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December 23, 2008

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From: Paul Gosselink

No. of Pages: 3 + cover sheet

Comments: SOAH Docket No. 582-08-2178
TCEQ Docket No. 2007-1774-MSW
In re Permit Amendment Application of BFI Waste Systems of North America, LLC
MSW Permit No. 1447A

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December 23, 2008

Via Facsimile

Judge William E. Newchurch
State Office of Administrative Hearings
300 W. 15th Street, Suite 504
Austin, Texas 78701

Re: SOAH Docket No. 582-08-2178; TCEQ Docket No. 2007-1774-MSW
Permit Amendment Application of BFI Waste Systems of North America, LLC
MSW Permit No. 1447A

Dear Judge Newchurch and all Parties:

Please take notice that BFI intends to call its witnesses in its direct case in the order shown below. This order is the same as the order of testimony that was presented in the binders served by BFI to all parties on October 3, 2008, except that two witnesses have been exchanged. Dr. Shari Libicki will be the third witness presented (anticipated on or before January 22, 2009) and Gregory Lewis will be the seventh. This change is made to accommodate Dr. Libicki's need to travel out of the country beginning January 23, 2009. Also, in the event no party opposes BFI's Motion for Partial Summary Disposition, Mr. Lee Sherrod will not be presented in BFI's direct case.

1. Ray L. Shull, P.E.
2. John Michael Snyder, P.G.
3. Shari B. Libicki, Ph.D.
4. Gregory Adams, P.E.
5. Kevin T. Carel, P.G.
6. Matt K. Stutz, P.E.
7. Gregory J. Lewis, P.E.
8. Adam Mehevec, P.E.
9. John Michael McInturff, P.E., PTDE
10. John A. Worrall
11. Charles Heimsath
12. Donna Carter
13. C. Lee Sherrod
14. William Southern
15. Brad Dugas

December 23, 2008

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Should you have any questions, please do not hesitate to contact me. Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Paul Gosselink". The signature is written in a cursive style with a large, prominent initial "P".

Paul Gosselink

PGG/ilk

Attachment: Certificate of Service

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Letter to Judge Newchurch and all Parties was served on the following counsel/parties of record by certified mail (return receipt requested), regular U.S. mail, facsimile transmission and/or hand delivery and via e-mail on December 23, 2008.

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