

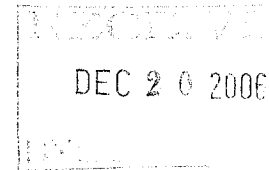
Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
Martin A. Hubert, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 15, 2006



The Honorable Joe Berry  
Angelina County Judge  
P.O. Box 908  
Lufkin, TX 75902-0908

Re: Municipal Solid Waste - Angelina County  
Angelina County Waste Management Center - MSW Permit No. 2105A  
Permit Modification - Site Operating Plan (SOP) Call-In: Notice of Deficiency  
WWC No. 11492598; RN101571131 / CN600833511

Dear Judge Berry:

This letter acknowledges that your modification application dated July 20, 2006, was resubmitted per our notice of deficiency letter dated September 18, 2006, and was received by the Municipal Solid Waste (MSW) Permits Section on October 18, 2006. The modification application requests changes to the existing Site Operating Plan as per our "Notice of Site Operating Plan Call-In" letter dated May 24, 2006.

Additional documentation must be provided so that we can complete processing your modification application. Comments from our technical review will be provided in separate correspondence. This letter serves as our response pursuant to Title 30 of the Texas Administrative Code (30 TAC) §305.70(g)(1)(C). Please review and address the following comments:

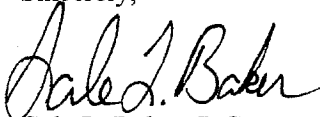
1. Please revise the adjacent land ownership map and landowners list to show all mineral interest ownership under the facility pursuant to 30 TAC §330.59(c)(3)(A) and (B). Also, provide the revised list in electronic form. The Chief Clerk's Office recommends the Word format with Avery Label Template 5160.
2. Permit modification applications must include the Part I Application Form. The Part I Application Form needs to be completed as required for a permit modification requiring notice. Please review the instructions and submit the Part I Application Form accordingly. We have enclosed for your convenience a copy of the Part I Application Form along with the Part I Instructions. The instructions and form may also be obtained at the following:  
  
<http://www.tceq.state.tx.us/assets/public/permitting/waste/msw/forms/0650.pdf>
3. The owner or operator must provide a complete copy of any application that requires public notice on a publicly accessible internet Web site, and provide the commission with the Web address link for the application materials (reference 30 TAC §330.57(i)(1)). The URL address of the Web site must be provided on Page 4 of the Part I Application Form.

The Honorable Joe Berry  
Page 2  
December 15, 2006

4. The applicant certification statement required by 30 TAC §305.70(f) and §305.44 is contained on Page 10 of the Part I Application Form and must bear the signature and seal of a Notary Public.

Please submit an original and two copies of the above-required documentation within 30 days of the date of this letter, and submit one of the copies to our Region 10 Office. If you have questions regarding this letter, please contact me at (512) 239-6730. When addressing written correspondence, please use Mail Code 124 (MC 124).

Sincerely,



Gale L. Baker, P.G.  
Municipal Solid Waste Permits Section  
Waste Permits Division  
Texas Commission on Environmental Quality

Enclosures

cc: Mr. Chris Fitzgerald, Landfill Manager, Angelina County Waste Management Center, Lufkin  
Mr. Rick Freeman, Everett Griffith, Jr. & Associates, Inc., Lufkin