



June 9, 2011
Project No. 11-05-29

Mr. Frank Zeng
Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: Response to TCEQ Notice of Deficiency Letter Dated May 10, 2011, Trinity Oaks Landfill, Groundwater Monitoring Well System Revision Permit Modification; MSW Permit No. 556, Dallas County, Texas; Tracking No. 14662293; RN100217942/CN601541469

Dear Mr. Zeng:

This letter is written on behalf of the Trinity Oaks Landfill in response to a Texas Commission on Environmental Quality (TCEQ) letter dated May 10, 2011. The letter requested that the TCEQ comments be addressed within 30 days (June 9, 2010). The TCEQ's comments are provided below in italics, with our response immediately following.

Comment 1: (Regarding response to Comment No. 2b of our March 8, 2011 NOD letter) The revised application included some documents as evidence that the permittee owns the adjacent land where the offsite monitoring wells are located and did not include the measures suggested in the comment. The cover letter for the April 8, 2011 submittal indicated that we may contact Mr. Eduardo Choquis at (817) 317-2047 if we have any questions regarding the submittal. Per an April 15, 2011 telephone conversation between Mr. Choquis and Mr. Matthew Udenenwu, Team Leader of the TCEQ MSW Permits Section Team II and Frank Zeng of the TCEQ MSW Permits Section Team II, the permittee will submit an addendum to this permit modification application. The addendum will provide certified agreement giving TCEQ perpetual access to the monitoring wells located outside the facility boundary and allow them to conduct necessary inspections on the monitoring wells. The addendum will also commit the permittee to informing the TCEQ in advance of any expected changes in ownership of and/or actual control over the land where the offsite wells are located. So far, we have not received the expected addendum. Please submit the addendum.

Response: The requested addendum was implemented soon after the telephone conversation with Mr. Choquis. However, signing of the document was inadvertently delayed due to an illness experienced by one of the parties

involved. A voice message was provided to Mr. Udenenwu on or about May 12th explaining the delay and indicating that the document would be submitted in the near future. The document was signed on May 12, 2011 and submitted to the TCEQ on May 16th. Another copy of the document is attached for your use.

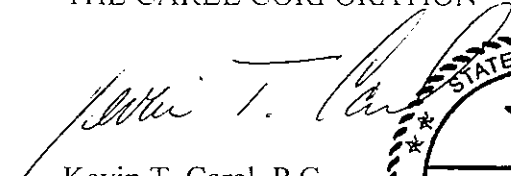
Comment 2: *(Regarding response to Comment No. 3 of our March 8, 2011 NOD letter) The application was not revised as suggested by the comment. Please revise the application as suggested or the permit modification approval sheet, if issued, will include a condition such as "the permittee shall evaluate the future groundwater data obtained during the groundwater monitoring process and, if necessary, submit a request to expand the point of compliance and installing additional monitoring wells in accordance with the well spacing requirements included in Chapter 330, Subchapter J."*

Response: You are correct, the application was not revised to include the additional wells requested in Comment 3 of the March 8, 2011 letter. The NOD response dated April 8, 2011 explained that additional monitor wells located between MW-3 and MW-14 and MW-4 and MW-7A would be redundant. Further, the section of the landfill between MW-3 and proposed well MW-14 does not meet the definition of a POC as stated in 30 TAC 330.3(106), as most of that section is greater than 500 feet from the hydraulically downgradient placement of waste. The portion that is within 500 feet of the downgradient placement of waste will be monitored by the proposed POC defined by wells MW-14 through MW-18 and MW-8. Similarly, the section of the landfill between MW- 4 and MW-7A does not meet the definition of a POC as most of that section is also greater than 500 feet from the hydraulically downgradient placement of waste. That portion of the landfill within 500 feet of the downgradient placement of waste will be monitored by the proposed POC defined by wells MW-7A and MW-9. A demonstration document was provided in order to demonstrate how the proposed POC designed between MW-7A and MW-9 and proposed wells MW-14 and MW-18 meets the requirements of 30 TAC 330.3(106) and how additional POC segments between MW-4 and MW-7A and MW-3 and proposed well MW-14 are redundant and provide no added benefit to the groundwater monitoring activities at the site. Another copy of the demonstration document is attached for your use.

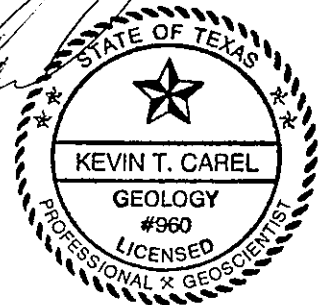
Mr. Frank Zeng
June 9, 2011
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I trust this information meets your needs, please call Mr. Eduardo Choquis at (817) 317-2047 if you have any questions.

Sincerely,
THE CAREL CORPORATION



Kevin T. Carel, P.G.
President



6-9-11

Att: Statement of Property Access
Point of Compliance Demonstration

cc: TCEQ Region 4 Office
Jane Berry – Trinity Oaks Landfill TX, LP
Eduardo Choquis – Trinity Oaks Landfill TX, LP
Mark Allendorf – Republic Services, Inc. (e-copy)

Statement of Property Access



May 16, 2011
Project No. 11-04-33

Mathew Udenenwu
Municipal Solid Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Re: Statement of Property Access for Groundwater Monitoring Well System
Revision Permit Modification; MSW Permit No. 556, Dallas County, Texas;
Tracking No. 14612180; RN100217942/CN601541469**

Dear Mr. Udenenwu:

Attached please find a Statement of Property Access concerning existing monitor wells MW-7A and MW-8 as well as proposed well MW-9 at the Trinity Oaks Landfill. The document is provided per your request to stipulate that the TCEQ will be provided access to said wells during the post closure monitoring period. It is intended as a supplement to the previously submitted proof of property ownership contained in the permit Notice of Deficiency response dated April 8, 2011. I trust this information meets your needs. Please call Ms. Jane Berry at (254) 687-2511 ext.23019 or me if you have any questions.

Sincerely,
THE CAREL CORPORATION

A handwritten signature in black ink, appearing to read "Kevin T. Carel", is written over a horizontal line.

Kevin T. Carel, P.G.
President

Att: Statement of Property Access

cc: TCEQ Region 4 Office
Jane Berry – Trinity Oaks Landfill TX, LP
Eduardo Choquis – Trinity Oaks Landfill TX, LP
Mark Allendorf – Republic Services, Inc. (e-copy)

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136 Pecan Street, Keller, Texas 76248
Telephone: 817.337.0112 • Facsimile: 817.337.0041

STATEMENT OF PROPERTY ACCESS
Mesquite Landfill TX, LP – MSW Permit No. 556

Mesquite Landfill TX, LP dba Trinity Oaks Landfill is located in Dallas County, Texas and is permitted under Municipal Solid Waste (MSW) Permit No. 556. Trinity Oaks Landfill is certified closed and entered post-closure care on August 10, 2009.

Post-closure care environmental monitoring is conducted in compliance with Title 30 TAC Chapter 330 Sub-Chapter J regulations. A portion of the groundwater monitoring network includes existing monitor wells MW-7A and MW-8 installed August 1999 and July 1994 respectively, and proposed new monitor well MW-9. To provide reasonable and appropriate groundwater monitoring for the facility, MW-7A, MW-8, and MW-9 are located outside the physical permit boundary of the landfill on adjacent property owned, managed and controlled by Mesquite Landfill TX, LP. These adjacent properties are identified as follows:

MW-8

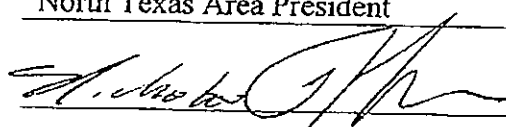
Property Owner: Mesquite Landfill TX, LP
Location: 11200 Ashwood Drive, Dallas, Texas
Mapsc: 69A-J (Dallas)

MW-7A and MW-9

Property Owner: Mesquite Landfill TX, LP
Location: 2430 Jordan Valley Road, Dallas, Texas
Mapsc: 69A-N (Dallas)

All facility monitor wells, including MW-7A, MW-8 and MW-9, will be monitored, maintained, and made readily accessible to Texas Commission on Environmental Quality representatives at all times as required by applicable rules and regulations. Additionally, the Texas Commission on Environmental Quality will be informed of changes to current property ownership or access to the groundwater monitor wells.


CERTIFIED BY:

Name: Nicholas Stefkovich
Title: North Texas Area President
Signature: 
Date: 5-12-2011

CERTIFICATE

The undersigned certifies that (i) she is the duly elected, qualified and acting Secretary of **ALLIED WASTE LANDFILL HOLDINGS, INC.**, a Delaware corporation, the general partner (the "General Partner") of **MESQUITE LANDFILL TX, LP**, a Delaware limited partnership (the "Partnership"); (ii) attached hereto as Schedule A is a true and correct copy of resolutions duly adopted by written consent of the General Partner; and (iii) such resolutions have not been amended, rescinded, modified or revoked, and are in full force and effect on the date hereof.

Dated: May 9, 2011.



Eileen B. Schuler
Secretary

SCHEDULE A

WHEREAS, the Partnership dba Trinity Oaks Landfill is permitted under Municipal Solid Waste (MSW) Permit No. 556 for post-closure care and environmental monitoring conducted in compliance with Title 20 TAC Chapter 330 Sub-Chapter J regulations with the Texas Commission on Environmental Quality (the "TCEQ") on certain real property owned by the Partnership, located in Dallas, Texas (the "**Property**");

WHEREAS, all wells, including MW-7A, MW-8 and MW-9, will be monitored, maintained, and made readily accessible to TCEQ to perform certain investigative activities on the Property including, but not limited to, the collection of groundwater samples for post-closure care and monitoring;

WHEREAS, the Partnership has or will enter into a Statement of Property Access (the "**Agreement**"), pursuant to which the Partnership will allow the TCEQ to access the Property for purposes of carrying out its responsibilities as required by TCEQ, as further described in the Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Partnership is hereby authorized to execute and execute the Agreement, substantially in the form presented to the Partnership and the General Partner, with such changes as may be approved by the General Partner or such other persons authorized to execute same and such actions are hereby approved, adopted, ratified and confirmed;

FURTHER RESOLVED, that **NICHOLAS STEFKOVICH**, as an authorized agent of the General Partner, or any officer of the General Partner, is hereby authorized and directed to execute and deliver on behalf of the General Partner, in its capacity as the General Partner of the Partnership, the Agreement and to execute any and all other documents, on behalf of the General Partner of the Partnership, required in connection with the Agreement, and in connection with the performance of the Partnership's obligations and agreements set forth therein; and

FURTHER RESOLVED, that the Secretary, or any other officer of the General Partner, is hereby authorized to certify to the adoption of the foregoing resolutions as may be required.

Point of Compliance Demonstration

Point of Compliance Demonstration Trinity Oaks Landfill

Introduction

The point of compliance (POC) is defined as *"A vertical surface located no more than 500 feet from the hydraulically downgradient limit of the waste management unit boundary, extending down through the uppermost aquifer underlying the regulated units, and located on land owned by the owner of the facility."* This document has been prepared to demonstrate that the proposed POC designed between MW-7A and MW-9 and proposed wells MW-14 and MW-18 meet the requirements of 30 TAC 330.3(106) and that additional POC segments between MW-4 and MW-7A and MW-3 and proposed well MW-14 are redundant and provide no added benefit to the groundwater monitoring activities at the site.

Site Geology

The Trinity Oaks Landfill is excavated into Quaternary age alluvium. The alluvium comprises the uppermost water-bearing zone under the waste management unit. It consists of interbedded gravel, sand, silt, and clay. The thickness of the alluvium ranges from approximately 11 to 41 feet. The thicker areas are reported to be in the northern portion of the facility. The alluvium exhibits a fining upward sequence, beginning with a basal gravel transitioning upward into finer grained sediments. However, strata thickness and transitions are not generally uniform or continuous. All monitor wells are completed in the uppermost water-bearing zone. Underlying the alluvium are shales of the Taylor Marl, which act as an aquitard to vertical groundwater movement.

Groundwater Flow Direction

In general, groundwater in the alluvium flows south-southwest towards the Trinity River. The northern portion of the facility is hydraulically upgradient, whereas the southern and western boundaries of the facility are hydraulically downgradient. Monitor wells MW-1A and MW-2 are positioned upgradient, while MW-3, MW-5, MW-6A, MW-7A, and MW-8 are downgradient. Monitor well MW-4 is located hydraulically cross-gradient from the facility.

Figure 1 provides the groundwater contours for the uppermost water-bearing zone for September 2007. Contours of the water levels were constructed from the groundwater elevations measured in the monitor wells during this monitoring event. Based on this southwesterly groundwater flow direction, a groundwater monitoring network containing an appropriate POC was designed. The groundwater monitoring network and POC is illustrated on Figure 5.1 of the permit modification application.

Point of Compliance Demonstration

A drawing denoted as Figure 1 has been prepared to illustrate the detection of hypothetical releases from the Pre-Subtitle D Sections of the Trinity Oaks Landfill. Figure 1 was constructed by combining the proposed groundwater monitoring network with a historical groundwater contour map of the site (September 2007) and two (2) hypothetical releases and the flow paths of those releases based on groundwater contours. The locations of the releases were strategically located for this illustration to demonstrate that the point of compliance is sufficient and that additional POC segments between MW-4 and MW-7A and MW-3 and proposed well MW-14 are redundant and provide no benefit to the groundwater monitoring activities at the site. However, other locations of potential releases within the Pre-Subtitle D area would yield similar results.

Figure 1 illustrates two (2) hypothetical releases from the facility one (1) located near the southeast corner of the Pre-Subtitle D portion of the facility and the other in the north central portion of the Pre-Subtitle D area. At some time, denoted as T_0 a hypothetical release occurs and the contaminants would begin to flow southwesterly in the direction of groundwater flow.

At time T_1 , the potential contaminants will be detected by either MW-7A or MW-15. At this time the appropriate response actions (verification resampling, assessment monitoring, etc) would occur in accordance with 30 TAC 330.407. If concentrations of any of the potential contaminants exceed groundwater protection standards, an investigation into the nature and extent of the release would be implemented as would an Assessment of Corrective Measures and remedial action, in order to attain groundwater concentrations below the groundwater protection standards at the POC.

Assuming no corrective action is required and the hypothetical contaminants are allowed to continue to flow downgradient past MW-15 without significant dispersion, dilution or attenuation, they could be detected again by a hypothetical monitor well located between MW-3 and MW-14. However, this re-detection would result after the hypothetical contaminants had migrated past the permit boundary and POC and flow back onto the landfill site. Any necessary response actions associated with this release would have already occurred at MW-15.

Similarly, assuming no corrective action is required and the hypothetical contaminants detected at MW-7A are allowed to continue to flow downgradient past the proposed POC without significant dispersion, dilution or attenuation, they could be detected again by a hypothetical monitor well located between MW-4 and MW-7A. However, this re-detection would result after the hypothetical contaminants had migrated past the proposed POC and flow back onto the landfill site. Any necessary response actions associated with this release would have already occurred by the initial detection at MW-7A.

Additionally, the section of the landfill between MW-3 and proposed well MW-14 does not meet the definition of a POC as stated in 30 TAC 330.3(106), as most of that section is greater than 500 feet from the hydraulically downgradient placement of waste. That

portion that is within 500 feet of the downgradient placement of waste will be monitored by the proposed POC defined by wells MW-14 through MW-18 and MW-8. Similarly, the section of the landfill between MW- 4 and MW-7A does not meet the definition of a POC as most of that section is also greater than 500 feet from the hydraulically downgradient placement of waste. That portion of the landfill within 500 feet of the downgradient placement of waste will be monitored by the proposed POC defined by wells MW-7A and MW-9.

Summary

Regulation 30 TAC 330.3(106) defines the POC as *"A vertical surface located no more than 500 feet from the hydraulically downgradient limit of the waste management unit boundary, extending down through the uppermost aquifer underlying the regulated units, and located on land owned by the owner of the facility."* The proposed POC segments between MW-7A and proposed MW-9 and MW-14 and proposed MW-18 are within 500 feet from the hydraulically downgradient limit of the waste management unit boundary and meet the requirements of 30 TAC 330.3(106). Most of requested POC segments between MW-4 and proposed MW-7A and MW-3 and proposed MW-14 are greater than 500 feet from the hydraulically downgradient limit of the waste management unit boundary and do not meet the requirements of 30 TAC 330.3(106).

Any potential release emanating from the Pre-Subtitle D portion of the facility would be detected by the POC well located along the proposed POC segments defined by MW-7A and proposed MW-9 or between proposed MW-14 and proposed MW-18. Any monitoring wells located between MW-4 and proposed MW-7A and/or MW-3 and proposed MW-14 would be redundant and would serve no benefit to the groundwater monitoring network at the site.

