



March 19, 2010  
Project No. 10-02-47

Mr. Charles Brown  
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 February 17, 2010,  
Whispering Pines Landfill, MSW Permit No. 1193, Harris County, Texas;  
Tracking No. 12962487; RN100216878/CN601528094**

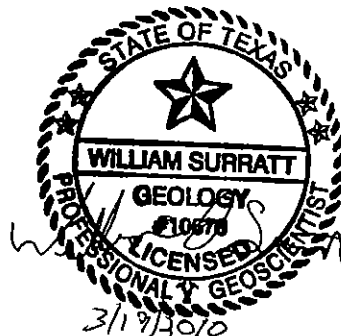
Dear Mr. Brown:

This letter is written to provide a response to the comments in a letter dated February 17, 2010, from the Texas Commission on Environmental Quality (TCEQ), regarding the Groundwater Sampling and Analysis Plan (GWSAP) Permit Modification. The letter requested that the TCEQ comments be addressed within 30 days (March 19, 2010). The TCEQ's comment/questions are provided below in italics with our response immediately following.

Comment 1: *It is indicated in Section 5 (Statistical Methodology, Groundwater Data Analysis) and in Appendix E (Statistical Analysis Plan) that due to potential future circumstances, alternative statistical methods may be used that are more appropriate for the data distribution of the constituents being evaluated. In accordance with 30 TAC §330.405(e)(5), please indicated that any alternate statistical methods used shall meet the requirements of 30 TAC §330.405(f) and that the owner/operator will submit to the executive director justification for any alternate statistical methods used.*

Response: The requested change has been made and revised pages are attached.

We trust this information meets your needs, please call Mr. Burgess Stengl at (713) 671-1561 or us at (817) 337-0112 if you have any questions.



Sincerely,

THE CAREL CORPORATION

William D. Surratt, P.G.  
Groundwater Services Manager

Mr. Charles Brown  
March 19 2010  
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Att: TCEQ Part 1 Application Page 1 and Signature Page  
GWSAP – Underlined/Strikeout Replacement Pages  
GWSAP – Clean Replacement Pages

cc: TCEQ Region 12 Office  
Burgess Stengl – Republic Services, Inc.  
Mark Allendorf – Republic Services, Inc. (e-copy)  
Jose Molina – Whispering Pines Landfill

**TCEQ Part 1 Application Page 1 and Signature Page**



# Texas Commission on Environmental Quality

## Permit or Registration Application for Municipal Solid Waste Facility

### Part I

#### A. General Information

Facility Name:	Whispering Pines Landfill			
Physical or Street Address (if available):	8101 Little York Road			
(City) (County)( State)( Zip Code):	Houston	Harris	TX	77016
(Area Code) Telephone Number:	713-633-2720			
Charter Number:				

If the application is submitted on behalf of a corporation, provide the Charter Number as recorded with the Office of the Secretary of State for Texas.

Operator Name <sup>1</sup> :	Whispering Pines Landfill TX, LP			
Mailing Address:	8101 Little York Road			
(City) (County)( State)( Zip Code):	Houston	Harris	TX	77016
(Area Code) Telephone Number:	713-633-2720			
(Area Code) FAX Number:	713-633-4262			
Charter Number:				

If the permittee is the same as the operator, type "Same as Operator".

Permittee Name:	Same as Operator			
Physical or Street Address (if available):				
(City) (County)( State)( Zip Code):			TX	
(Area Code) Telephone Number:				
Charter Number:				

If the application is submitted by a corporation or by a person residing out of state, the applicant must register an Agent in Service or Agent of Service with the Texas Secretary of State's office and provide a complete mailing address for the agent. The agent must be a Texas resident.

Agent Name:	CT Corporation System			
Mailing Address:	350 N. St. Paul Street			
(City) (County)( State)( Zip Code):	Dallas	Dallas	TX	75201
(Area Code) Telephone Number:	214-979-1172			
(Area Code) FAX Number:	214-754-0921			

Application Type:

<input type="checkbox"/> Permit	<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Minor Amendment	
<input type="checkbox"/> Registration	<input checked="" type="checkbox"/> Modification	<input type="checkbox"/> Temporary Authorization	
	<input type="checkbox"/> w/Public Notice		
	<input checked="" type="checkbox"/> w/out Public Notice	<input checked="" type="checkbox"/> Notice of Deficiency Response	

<sup>1</sup> The operator has the duty to submit an application if the facility is owned by one person and operated by another [30 TAC 305.43(b)]. The permit will specify the operator and the owner who is listed on this application [Section 361.087 Texas Health and Safety Code].

Signature Page

I, Burgess Stengl, Environmental Manager  
(Operator) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Burgess Stengl Date: 3/15/10

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, \_\_\_\_\_, hereby designate \_\_\_\_\_  
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

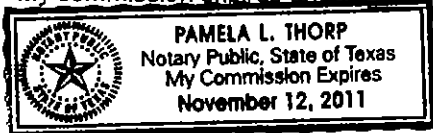
\_\_\_\_\_  
Printed or Typed Name of Operator or Principal Executive Officer

\_\_\_\_\_  
Signature

SUBSCRIBED AND SWORN to before me by the said Burgess Stengl

On this 15th day of March, 2010

My commission expires on the 12th day of November, 2011



Pamela L. Thorp  
Notary Public in and for  
Harris County, Texas

(Note: Application Must Bear Signature & Seal of Notary Public)

## **GWSAP – Underlined/Strikeout Replacement Pages**

**WHISPERING PINES LANDFILL  
HARRIS COUNTY, TEXAS  
TCEQ PERMIT NO. 1193**

**DETECTION MONITORING  
GROUNDWATER SAMPLING AND  
ANALYSIS PLAN(GWSAP)**

Prepared for:

Whispering Pines TX, LP

March 1999

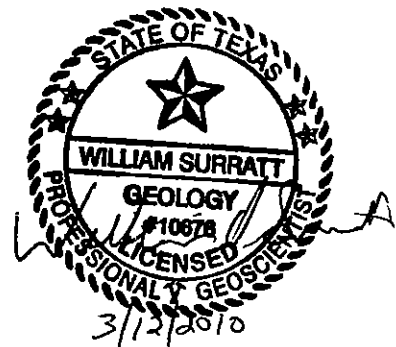
Revised December 2006

Revised ~~January~~ March 2010

Prepared by:



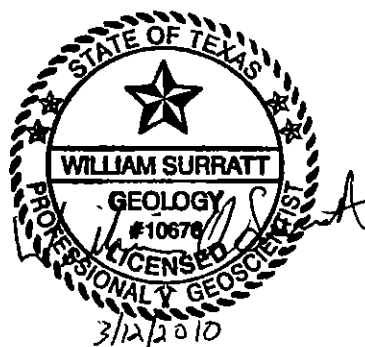
136 Pecan Street  
Keller, Texas 76248  
(817) 337-0112



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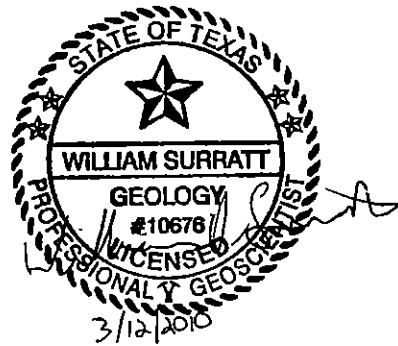
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### APPENDIX D

Laboratory Checklist	D.1 – D.4
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### APPENDIX E

Statistical Analysis Plan	E.1 – E.10
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## 5 STATISTICAL METHODOLOGY GROUNDWATER DATA ANALYSIS

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Statistical comparisons will be performed using Sanitas™, a commercial software program developed by Intelligent Decision Technologies, Inc. or another comparable computer program. Statistical analyses of groundwater data will be performed in accordance with 30 TAC §330.405 through §330.409. A statistical analysis plan has been included as Appendix E. Appendix E Statistical Analysis Plan has been prepared using generally accepted statistical analysis principals and practices. However, it is not possible to predict all of the potential future circumstances. Therefore, alternative methods may be used that are more appropriate for the data distribution of the constituents being evaluated. In accordance with 30 TAC §330.405(e)(5), any alternate statistical methods used shall meet the requirements of 30 TAC §330.405(f) and the owner/operator will submit to the executive director justification for any alternate statistical methods used.

### 5.1 Evaluation of Organic Constituents (47 Volatile Organic Compounds)

Evaluation of VOCs in Table 1 (i.e. 30 TAC §330.419) will commence with the first sampling event. Data analyses for VOCs will be accomplished by comparing analytical results to laboratory PQLs. An initial exceedence will be based on any VOC detected in monitor wells at a concentration above the PQL. If a VOC is detected at any on-site monitoring well, a notice will be made to the Executive Director (ED) within fourteen (14) days of the determination of the exceedence.

### 5.2 Statistical Analysis for Metals

Statistical analysis for metals in GWSAP Table 1, Pages A.1 – A.3 will commence within six (6) months after completion of the eight (8) quarterly background events as referenced in Section 4.2 of this plan. The facility will follow established statistical protocols. Statistical analysis will be performed in accordance with Appendix E. An apparent SSI will be based on any metal detected in any on-site monitor well at a concentration above the specific constituent's statistical prediction limit. As stated above, an apparent SSI is consistent with the SSI discussed in 30 TAC §330.407(b). If an apparent SSI of any metal is indicated at any on-site monitoring well a notice will be made to the Executive Director (ED), and any local pollution agency with jurisdiction that has requested to be

**APPENDIX E**  
**STATISTICAL ANALYSIS PLAN**

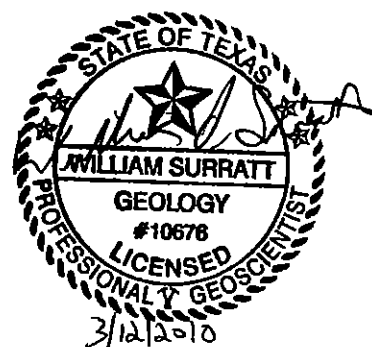
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- 1 Prediction Limit Flow Chart
- 2 Confidence Limit Flow Chart



# 1 INTRODUCTION

---

This document provides a statistical methodology for groundwater monitoring at the Whispering Pines Landfill. Statistical analysis of metals will be conducted using a parametric prediction limit approach on an intrawell basis. Non-parametric prediction intervals will be applied to those parameters with greater than 50 percent non-detections in background and/or a non-normal/transform normal distribution. Limits for volatile organic compounds in facility monitoring wells will be based on laboratory practical quantitation limits (PQLs). Constituents monitored in wells under assessment monitoring (if necessary) will be statistically evaluated using prediction limits and confidence intervals. Details of each method are provided in the following sections. Statistical comparisons will be performed using Sanitas™, a commercial software program developed by Intelligent Decision Technologies, Inc. or another comparable computer program.

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## **GWSAP – Clean Replacement Pages**

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HARRIS COUNTY, TEXAS  
TCEQ PERMIT NO. 1193**

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GROUNDWATER SAMPLING AND  
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Prepared for:

Whispering Pines TX, LP

March 1999

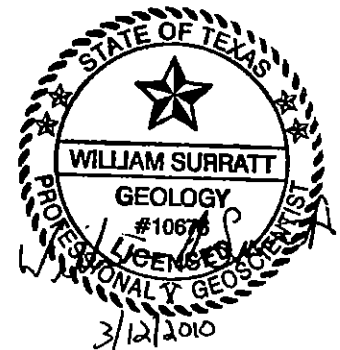
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Revised March 2010

Prepared by:



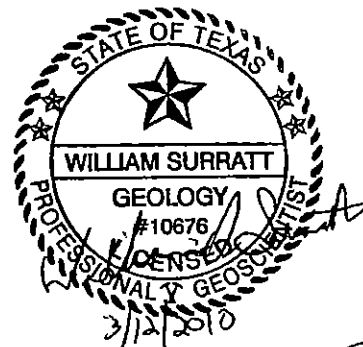
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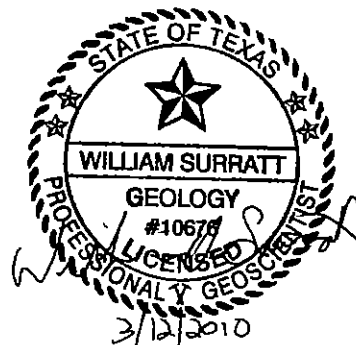
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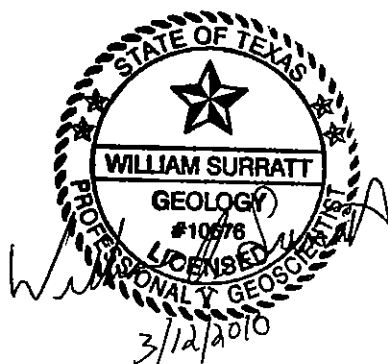
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