



December 16, 2009

Mr. Keith Pulaski
Director of Public Works
City of Brownwood
501 Center Avenue
Brownwood, Texas 76801

**Re: Notice of Deficiency Response
Permit Modification – Groundwater Monitoring Plan – Well Spacing
Municipal Solid Waste (MSW) - Brown County
City of Brownwood Regional Landfill - MSW Permit No. 1562A
Tracking No. 12838229; RN100216498 / CN600128664**

Dear Mr. Pulaski:

The Groundwater Monitoring System (Attachment 5 to the Site Development Plan) has been revised and is intended to comply with the requirements in 30 TAC Chapter 330, Subchapter J. The comments listed in the TCEQ Notice of Deficiency Letter, dated November 6, 2009, have been reviewed and have been addressed as follows:

1. *In accordance with 30 TAC §330.59(c)(3) and the provisions adopted to be effective March 27, 2006, please provide a land ownership map with accompanying land owner list of all property owners within ¼ mile of the facility and all mineral interest ownership under the facility. Please make sure the map provides a bar scale at least one inch long, in accordance with §330.57(h).*

The landowner map is attached as requested.

2. *The Uniform Resource Locator (URL) provided on the Part 1 form does not link to the application. Please provide a working link.*

The Part 1 form 0650 lists the appropriate URL link to this application as www.ci.brownwood.tx.us. This is the City's website. There is a link on left that lists Public Notice. The permit application was missing from the site. **The City needs to post the original application, the NOD letter, and this revision on this site.**

Environmental, Civil & Geotechnical Engineers

Abilene Office
402 Cedar
Abilene, Texas 79601
P.O. Box 3097
Abilene, Texas 79604
325.698.5560 | 325.691.0058 fax

Lubbock Office
6310 Genoa Avenue, Suite E
Lubbock, Texas 79424
806.794.1100 | 806.794.0778 fax

Granbury Office
1301 Crawford Ave.
Granbury, Texas 76048
817.579.6791 | 817.579.8491 fax

Plano Office
One Preston Park
2301 Ohio Drive, Suite 105
Plano, Texas 75093
972.599.3480 | 972.599.3513 fax
Firm Registration No.1151

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3. *Please provide an original Signature Page of the Part I form.*

A first page & a new Page 10, Signature Page, are attached for the City to sign and attach with the City's cover letter to TCEQ.

4. *Figure 5.1 Proposed and Existing Groundwater Well Location Map shows a reduced point of compliance (POC) relative to the current permit as well as spacing between some wells that is greater than the required 600 feet. Section 5.2.B.i of the permit modification states: "Due to the complexity of the hydrogeology of the landfill site, the standard concept of upgradient wells and downgradient wells cannot be applied to the groundwater monitoring system...With such a system, each well, except MW-2, MW-7, MW-8, MW-9, MW-10, MW-11, is a point of compliance well." Your current permit lists all wells as compliance wells except MW-10 and MW-11. In order for us to agree with the revised POC and in order to consider the spacing between wells to remain at a distance greater than 600 feet we need a better understanding of the groundwater behavior at the site and we request that you please provide groundwater gradient maps from all historical individual groundwater monitoring events and show on a map the different water bearing zones.*

The requested information is included in the revision.

5. *Please note that if multiple water bearing zones are present, the permit must show a point of compliance for each zone monitored. Please indicate which wells are monitored in which zone and show the point of compliance for each water bearing zone.*

The revision indicates that there are multiple water-bearing zones and at least one point of compliance for each zone.

6. *The permit modification proposes well spacing greater than 600 feet but does not provide justification or a complete demonstration of an alternate well spacing detailed in §330.403(a)(2). Please propose a groundwater monitoring system that meets the cited rule.*

The revision clarifies that only one well spacing is slightly greater than 600 feet, at 650 feet, and the alternate well spacing technical demonstration per 330.403(a)(2) is included.

7. *Please be aware that, following the revision of the groundwater monitoring wells location, other parts of the permit (e.g. Site Development Plan Attachments) might need to be revised to maintain consistency throughout the permit. We recommend that these conforming changes be made upon approval of the well spacing permit modification.*

eHT and the City appreciate the reminder that other parts of the permit may require revision in order to maintain consistency throughout the permit. eHT will prepare required conforming changes for the City, per TCEQ's recommendation, upon approval of the well spacing permit modification.

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This permit modification application must be submitted to TCEQ within 30 days from the date of the NOD letter or by **December 21, 2009**. In accordance with 30 TAC §330.57(g), each page has a header or footer that indicates the revision number and date. The revised and/or additional pages are in a form suitable for replacement in the initial permit modification application.

In accordance with 30 TAC §305.44 and TCEQ Part I Application form TCEQ-0650, **the City will need to resubmit the TCEQ-0650, Page 1 and a new signature original certification statement attached to the City's cover letter.** The City's cover letter should include **the tracking number (Tracking No. 12838229) in the subject line.**

One original, two unmarked copies, and one marked copy (redline/strikeout) of the revisions, in conformance with 30 TAC §305.70(f) should be submitted to TCEQ. Please send one of the unmarked copies directly to the TCEQ Region 3 to

Mr. Mike Taylor
Waste/Air Section Manager
1977 Industrial Blvd.
Abilene, TX 79602-7833

The one original, one unmarked copy, and one marked copy (redline/strikeout) should be submitted to

Fabienne Rambaud, Permit Coordinator
Municipal Solid Waste Permits Section, MC 124
Waste Permits Division
Texas Commission on Environmental Quality

If you have any questions, please feel free to contact me at (817) 694-8382 or in writing in the Granbury office.

Sincerely,

Enprotec / Hibbs & Todd, Inc.

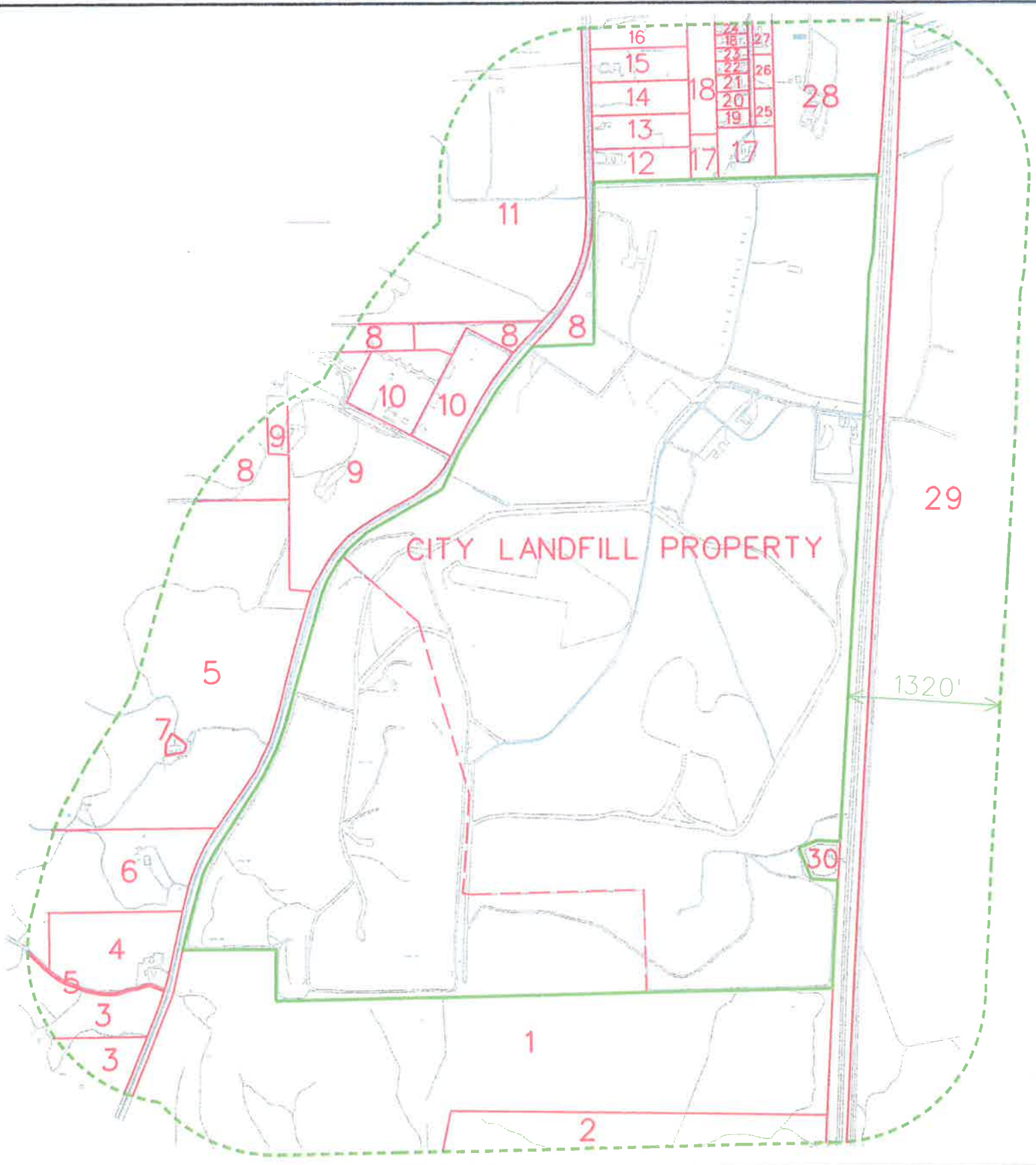


Luci A. English, P.E.



Enclosures: 1 original and 1 unmarked copy, and one marked copy (redline/strikeout) for TCEQ Austin
One unmarked copy for TCEQ Region 3
2 sets (one unmarked copy and one marked copy) for City of Brownwood
TCEQ-0650 Page 1 and Signature Page

c: Project File 1062



LEGEND

- 3 PROPERTY OWNER NO.
- LANDFILL BOUNDARY
- - - 1320' OFFSET
- PROPERTY LINE



11-11-2009

SCALE IN FEET



PERMIT AMENDMENT

FIGURE I.F-1

ADJACENT LANDOWNER'S MAP
 BROWNWOOD REGIONAL MUNICIPAL
 SOLID WASTE DISPOSAL FACILITY
 PERMIT AMENDMENT MSW NO. 1562

Section I.G Landowners List

The following entities own properties which are within 1320 feet of the Brownwood Regional Landfill permit boundary:

1. Gary N. & Mary Butka
7601 Tangle Briar Dr.
Brownwood, TX 76801
(ID# 39622)
2. Narendra L. & Ranjana Nigalye
7624 FM 45 S
Brownwood, TX 76801
(ID#39626)
3. George W. McCorkle, Sr.
7598 CR 237
Brownwood, TX 76801
(ID# 71916, 71636)
4. Dan & Cassidy Burleson
7550 CR 237
Brownwood, TX 76801
(ID# 71637)
5. Charles E. Bell & Margaret Bell Goode
7450 CR 237
Brownwood, TX 76801
(ID# 39274, 71630, 73757)
6. Robert E. & Joyce Kerbow
7500 CR 237
Brownwood, TX 76801
(ID# 71917)
7. Ben & Margaret Goode
7450 CR 237
Brownwood, TX 76801
(ID#71505)
8. City of Brownwood
P.O. Box 1389
Brownwood, TX 76804
(ID# 39261, 39264, 39268)
9. Randal W. & Ronda Lovelady
6600 CR 237
Brownwood, TX 76801
(ID# 39642, 70956)
10. Fredrick J. Larremore
6530 CR 237
Brownwood, TX 76801
(ID# 39644, 39645)
11. State of Texas
T.R. Havins Unit
Department of Criminal Justice
P.O. Box 99
Huntsville, TX 77342
(ID# 65644)
12. Carol Vargas
6315 CR 237
Brownwood, TX 76801
(ID# 70975)
13. Jorge Vargas
6325 CR 237
Brownwood, TX 76801
(ID# 70974)
14. Jose I & Maria M. Constancia
406 Longhorn Dr.
Early, TX 76802
(ID# 70973)
15. Jose & Blanca Galaviz
6299 CR 237
Brownwood, TX 76801-0309
(ID# 70972)
16. Frank and Quilla & Thomas J Franich
% Flaviano Chaco
404 5th St.
Brownwood, TX 76801-3726
(ID# 70971)
17. Dennis & Betty Sue Simpson
131 Vick Drive
Brownwood, TX 76801
(ID# 39230, 69112)
18. Don T. King
P.O. Box 1909
Brownwood, TX 76804
(ID# 20002675, 39211)
19. Raymond H. New
127 Vick Drive
Brownwood, TX 76801
(ID# 39221)

20. Manuel JR & Francisca M. Rodriguez
125 Vick Dr.
Brownwood, TX 76801
(ID# 39219)
21. Richard W. Henry
123 Vick Dr.
Brownwood, TX 76801
(ID# 39217)
22. Chris Dunaway
121 Vick Dr.
Brownwood, TX 76801
(ID# 39215)
23. Rudy & Bonnie Woods Garza
119 Vick Dr.
Brownwood, TX 76801
(ID# 39213)
24. Richard Todd & Connie Reeves
115 Vick Dr.
Brownwood, TX 76801
(ID# 39198)
25. Terry & Ranita Richmon
111 Mountain View Ln.
Brownwood, TX 76801
(ID# 60079)
26. Joann Strube Franke
114 Vick Dr.
Brownwood, TX 76801
(ID# 39206)
27. G. Keith Ledsome
11320 CR 454
Brownwood, TX 76801-0491
(ID# 39208)
28. Billy Gene & Ann Slaymaker
P.O. Box 982
Brownwood, TX 76804
(ID# 39204)
29. Texas National Guard Armory Board
P.O. Box 5218
Austin, TX 78763
(ID# 20006503, 20006504, 20006505, 20006506)
30. Lower Colorado River Authority
Dept. of Transmission Engineering
3700 Lake Austin Blvd.
Austin, TX 78767
(ID# 70180)

The numbers listed above to the left of each entity correspond to the property numbers shown on Figure I.F-1 – Adjacent Landowner’s Map.