



The State of Texas
House of Representatives
Austin, Texas

DORA OLIVO
STATE REPRESENTATIVE
DISTRICT 27
FORT BEND COUNTY (PART)

MSW
51835

HR
OPA

MAY 14 2007

BY *[Signature]*

CHIEF CLERKS OFFICE

2007 MAY 10 PM 4:17

COMMITTEES:
PUBLIC HEALTH
PUBLIC EDUCATION
TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY

May 10, 2007

Ms. La Donna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

RE: Contested case hearing request on proposed Blue Ridge Landfill Expansion
1505a

Dear Ms. Castanuela:

I am writing on behalf of my constituents, who have many concerns about the proposed Blue Ridge Landfill Expansion. I want to urge the Texas Commission on Environmental Quality to grant their request for the contested hearing on the Blue Ridge Landfill expansion application under consideration by your office. The hearing is needed to provide an appropriate venue for my constituents to adequately address their concerns before the Commission.

I would appreciate a response to this request at your earliest convenience. I look forward to receiving your response. Thank you for prompt attention to this matter.

Sincerely

[Signature of Dora Olivo]

Dora Olivo
State Representative
District 27

- cc: Glen Shankle, Executive Director, TCEQ
- Dan Eden, Deputy Director, Office of Permitting, TCEQ
- Jody Henneke, Director, Office of Public Assistance, TCEQ
- Stephen Minick, Intergovernmental Relations, TCEQ
- Donna Phillips, Director, Houston Regional Office, TCEQ

Mu



The State of Texas
House of Representatives
Austin, Texas

HR
OPA

MAY 14 2007

BY QES

COMMITTEES:
PUBLIC HEALTH
PUBLIC EDUCATION

DORA OLIVO
STATE REPRESENTATIVE
DISTRICT 27
FORT BEND COUNTY (PART)

MSW
51835

CHIEF CLERK'S OFFICE

2007 MAY 11 AM 9:53

TEXAS
COMMISSION ON
ENVIRONMENTAL
QUALITY

May 10, 2007

Ms. La Donna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

RE: Contested case hearing request on proposed Blue Ridge Landfill Expansion
15062

Dear Ms. Castanuela:

I am writing on behalf of my constituents, who have many concerns about the proposed Blue Ridge Landfill Expansion. I want to urge the Texas Commission on Environmental Quality to grant their request for the contested hearing on the Blue Ridge Landfill expansion application under consideration by your office. The hearing is needed to provide an appropriate venue for my constituents to adequately address their concerns before the Commission.

I would appreciate a response to this request at your earliest convenience. I look forward to receiving your response. Thank you for prompt attention to this matter.

Sincerely

Dora Olivo
State Representative
District 27

cc: Glen Shankle, Executive Director, TCEQ
Dan Eden, Deputy Director, Office of Permitting, TCEQ
Jody Henneke, Director, Office of Public Assistance, TCEQ
Stephen Minick, Intergovernmental Relations, TCEQ
Donna Phillips, Director, Houston Regional Office, TCEQ



The State of Texas
House of Representatives
Austin, Texas

Committees:
Agriculture & Livestock
County Affairs

Dora Olivo
State Representative
District 27
Fort Bend County (part)

April 24, 2006

LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

*MSJ
5/8/06*

OPA PM

APR 27 2006

BY CV

RE: Application by Blue Ridge Landfill TX, LP for proposed municipal solid waste permit amendment No. 1505A.

Dear Ms. Castanuela,

I have received a number of calls from constituents concerning the application by the Blue Ridge Landfill to expand the solid waste facility located on FM 521 near Fresno, Texas. To ensure that my constituents have an opportunity to learn about the company's proposal and to address the potential impact to the surrounding community, I am requesting that the TCEQ conduct a public meeting in my district to discuss the application, describe the public participation process and receive public comment. I am also requesting that a meeting be scheduled for a Thursday at 7:00pm as soon as possible.

My office is available to work with the Commission's Office of Public Assistance and local officials and citizens to select the most appropriate time and place for such a meeting. I am looking forward to the opportunity for my constituents to learn more about the proposed landfill expansion and voice their concerns.

Please contact Jimmie Luthuli in my district office at (281) 208-8806 in order to coordinate these arrangements. Thank you for your prompt attention to this matter.

Sincerely,

Dora Olivo
State Representative
District 27

- cc: Glenn Shankle, Executive Director, TCEQ
- Dan Eden, Deputy Director, Office of Permitting, TCEQ
- Jody Henneke, Director, Office of Public Assistance, TCEQ
- Stephen Minick, Intergovernmental Relations, TCEQ
- Donna Phillips, Director, Houston Regional Office, TCEQ

2006 APR 27 PM 4:31
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



The State of Texas
House of Representatives
Austin, Texas

COMMITTEES:
PUBLIC HEALTH
PUBLIC EDUCATION

DORA OLIVO
STATE REPRESENTATIVE
DISTRICT 27
FORT BEND COUNTY (PART)



RECEIVED BY OPA

TRACKING # 15475

ASSIGNED TO: JLR

May 10, 2007

MAY 11 2007

Ms. La Donna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

DUE DATE: 5-18-07

RE: Contested case hearing request on proposed Blue Ridge Landfill Expansion

Dear Ms. Castanuela:

I am writing on behalf of my constituents, who have many concerns about the proposed Blue Ridge Landfill Expansion. I want to urge the Texas Commission on Environmental Quality to grant their request for the contested hearing on the Blue Ridge Landfill expansion application under consideration by your office. The hearing is needed to provide an appropriate venue for my constituents to adequately address their concerns before the Commission.

I would appreciate a response to this request at your earliest convenience. I look forward to receiving your response. Thank you for prompt attention to this matter.

Sincerely

Dora Olivo
State Representative
District 27

- cc: ✓ Glen Shankle, Executive Director, TCEQ
- Dan Eden, Deputy Director, Office of Permitting, TCEQ
- Jody Henneke, Director, Office of Public Assistance, TCEQ
- Stephen Minick, Intergovernmental Relations, TCEQ
- Donna Phillips, Director, Houston Regional Office, TCEQ



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 MAY 18 AM 9:34
The State of Texas

House of Representatives
Austin, Texas
CHIEF CLERK'S OFFICE

Committees:
Agriculture & Livestock
County Affairs

Dora Olivo
State Representative
District 27
Fort Bend County (part)

May 15, 2006

Mr. Steve Minick
Intergovernmental Relations
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711

msw
5/18/06
OFA
MAY 18 2006
BY *[Signature]*

RE: Application by Blue Ridge Landfill TX, LP for Proposed Municipal Solid Waste Permit Amendment No. 1505A.

Dear Mr. Minick:

I respectfully request that the public meeting that I requested regarding the above referenced application be held at the following location at 7:00 pm:

Real Faith Christian Fellowship Church
7445 McHard Rd
Houston, TX 77053.

I also request that the meeting be held on any of the following Thursdays:

- June 1, 2006
- June 8, 2006
- June 15, 2006

We would prefer June 1st or June 8th if at all possible. Thank you for your prompt attention to this matter.

Sincerely,

Dora Olivo
State Representative
District 27

- cc: Glenn Shankle, Executive Director, TCEQ
Dan Eden, Deputy Director, Office of Permitting, TCEQ
Jody Henneke, Director, Office of Public Assistance, TCEQ
Donna Phillips, Director, Houston Regional Office, TCEQ
La Donna Castanuela, Chief Clerk, TCEQ



The State of Texas
House of Representatives
Austin, Texas

PM OPA
MAY 22 2006
BY DJ

Committees:
Agriculture & Livestock
County Affairs

Dora Olivo
State Representative
District 27
Fort Bend County (part)

May 17, 2006

Mr. Steve Minick
Intergovernmental Relations
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711

MSW
5/8/06

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 MAY 22 AM 10:03
CHIEF CLERKS OFFICE

RE: Application by Blue Ridge Landfill TX, LP for Proposed Municipal Solid Waste Permit Amendment No. 1505A.

Dear Mr. Minick:

Per our conversation yesterday, May 16th, I learned that you need more time on the hearing date to notify all the parties. You mentioned that June 29, 2006 would be a good date. This is also a good date for us. We would like for the meeting to be held at the same location at 7:00 pm on June 29th.

Real Faith Christian Fellowship Church
7445 McHard Rd
Houston, TX 77053.

Thank you for your prompt attention to this matter.

Sincerely,

Dora Olivo
State Representative
District 27

- cc: Glenn Shankle, Executive Director, TCEQ
- Dan Eden, Deputy Director, Office of Permitting, TCEQ
- Jody Henneke, Director, Office of Public Assistance, TCEQ
- Donna Phillips, Director, Houston Regional Office, TCEQ
- La Donna Castanuela, Chief Clerk, TCEQ

Have formal oral comment

6

TCEQ Public Meeting Form

Thursday, July 6, 2006

Blue Ridge Landfill Tx, L.P. Proposed Municipal Solid Waste No. 1505A

CHIEF CLERKS OFFICE
2006 JUL -7 PM 3:59
ON EQUIPMENT FILE
TEXAS

PLEASE PRINT:

Name: REP. DOR OLIVO

Address: P.O. BOX 2910

City/State: AUSTIN, TX. Zip: 78768

Phone: (512) 463-0494

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting)

Please give this to the person at the information table. Thank you.



OPA

OCT 09 2006

BY

DT

The State of Texas
House of Representatives
Austin, Texas

Committees:
Agriculture & Livestock
County Affairs

Dora Olivo
State Representative
District 27
Fort Bend County (part)

October 5, 2006

LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Handwritten: C/MSW 10/8/06

AMENDED REQUEST

RE: Application by Blue Ridge Landfill TX, LP for proposed municipal solid waste permit amendment No. 1505A.

2006 OCT -9 AM 9:59
CHIEF CLERK'S OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Dear Ms. Castanuela,

I have received more calls from constituents concerning the application by the Blue Ridge Landfill to expand the solid waste facility located on FM 521 near Fresno, Texas. To ensure that my constituents have an opportunity to learn more about the company's proposal. I am requesting that the TCEQ conduct another public meeting in my district to discuss the application, describe the public participation process and receive public comment. I am also requesting that a meeting be scheduled for a Thursday at 7:00 p.m., preferably Nov. 2, 2006 or soon after. My office is available to work with the Commissioner's Office of Public Assistance to select the most appropriate time and place for such a meeting.

I am looking forward to the opportunity for my constituents to address their concerns on the proposed landfill expansion.

Please contact Rosalia Guerrero-Luera in my district office at (281) 208-8806 in order to coordinate these arrangements. Thank you for your prompt attention to this matter.

Sincerely,

Dora Olivo
State Representative
District 27

- cc: Glenn Shankle, Executive Director, TCEQ
- Dan Eden, Deputy Director, Office of Permitting, TCEQ
- Jody Henneke, Director, Office of Public Assistance, TCEQ
- Stephen Minick, Intergovernmental Relations, TCEQ
- Donna Phillips, Director, Houston Regional Office, TCEQ



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 OCT -9 AM 10:01

The State of Texas
House of Representatives
Austin, Texas
CHIEF CLERKS OFFICE

Committees:
Agriculture & Livestock
County Affairs

Dora Olivo
State Representative
District 27
Fort Bend County (part)

October 4, 2006

LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

MSWJ
51835

PM
OPA
OCT 09 2006
BY *PM*

RE: Application by Blue Ridge Landfill TX, LP for proposed municipal solid waste permit amendment No. 1505A.

Dear Ms. Castanuela,

I have received more calls from constituents concerning the application by the Blue Ridge Landfill to expand the solid waste facility located on FM 521 near Fresno, Texas. To ensure that my constituents have an opportunity to learn more about the company's proposal and to make any necessary comments on the proposal, I am requesting that the TCEQ conduct another public meeting in my district to discuss the application, describe the public participation process and receive public comment. I am also requesting that a meeting be scheduled for a Thursday at 7:00 p.m., preferably Nov. 2, 2006 or soon after.

I am looking forward to the opportunity for my constituents to address their concerns on the proposed landfill expansion.

Please contact Rosalia Guerrero-Luera in my district office at (281) 208-8806 in order to coordinate these arrangements. Thank you for your prompt attention to this matter.

Sincerely,

Dora Olivo
State Representative
District 27

cc: Glenn Shankle, Executive Director, TCEQ
Dan Eden, Deputy Director, Office of Permitting, TCEQ
Jody Henneke, Director, Office of Public Assistance, TCEQ
Stephen Minick, Intergovernmental Relations, TCEQ
Donna Phillips, Director, Houston Regional Office, TCEQ

by the small roads in the area which will be destroyed by the large number and size of trucks.

5. The evaluation of endangered species is inadequate. The application has not provided adequate demonstration that it is not in a critical area for endangered or threatened species or otherwise in an area where the landfill operations would not adversely affect endangered or threatened species or the habitat for such species.
6. The expansion will not be compatible with the regional solid waste management plan.
7. The site violates the site selection criteria as it is located in an area with faults and wetlands.
8. The surface water controls are inadequate to protect surrounding land use and flood plains. The application does not have adequate controls to prevent contamination of storm waters that will run off the site. The application does not have adequate design to avoid flooding. And it does not have an adequate site that avoids the real flood plain.
9. The information on geology and hydrology is inadequate. There were not an adequate number of boring at the correct locations and depths for the evaluation of geology and groundwater needed to determine if the site can be used for a landfill of the size and nature proposed. The application does not adequately describe the regional or site specific geology and the regional aquifers. And, the application does not properly characterize the soils.

I also call into question the applicant, Blue Ridge Landfill, LP which did not submit a complete and accurate application, including information required by your agency. For example:

1. The application does not identify all springs, water wells, oil and gas wells, homes churches, and businesses in the area.
2. The application does not identify site specific issues requiring special considerations such as the problems with the existing landfill at this site.
3. The application does not provide all the information required by the rules.

Moreover, the owner has chosen an operator that has a history of noncompliance at this and other facilities which supports the denial of this application.

Finally, the approval of this permit amendment would be inconsistent with the numerous state policies including the statutory and regulatory goals that direct TCEQ to:

1. Promote the maximum conservation and protection of the quality of the environment and the natural resources of the state.
2. Prohibit discharges and actions that could result in pollution of the waters, both ground and surface, of the state.
3. Require the safeguarding of the state's air from pollution.
4. Require the control of all aspects of the management of municipal solid waste by all practical and economically feasible methods consistent with the law.
5. Prohibit any entity from causing or allowing the collection, storage, disposal, transportation, or processing, of municipal waste in a fashion that creates or maintains nuisance conditions; and/or
6. Endangers human health and welfare or the environment.

In light of these concerns I ask that you reject the expansion of the Blue Ridge Landfill.

Sincerely,



Dora Olivo
District 27

cc: Glen Shankle, Executive Director, TCEQ
Dan Eden, Deputy Director, Office of Permitting, TCEQ
Jody Henneke, Director of Public Assistance
Stephen Minick, Intergovernmental Relations, TCEQ
Donna Phillips, Director, Houston Regional Office, TCEQ



MSW
51835

The State of Texas
House of Representatives
Austin, Texas

Committees:
Human Services
County Affairs

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dora Olivo
State Representative
District 27
Fort Bend County (part)

OPA

DEC 15 2006

December 10, 2006

BY JK

LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

CLERK'S OFFICE
DEC 15 11 03 AM '06

VIA FACSIMILE (512) 239-3311

RE: Application by Blue Ridge Landfill TX, LP for proposed municipal solid waste permit amendment No. 1505A.

Dear Ms. Castanuela:

Pursuant to the TCEQ public meeting held on December 9, 2006, I have serious concerns regarding the proposed 40 year expansion of the Blue Ridge Landfill and the adverse impacts for the constituents living within its proximity. I offer the following comments and concerns:

1. The proposed expansion will not be compatible with surrounding land uses. The area is much more residential and agricultural than industrial. Operations of the landfill will interfere with the use and enjoyment of surrounding lands and homes. Also, the landfill is not compatible with surrounding drainage, pipeline and utility easements.
2. The proposed expansion will not be visually compatible with its surroundings. The landfill which is proposed to be 170 feet in height will be visible for miles and the proposed buffer and screening are woefully inadequate given the height.
3. The proposed expansion will not be compatible with growth trends in the area. The area is experiencing high rates of growth of residential communities, not industrial facilities.
4. The increase in traffic and other safety hazards will adversely affect surrounding landowners, residents and others who work in the area or use nearby lands or watercourses for recreational purposes. The increase in traffic cannot be handled

u

by the small roads in the area which will be destroyed by the large number and size of trucks.

5. The evaluation of endangered species is inadequate. The application has not provided adequate demonstration that it is not in a critical area for endangered or threatened species or otherwise in an area where the landfill operations would not adversely affect endangered or threatened species or the habitat for such species.
6. The expansion will not be compatible with the regional solid waste management plan.
7. The site violates the site selection criteria as it is located in an area with faults and wetlands.
8. The surface water controls are inadequate to protect surrounding land use and flood plains. The application does not have adequate controls to prevent contamination of storm waters that will run off the site. The application does not have adequate design to avoid flooding. And it does not have an adequate site that avoids the real flood plain.
9. The information on geology and hydrology is inadequate. There were not an adequate number of boring at the correct locations and depths for the evaluation of geology and groundwater needed to determine if the site can be used for a landfill of the size and nature proposed. The application does not adequately describe the regional or site specific geology and the regional aquifers. And, the application does not properly characterize the soils.

I also call into question the applicant, Blue Ridge Landfill, LP which did not submit a complete and accurate application, including information required by your agency. For example:

1. The application does not identify all springs, water wells, oil and gas wells, homes churches, and businesses in the area.
2. The application does not identify site specific issues requiring special considerations such as the problems with the existing landfill at this site.
3. The application does not provide all the information required by the rules.

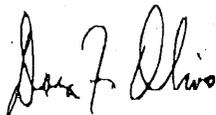
Moreover, the owner has chosen an operator that has a history of noncompliance at this and other facilities which supports the denial of this application.

Finally, the approval of this permit amendment would be inconsistent with the numerous state policies including the statutory and regulatory goals that direct TCEQ to:

1. Promote the maximum conservation and protection of the quality of the environment and the natural resources of the state.
2. Prohibit discharges and actions that could result in pollution of the waters, both ground and surface, of the state.
3. Require the safeguarding of the state's air from pollution.
4. Require the control of all aspects of the management of municipal solid waste by all practical and economically feasible methods consistent with the law.
5. Prohibit any entity from causing or allowing the collection, storage, disposal, transportation, or processing, of municipal waste in a fashion that creates or maintains nuisance conditions; and/or
6. Endangers human health and welfare or the environment.

In light of these concerns I ask that you reject the expansion of the Blue Ridge Landfill.

Sincerely,



Dora Olivo
District 27

cc: Glen Shankle, Executive Director, TCEQ
Dan Eden, Deputy Director, Office of Permitting, TCEQ
Jody Henneke, Director of Public Assistance
Stephen Minick, Intergovernmental Relations, TCEQ
Donna Phillips, Director, Huston Regional Office, TCEQ

Done formal comment

①

TCEQ Public Meeting Form

Thursday, December 7, 2006

Rep Dora Olivo

Blue Ridge Landfill Tx, L.P. Proposed Municipal Solid Waste No. 1505A

PLEASE PRINT:

Name: (Rosalia Guerrero) Rep. Dora Olivo

Address: PO Box 2130

City/State: Missouri City Zip: 77459-2130

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Rep. Dora Olivo's office

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this to the person at the information table. Thank you.

3

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

January 3, 2007

CHIEF CLERK'S OFFICE
JAN 5 11 07 AM
COMMISSION ON ENVIRONMENTAL QUALITY
TEXAS

The Honorable Dora Olivo
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768

MSW-1505A

Dear Representative Olivo:

I'm writing in response to your letter of December 15, 2006, regarding the proposed expansion of the Blue Ridge Landfill in Fort Bend County. Your comments, as well as those of all who have provided comments in writing or at the public meetings that have been held on this application, will be responded to in writing when a decision on this application is reached by my office. The publication of the notice of that decision will also indicate that requests for a contested case hearing on the application can be submitted prior to this matter being referred to the Commission for a decision.

Thank you for your comments, and if I can be of any further assistance in this matter, please contact me at (512) 239-3900 or Jody Henneke, Director of the Office of Public Assistance, at (512) 239-4085.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Shankle".

Glenn Shankle
Executive Director