



March 26, 2008  
Project No: 08-01-53

Richard C. Carmichael, Ph.D., P.E., CIH  
MC-124  
Municipal Solid Waste Division  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087  
Austin, TX 78711-3087

**Re: Permit Modification to Revise the Groundwater Sampling and Analysis Plan; Whispering Pines Landfill; MSW Permit No. 1193; Harris County, Texas.**

Dear Dr. Carmichael:

This letter is written to request a permit modification with notice to revise the Groundwater Sampling and Analysis Plan (GWSAP) of TCEQ Municipal Solid Waste Permit No. 1193. Per 30 TAC §330.401(b), owners and operators of landfill units shall comply with the 2006 revisions to this subchapter by applying for a permit modification with public notice in accordance with §305.70(l) of this title to revise any inconsistent permit provisions within two years from the effective date (March 27, 2006) of the 2006 revisions. The modification with notice is submitted in accordance with 30 TAC §330.70(l). The TCEQ Part I Application Form is provided as Attachment 1. In addition, and in accordance with 30 TAC §330.59(h)(1), a payment of \$150 has been made online through the TCEQ ePay system, and a copy of the receipt is included in Attachment 2. Per §330.70(e)(5), an adjacent landowners map and landowners list is provided as Attachment 3. Site information and details of the permit modification request are provided in the following sections.

#### **SITE INFORMATION**

The Whispering Pines Landfill is located immediately west of FM Highway 527 and Missouri Pacific Railroad, just north of the Houston City Limits, in Harris County, Texas. The Whispering Pines Landfill was issued a Type I MSW Permit No. 1193 on April 6, 1984. BFI Waste Systems of North America, Inc. has owned and operated the Whispering Pines Landfill since August 1994.

#### **PERMIT MODIFICATION**

It is requested that the GWSAP be modified to comply with rule revisions adopted March 27, 2006. The information required pursuant to §305.70(e) is provided below:

1. A description of the proposed change:

The GWSAP has been modified to comply with rule revisions adopted March 27, 2006. Analytical parameters for detection monitoring have been revised to match the list of constituents of Appendix I of 40 CFR §258 as adopted by the TCEQ rules. The GWSAP has also been modified to address reporting procedures according to the new rule requirements.

2. An explanation detailing why the change is necessary:

The modification is necessary to comply with new 30 TAC Subchapter J regulations (effective March 27, 2006), specifically 30 TAC §330.401(b), owners and operators of landfill units shall comply with the 2006 revisions to Subchapter J by applying for a permit modification with public notice in accordance with §305.70(l) to revise any inconsistent permit provisions within two years from the effective date of the 2006 revisions. The permit modification is provided in response to the referenced regulatory provision and any previously inconsistent permit provisions have been eliminated.

3. Appropriate revisions to all applicable narrative pages and drawings of the permit:

Underline/strikeout pages for the revised GWSAP are included as Attachment 4 of this modification request. Clean/replacement pages for the revised GWSAP are included as Attachment 5 of this modification request.

4. A reference made to the specific provision under which the modification application is being made:

The proposed modification with notice is required under 30 TAC §330.401(b) and 30 TAC §330.403. The modification is allowable and in accordance with 30 TAC §305.70(j)(23).

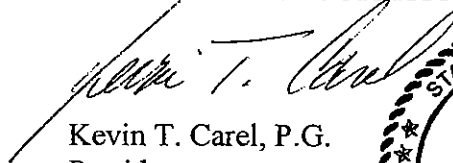
5. A landowners map and an updated landowners list as required under §330.52(b)(4)(D) and (b)(5).

A landowners list and map is provided as Attachment 3.

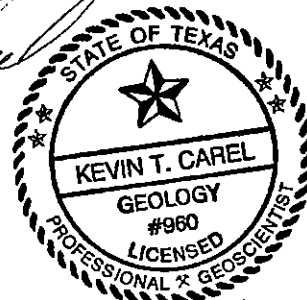
One original and two copies of this modification application are provided for your use. One of the two copies has been provided to the appropriate commission regional office. A copy has been placed in the operating record of the facility.

I, Kevin T. Carel, P.G., am a qualified groundwater scientist as defined in 30 TAC 330.3(120). I trust this information is acceptable. Please call at (817) 337-0112 if you have any questions.

Sincerely,  
THE CAREL CORPORATION



Kevin T. Carel, P.G.  
President



*3-16-08*

- Attachment 1 – TCEQ Part 1 Application Form
- Attachment 2 – Receipt for Fee Payment through TCEQ ePay System
- Attachment 3 – Adjacent Landowners List and Landowners Map
- Attachment 4 – Underline/Strikeout Pages – GWSAP
- Attachment 5 – Clean/Replacement Pages – GWSAP

cc: TCEQ Region 12 Office  
Scott Trebus – Allied Waste Industries  
Jose Molina – Whispering Pines Landfill

**ATTACHMENT 1**

**TCEQ Part 1 Application Form**



# 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 checked="" type="checkbox"/> w/Public Notice		
	<input type="checkbox"/> w/out Public Notice	<input 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].

