break It Down Ranch Rd**

#### **I. OPERATIONAL REQUIREMENTS**

1. The facility must utilize functionally aerobic composting methods, although an anaerobic composting phase may be utilized in the early stages of processing, if it is followed by a period of functionally aerobic composting.
2. The facility must use one of the following protocols to reduce pathogens during composting:
  - a. The within-vessel composting method or the static aerated pile composting method; the temperature of the composting materials shall be maintained at 55 degrees Centigrade (131 °F) or higher for three days; or
  - b. The windrow composting method; the temperature of the composting materials shall be maintained at 55 degrees Centigrade (131 °F) or higher for 15 days or longer. During the period when the composting materials are maintained at 55 degrees Centigrade (131 °F) or higher, there shall be a minimum of five turnings of the windrow.
3. Fungicides, herbicides, insecticides or other pesticides that contain constituents listed in 40 CFR Part 261, Appendix VIII-Hazardous Constituents or on the Hazardous Substance List as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) must not be applied to or incorporated into feedstocks, in-process materials or processed materials.
4. The operator of a compost facility shall address the release of a chemical of concern from a compost facility to any environmental media under the requirements of 30 TAC, Chapter 350 (relating to Texas Risk Reduction Program) to perform the corrective action.

#### **II. LIMITATIONS ON STORAGE OF RECYCLABLE MATERIALS**

1. The site operator must demonstrate that the accumulated materials are recyclable and marketable by maintaining published indexes, sales receipts, or price quotations from buyers, or other documentation acceptable to the executive director.
2. The site operator must maintain records to demonstrate:
  - a. At least 25% by weight or volume of each material type accumulated within the first 90 days of facility operation have been recycled or transferred to a different site for recycling within the first 270 days of operation.
  - b. At least 50% by weight or volume of each material type accumulated at the beginning of any 6-month period, following the initial 270 days of operation, have been recycled or transferred to a different site for recycling at the end of the 6-month period.
  - c. Recycled materials must be contained, covered, or otherwise protected from degradation, contamination, or loss of value.
  - d. Compost or ground mulch may be placed in windrows, static piles, or vessels.

- e. Incidental amounts of non-recyclable waste do not exceed 10% of each incoming load and averages no more than 5% of all materials received in the preceding 6-month period.
3. A permit or registration under Chapter 330 or Chapter 332 will be required if the facility processes recyclable material that contains more than incidental amounts of non-recyclable waste, unless the executive director grants alternative compliance standards.

### III. REPORTING AND RECORDKEEPING

1. Any updates or changes to the information submitted in the current Notice of Intent form and/or TCEQ Core Data Form must be reported to the executive director within 90 days of the change.
2. Records must be maintained at the facility to demonstrate compliance with the following:
  - a. Compliance with limitation on storage of recyclable materials.
  - b. Reasonable efforts to maintain source-separation of materials received by the facility, including:
    1. Notice to customers of source-separation requirements;
    2. Training of staff to inspect incoming loads to ensure that they contain no more than 10% incidental non-recyclable waste;
    3. Documentation of loads that have been rejected for exceeding 10% incidental non-recyclable waste and their final disposal location; and
    4. Documentation that incidental non-recyclable waste constitutes no more than 5% of all materials received in the preceding 6-month period.
  - c. Maintenance of financial assurance, as approved and consistent with amount of stored material, sufficient to cover all closure costs.
3. The records must be available upon request to the executive director or other government entities with jurisdiction over the facility's property.
4. The site operator must maintain at the site a fire prevention and suppression plan that is available to the local fire prevention authority.
5. Operating status of the facility must be reported annually no later than December 31 through the State of Texas Environmental Electronic Reporting System (STEERS).

### IV. CLOSURE COST ESTIMATE

The site operator must submit a revised closure cost estimate for financial assurance if the quantity of combustible materials stored outdoors changes from the quantity indicated in the current Notice of Intent form. In addition, the site operator must provide a new financial assurance mechanism in an amount not less than the updated closure cost estimate to the TCEQ Financial Assurance Unit.

### V. CLOSURE

1. At facility closure, the site operator must remove all processed and unprocessed materials from the

Mr. Jeffrey Paine  
MSW Notification No. 47084  
Page 3  
September 12, 2025

site to an authorized disposal or processing facility or as otherwise authorized by the executive director.

2. Closure of the facility must be completed within 180 days of last receipt of processed or unprocessed materials or as otherwise authorized by the executive director.
3. The site operator must inform the executive director of intent to close in writing and request a final inspection of the facility by the applicable TCEQ Regional office prior to closure.

