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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 6, 2009

Mr. Bobby Rountree
City Manager
City of Brownwood
P. O. Box 1389
Brownwood, Texas 76804

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

Dear Mr. Rountree:

We have reviewed your application for an MSW permit modification dated September 10, 2009, requesting changes to the Groundwater Monitoring System for the referenced facility. The application was prepared by Ms. Luci English, P.E., of Enprotec / Hibbs & Todd, of Abilene, Texas. The purpose of the requested changes is to address the revised groundwater monitoring and corrective action requirements in Title 30 Texas Administrative Code (30 TAC), Chapter 330, Subchapter J that became effective March 27, 2006 (2006 Revisions).

Thank you for the submittal. Our review indicates that insufficient information has been provided to demonstrate compliance with 30 TAC Chapter 305, Section (§)305.70. Therefore, we are unable to complete processing of your request at this time. Please review and address the following comments:

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 owners list of all property owners within 1/4 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).
2. The Uniform Resource Locator (URL) provided on the Part I form does not link to the application. Please provide a working link.
3. Please provide an original Signature Page of the Part I form.

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

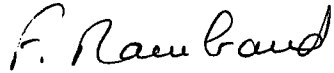
Please revise your permit modification request and submit the revisions within 45 days from the date of this letter or your request may be considered withdrawn. In accordance with 30 TAC Chapter 330, §330.57, please ensure that each page has a header or footer that indicates the revision number and date. Your revised and/or additional pages should be in a form suitable for replacement and/or inclusion in the initial permit modification application. In accordance with 30 TAC §305.44, please include an original certification statement with the revision. Along with the original signature and date, the certification statement should indicate the name, title, and address of the responsible official.

To facilitate our review, please submit one original, two unmarked copies, and one marked copy (for example, in redline/strikeout format) of the revisions in accordance with 30 TAC §305.44. Please send one of the unmarked copies directly to TCEQ Region 3, to the attention of Mr. Mike Taylor, Waste/Air Section Manager, 1977 Industrial Blvd., Abilene, TX 79602-7833. Also please include the tracking number referenced above in the subject line of your response. Note that we may have additional comments on the application after we review your responses.

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Failure to submit a satisfactory response to the items listed above may result in a recommendation to deny this modification request. If you have questions regarding this letter, please contact me at (512) 239-3419. When addressing written correspondence, please use mail code MC 124.

Sincerely,



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

FR/sm

cc: Ms. Luci English, P.E., Enprotec/Hibbs & Todd, Inc., Abilene