

**SOAH Docket No. 582-08-2178
TCEQ Docket No. 2007-1774-MSW**

**IN RE THE APPLICATION OF BFI WASTE § BEFORE THE
SYSTEMS OF NORTH AMERICA, LLC § STATE OFFICE OF
PERMIT NO. MSW-1447A § ADMINISTRATIVE HEARINGS**


**AGREED STIPULATIONS BY AND BETWEEN TJFA, LP
AND BFI WASTE SYSTEMS OF NORTH AMERICA, LLC**

TFJA, LP and BFI WASTE SYSTEMS OF NORTH AMERICA, LLC (BFI) agree to the following stipulated facts:

1. TJFA, LP is a Texas limited partnership. TJFA, LP was formed in November 2004.
2. Bob Gregory is the sole (99%) limited partner of TJFA, LP.
3. Garra de Aguila, Inc. , a Texas corporation, owns the remaining 1% interest in TJFA, LP and serves as the managing general partner of TJFA, LP.
4. Bob Gregory owns 100% of the shares of Garra de Aguila, Inc.
5. Bob Gregory serves as president, chief executive officer and principal owner of Texas Disposal Systems Landfill, Inc. and Texas Disposal Systems, Inc.
6. Texas Disposal Systems Landfill, Inc. owns a municipal solid waste landfill near Creedmoor in southeast Travis County.
7. Neither TJFA, LP nor Garra de Aguila, Inc. have any employees.
8. Dennis Hobbs currently serves as the sole officer and director of Garra de Aguila, Inc.
9. Dennis Hobbs is employed by Texas Disposal Systems, Inc. as its Director of Special Projects.

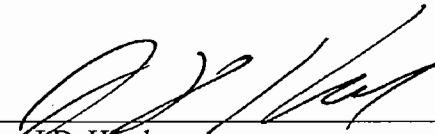
10. TJFA, LP shares a common business location, telephone number and fax number with Texas Disposal Systems Landfill, Inc. and Texas Disposal Systems, Inc.

Respectfully submitted,

By: 
Paul G. Gosselink
Texas Bar No. 08222800

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ATTORNEYS FOR TJFA, LP

Certificate of Service

I hereby certify that a true and correct copy of the foregoing stipulations 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 February 3, 2009.

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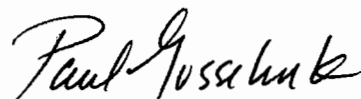
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IN RE THE APPLICATION OF BFI WASTE § BEFORE THE
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AGREED STIPULATIONS REGARDING WETLANDS

TFJA, LP (TFJA), Northeast Neighbors Coalition (NNC), BFI Waste Systems of North America, Inc. (BFI) and Giles Holding, L.P. (Giles) (collectively, "The Parties") agree and stipulate as follows:

1. The Parties agree and stipulate that identification and/or protection of wetlands has not been referred as an issue.
2. The Parties further agree and stipulate that BFI has in all respects satisfied any burden pertaining to matters regarding the identification and/or protection of wetlands in this proceeding.

All other parties (the City of Austin, Travis County, the Executive Director and OPIC) do not join in these stipulations and agreements, but also do not object to them.

Respectfully submitted,

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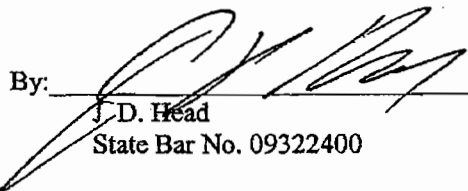
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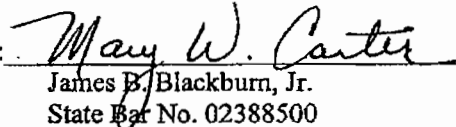

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State Bar No. 02388500

Mary W. Carter
State Bar No. 03926300

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NORTHEAST NEIGHBORS COALITION, BFI WASTE SYSTEMS
OF NORTH AMERICA, LLC AND GILES HOLDING, L.P.**

TFJA, LP (TFJA), Northeast Neighbors Coalition (NNC), BFI Waste Systems of North America, Inc. (BFI) and Giles Holding, L.P. (Giles) (collectively, "The Parties") agree and stipulate as follows:

1. BFI and Giles agree that TJFA withdraws the prefiled testimony of its witness James F. Neyens as well as all exhibits that were to be sponsored by or through Mr. Neyens (TJFA Exhibits JN-2 through JN-6).
2. The Parties agree that a component of Referred Issue J (pertaining to whether the application includes adequate provisions for closure cost estimates in accordance with TCEQ rules), Referred Issue S (pertaining to whether the application includes adequate provisions for fire protection in accordance with TCEQ rules), and Referred Issue Z (pertaining to whether the storage, treatment and disposal of contaminated water is adequately addressed in the application and draft permit) are not in dispute and may be resolved as if BFI had obtained summary disposition in its favor with respect to each of these three issues.

All other parties (the City of Austin, Travis County, the Executive Director and OPIC) do not join in these stipulations and agreements, but also do not object to them.

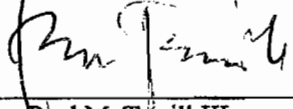
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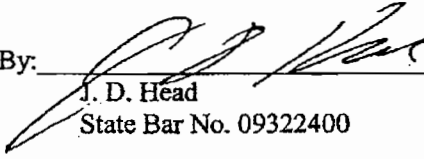
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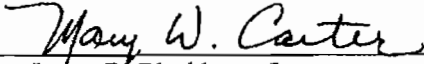

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