



June 19, 2008  
Project No. 08-05-27

P. Hunt Prompuntagorn  
MC 124  
Municipal Solid Waste Permits Section  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

**Re: Response to a TCEQ Notice of Deficiency Letter Dated May 20, 2008, ECD  
Ellis County Landfill, MSW Permit No. 1745-B, Ellis County, Texas;  
WWC11924556; RN100242460/CN600134985**

Dear Mr. Prompuntagorn:

On behalf of the ECD Ellis County Landfill, this letter is written to provide responses to comments contained in a letter dated May 20, 2008, from the Texas Commission on Environmental Quality (TCEQ). The letter requested that the comments be addressed within 30 days (June 19, 2008). The TCEQ comments are provided below in italics with our response immediately following.

Comment 1: *In accordance with 30 TAC §330.59(c)(3)(B), all permit modifications requiring notification should be submitted with an adjacent landowners list in hardcopy and electronic form. Please submit the adjacent landowner information in the proper format. An example of the correct address format can be found in our application guidance at the following site:*

<http://www.tceq.state.tx.us/assets/public/permitting/waste/msw/forms/0650.pdf>

Response: The Adjacent Property Owner's List is provided on the enclosed CD as requested.

Comment 2: *Table 5-4 of Attachment 5 of the Site Development Plan contains 2 sub-tables, the "Existing Detection Monitoring System" and the "Proposed Detection Monitoring System". Please explain why the existing upgradient monitoring wells (MW-1A and MW-11) in the sub-table Existing Detection Monitoring System are red-lined as revised text. Furthermore, the mentioned table also indicates that the existing upgradient monitoring well MW-11 will be converted from the existing piezometers well to an upgradient monitoring well. Please include information to ensure that the new reassigned upgradient monitoring well will comply with requirements set forth in 30 TAC §330.401(b) and 30*

*TAC §330.403(a)(1), regarding background data establishment. Please note that during the background establishment period, if the result of the collected background data of any of the required parameters exceed the established background limits, further investigation and evaluation will be required to determine its suitability for an upgradient monitoring well. In addition, the sub-table Proposed Detection Monitoring System indicates that the downgradient detection monitoring well MW-9 will be converted to an upgradient piezometers well. Please provide justification and demonstration to support this elimination of the downgradient detection monitoring well and converting it to the proposed upgradient piezometer.*

Response: Table 5-4 of Attachment 5 of the Site Development Plan was revised from Attachment 5 Technically Complete June 3, 1998 permit application. In order to provide for a convenient review by the TCEQ, the former Table 5-4 was split into two sub-tables: Existing and Proposed. In the 1998 document, Table 5-4 was title "Proposed Detection Monitoring System". The 2008 "Existing Detection Monitoring System" sub-table was revised from the former 1998 table. The 1998 Table 5-4 did not include current monitoring well MW-1A. It was therefore added as redlined revised text. Similarly, the words "Existing Piezometer P-12" associated with MW-11 were revised to "Existing Monitoring Well" to reflect the current status of this well. All the proposed wells at the time of 1998 are in fact existing wells now. The second sub-table was a new addition to illustrate the newly proposed system and therefore was fully underlined. A comprehensive revised Table 5-4 listing the 2008 proposed groundwater monitoring system with additional details is provided as part of this response to replace the prior tables.

Conversion of piezometer P-12 to upgradient monitoring well MW-11 was proposed in the 1998 permit modification and was subsequently approved by the TCEQ (then TNRCC). However, piezometer P-12 was inadvertently plugged in 2003. A replacement well was installed in accordance with 30 TAC §330.421 and labeled MW-11. The well installation report was submitted to the TCEQ on February 19, 2008 and subsequently approved by the TCEQ in the letter dated March 4, 2008. The well was not *reassigned*, but installed as an upgradient well. Upon completion of background monitoring, data will be evaluated to ensure compliance with 30 TAC 330.401(b) and 30 TAC 330.402(a)(1) and statistical analyses per the facility Groundwater Sampling and Analysis Plan (GWSAP) initiated. Your comments regarding results of the suitability of collected background data are acknowledged.

Please see response to TCEQ Comment 3 regarding converting "downgradient" monitoring well MW-9 to an upgradient piezometer.

Comment 3: *Section 2.2 on Page 5-5 of Attachment 5 of the Site Development Plan indicates that the permit modification will use the existing point of compliance (POC). However, the POC shown in Figure 5A.1 of Attachment 5 is not the same as the approved POC Shown in Figure 5A.1 of the permit application dated July 8, 1998. The provided Figure 5A.1 seems to shorten the POC and does not include the existing downgradient monitoring well MW-9 in the groundwater detection monitoring system. Please provide justification for the POC reconfiguration to include, at minimum, the landfill's Groundwater Characterization Report, any geological or hydrogeological studies performed since the Groundwater Characterization Report, and historical groundwater potentiometric surface maps to depict any variations in groundwater flowpaths over time.*

Response: In order to provide a clear demonstration on the updated POC, including the conversion of MW-1A and MW-9 to piezometers, the paragraphs provided below have been inserted into Section 2.2 of Attachment 5:

The following discussion provides detailed discussion regarding the revision of the Point of Compliance and conversion of MW-1A and MW-9 to piezometers. Monitoring well MW-9 was included in the former POC in the 1998 permit application; however, subsequent monitoring data reveals the groundwater elevations in MW-9 have been consistently higher than those of MW-3, the adjacent monitoring well. Groundwater contour maps (Figure 5B.1 through 5B.11), provide the groundwater level measurements since 2002, and consistently illustrate that MW-9 is located upgradient of the facility. Figure 4C.1 of Attachment 4, Geology and Geotechnical Report, depicts the groundwater in the vicinity of MW-9 as flowing northeasterly and entering into a lower valley between MW-9 and MW-3. The flow direction exhibits a good correlation with the topography in the adjacent area. Therefore, the proposed Point of Compliance (POC) for the ECD Landfill should exclude MW-9. The new proposed monitoring well MW-17 expands the POC from MW-3 (to be decommissioned) to the southwest and will be able to detect any release from the west edge of the landfill. Therefore, the proposed POC for the ECD Landfill fulfills the requirement of 30 TAC §330.403(a)(2).

It is reasonable to convert MW-9 and MW-1A into piezometers for measuring water levels only as the facility has two additional upgradient monitoring wells, MW-10 and MW-11. Existing data from wells MW-1A, MW-9, and former well MW-1 combined with ongoing collection of data from MW-10 and MW-11 are sufficient for current and future statistical analyses and data comparisons. In the future, for purposes of alternate source demonstrations or similar characterizations associated with groundwater at the facility wells MW-1A and MW-9 may be sampled