

**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**

**APPLICANT BFI WASTE SYSTEMS OF NORTH AMERICA, LLC.
EXPERT DESIGNATIONS**

To: Executive Director, Texas Commission on Environmental Quality (TCEQ), by and through his attorney of record, Steve Shepherd, TCEQ Office of General Counsel (MC-173) P.O. Box 13087, Austin, Texas 78711-3087.

Office of Public Interest Counsel (OPIC), by and through its attorney of record, Christina Mann (MC-103), Office of the Public Interest Counsel, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

Travis County, by and through its attorney of record, Kevin Morse, Assistant Travis County Attorney, Travis County Attorney's Office, P. O. Box 1748, Austin, Texas 78767.

City of Austin, by and through its attorney of record, Holly Noelke, Assistant City Attorney, City of Austin Law Department, P. O. Box 1088, Austin, Texas 78767.

Northeast Neighbors Coalition and Individual Protestants, by and through their attorney of record, Jim Blackburn, Blackburn & Carter, LLP, 4709 Austin Street, Houston, Texas 77004.

TJFA, L.P., by and through its attorneys of record, Bob Renbarger and J.D. Head, Fritz, Byrne, Head & Harrison, LLP, 98 San Jacinto Blvd., Suite 2000, Austin, Texas 78701.

Giles Holdings, L.P., by and through its attorney of record, Paul M. Terrill, The Terrill Law Firm, 810 West 10th Street, Austin, Texas 78701.

Applicant BFI WASTE SYSTEMS OF NORTH AMERICA, LLC serves these Expert Designations pursuant to the Texas Rules of Civil Procedure and the ALJ's Order No. 1.

Respectfully submitted,

By: 
Paul G. Gosselink
Texas Bar No. 08222800

LLOYD, GOSSELINK, ROCHELLE & TOWNSEND, P.C.
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**ATTORNEYS FOR APPLICANT
BFI WASTE SYSTEMS OF NORTH
AMERICA, LLC**

OF COUNSEL:

John E. Carlson
Texas Bar No. 00790426
John R. Moore
Texas Bar No. 14348565

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Expert Designation 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 June 6, 2008:

FOR THE CHIEF CLERK:

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COALITION AND INDIVIDUALS:

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4709 Austin Street
Houston, Texas 77004
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REPRESENTING TJFA, L.P.:

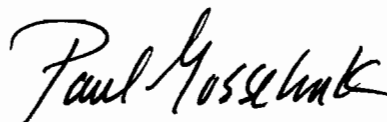
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Paul G. Gosselink

RETAINED TESTIFYING EXPERTS

1. Ray Shull, P.E.
Associated Consulting Engineers, Inc.
Barton Oaks Plaza
901 South Mopac Expy., Bldg Two, Ste. 165
Austin, Texas 78746
Phone: (512) 329-0006

Mr. Shull, a principal with Associated Consulting Engineers, Inc., was the lead project engineer responsible for the preparation of the permit amendment application. He is a registered professional engineer in Texas. He has extensive experience managing and directing solid waste management design and permitting projects, and has served as engineer of record on numerous MSW permit applications.

Mr. Shull will provide expert opinion and factual testimony on overall issues related to the preparation and completion of the permit application in compliance with applicable regulations, coordination with TCEQ's professional staff, and other issues related to the permit application and proposed vertical expansion. Mr. Shull may also provide testimony regarding coordination of the application with various federal, state and local governmental agencies. Mr. Shull will testify that, in his opinion, the application includes adequate provisions to control disease vectors; proposes adequate protection of surface water; includes adequate provisions to control odors; includes adequate provisions to control spilled and windblown waste and clean up spilled waste; includes adequate provisions calculating the estimated rate of solid waste deposition and operating life of the site; includes adequate provisions for closure and post-closure; includes adequate provisions to manage and dispose of special waste; includes adequate provisions designating the owner, operator, responsible parties and qualified personnel; includes adequate provisions to prevent unauthorized wastes from being disposed in the landfill; provides adequate information related to transportation; includes adequate provisions for dust control and maintenance of site access roads; includes adequate provisions to protect endangered or threatened species; includes adequate provisions for cover; includes adequate provisions for fire protection; complies with financial assurance requirements; provides for buffer zones and landscape screening; by complying with appropriate regulatory provisions, proposes sufficient protection of the health of requesters and their families and to avoid causing a nuisance; proposes appropriate operational hours; contains sufficient erosion control methods; and adequately addresses the storage, treatment and disposal of contaminated water. He will also testify that the application should not be denied based on the applicant's compliance history (including its compliance history rating), and that the application satisfies the agency's land use compatibility requirements. He will also testify that the proposed Site Operating Plan is compliant with all applicable regulatory requirements. Detailed descriptions of Mr. Shull's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, are contained throughout the relevant portions of the permit application, including but not limited to Parts I, II, III (Attachments 1-3, 6-10, Attachments 12-13 & Attachment 15) and IV.

Mr. Shull bases his opinion on his knowledge, skill, experience, training, education and his extensive involvement in this project. He was the primary engineer responsible for the preparation of the permit application, conducted multiple site visits, and was integrally involved in every aspect of site analysis, landfill engineering and design, coordination with the various reviewing agencies, coordination with other professionals, and all other relevant issues. A copy of Mr. Shull's resume is attached.

2. Gregory J. Lewis, P.E.

Associated Consulting Engineers, Inc.
Barton Oaks Plaza
901 South Mopac Expy., Bldg Two, Ste. 165
Austin, Texas 78746
Phone: (512) 329-0006

Mr. Lewis is a licensed professional engineer who was worked extensively on Parts I, II and III of the application and was primarily responsible for preparing Attachment 6 in Part III of the permit application. Mr. Lewis may provide expert opinion and factual testimony regarding (among other things) drainage at and around the facility, protection of surface waters, solid waste deposition and site life calculations, cover, financial assurance, erosion controls, and the storage, treatment and disposal of contaminated water. In addition to analyzing drainage at and around the facility, Mr. Lewis will testify that, in his opinion, the facility has been designed to comply with applicable TCEQ regulations. He will testify that the application demonstrates that natural drainage patterns will not be significantly altered by the proposed expansion. He will also testify that the application proposed adequate protection of surface water; includes adequate provisions calculating the estimated rate of solid waste deposition and operating life of the site; includes adequate provisions for closure and post-closure; includes adequate provisions for cover; complies with financial assurance requirements; provides sufficient erosion control methods; and adequately addresses the storage, treatment and disposal of contaminated water. A detailed summary of Mr. Lewis's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, are contained in relevant portions of the permit application. The drainage analysis is located at Part III, Attachment 6 of the application. Mr. Lewis bases his mental impressions and opinions on his education, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; his general understanding of engineering and hydrology; reviews of historical data and reports related to local and regional drainage; reviews of hydrology treatises, texts and studies; and coordination with professional engineers, geoscientists and hydrologists. A copy of Mr. Lewis's resume is attached.

3. Adam W. Mehevec, P.E.

Associated Consulting Engineers, Inc.
Barton Oaks Plaza
901 South Mopac Expy., Bldg Two, Ste. 165
Austin, Texas 78746
Phone: (512) 329-0006

Mr. Mehevec is a licensed professional engineer who worked extensively on Attachments 1,2, 3, 6, 8, 12, 13 and 15 in Part III of the permit application as well as the site life calculations for the proposed facility. Mr. Mehevec may provide expert opinion and factual testimony regarding (among other things) drainage at and around the facility, protection of surface waters, solid waste deposition and site life calculations, cover, financial assurance, erosion controls, and the storage, treatment and disposal of contaminated water. In addition to analyzing drainage at and around the facility, Mr. Mehevec will testify that, in his opinion, the facility has been designed to comply with applicable TCEQ regulations. He will testify that the application demonstrates that natural drainage patters will not be significantly altered by the proposed expansion. He will also testify that the application proposes adequate protection of surface water; includes adequate provisions calculating the estimated rate of solid waste deposition and operating life of the site; includes adequate provisions for closure and post-closure; includes adequate provisions for cover; complies with financial assurance requirements; provides sufficient erosion control methods; and adequately addresses the storage, treatment and disposal of contaminated water. A detailed summary of Mr. Mehevec's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, are contained in relevant portions of the permit application. Mr. Mehevec bases his mental impressions and opinions on his education, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; his general understanding of engineering and hydrology; reviews of historical data and reports related to local and regional drainage; reviews of hydrology treatises, texts and studies; and coordination with professional engineers, geoscientists and hydrologists. A copy of Mr. Mehevec's resume is attached.

4. John Michael Snyder, P.G.

Biggs& Matthews Environmental
1700 Robert Road
Mansfield, Texas 76063
Phone: (817) 563-1144

Mr. Snyder is a licensed professional geoscientist who was primarily responsible for preparing Attachments 4 and 5 in Part III of the permit application. Mr. Snyder may provide expert testimony regarding (among other things) regional and site geology, geologic characterization, regional and site hydrogeology, hydrogeologic characterization, groundwater and groundwater monitoring, the potential effect of the expansion on groundwater flow, groundwater monitoring, location restrictions (including fault studies), and related issues. In addition to characterizing the geology and hydrogeology at and around the site, Mr. Snyder will testify that, in his opinion, the facility has been designed to comply with applicable regulations and will be protective of groundwater. He will also testify that the vertical expansion will have no effect on groundwater flow or groundwater monitoring. A detailed summary of Mr. Snyder's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, is contained in Part III, Attachments 4 and 5 of the permit application. Mr. Snyder bases his mental impressions and opinions on his education, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas;

his general understanding of geology, hydrogeology and groundwater monitoring; reviews of historical data and reports related to geology, hydrogeology and groundwater monitoring; reviews of geology and hydrogeology treatises, texts and studies; and coordination with professional engineers and geoscientists. A copy of Mr. Snyder's resume is attached.

5. Gregory W. Adams, P.E.

Biggs& Matthews Environmental
1700 Robert Road
Mansfield, Texas 76063
Phone: (817) 563-1144

Mr. Adams is a licensed professional engineer who was primarily responsible for preparing the geotechnical report in Part III, Attachment 4 of the permit application as well as associated geotechnical appendices to that report. Mr. Adams also prepared the Soil and Liner Quality Control plan contained in Attachment 10 of the permit application. Mr. Adams may provide expert testimony regarding (among other things) geotechnical engineering aspects of the permit application; geotechnical lab testing data and material properties; liner construction; slope stability analysis; settlement and heave; final cover construction; and related geotechnical issues. Mr. Adams will testify that, in his opinion, the proposed facility has been designed to comply with applicable regulations and will thus be protective of groundwater, provide for adequate slope stability, and provide for adequate final cover. A detailed summary of Mr. Adams's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, is contained in Part III, Attachment 4. Mr. Adams bases his mental impressions and opinions on his knowledge, skill, experience, training, education and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; his general understanding of engineering and geotechnics; reviews of historical data and reports related to soils, geotechnics, geology, hydrogeology and groundwater monitoring; reviews of geotechnical, geology and hydrogeology treatises, texts and studies; and coordination with professional engineers and geoscientists. A copy of Mr. Adams's resume is attached.

6. Matt Stutz, P.E.

Weaver Boos Consultants, LLC-Southwest
6420 Southwest Blvd., Suite 206
Fort Worth, Texas 76109
Phone: (817) 735-9770

Mr. Stutz is a licensed professional engineer who was primarily responsible for the design of the landfill gas collection system at the facility. Mr. Stutz has extensive experience and expertise in matters pertaining to air emissions and in designing landfill gas collection systems. Mr. Stutz may provide expert opinion and factual testimony regarding the landfill gas collection systems, landfill gas migration, gas probes, beneficial use of landfill gas, air emissions and airborne particulates (including dust), and related issues (including matters pertaining to odors associated

with landfill gas). In addition to describing the landfill gas collection systems and matters pertaining to landfill gas at the site, Mr. Stutz will testify that, in his opinion, the permit application provides for managing landfill gas and that the landfill gas collection systems comply with all regulatory requirements, and that the landfill complies with federal and air emission requirements. Mr. Stutz will also testify that the landfill gas system will operate in a manner such that any odors associated with landfill gas are controlled. A summary of Mr. Stutz's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, is contained in Attachment 14 of the permit application. Mr. Stutz bases his mental impressions and opinions on his education, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; reviews of historical data and reports related to landfill gas, his general understanding of landfill gas and collection of landfill gas; and coordination with professional geoscientists and engineers. A copy of Mr. Stutz's resume is attached.

7. Lee Sherrod

Horizon Environmental Services, Inc.
P.O. Box 162017
2600 Dellana Lane, Suite 200
Austin, Texas 78746
Phone: (512) 328-2430

Mr. Sherrod has a Bachelor's degree in Forestry/Wildlife Management/Zoology and a Master's degree in Botany and Wetlands Ecology. He is a principal at Horizon Environmental Services, Inc. He has extensive professional experience and expertise in matters pertaining to wetlands, biological and ecological assessments, endangered and threatened species, and the critical habitat of endangered and threatened species. Mr. Sherrod will testify that the application includes adequate provisions to protect endangered or threatened species in compliance with TCEQ rules. Mr. Sherrod bases his mental impressions and opinions on his education, skill, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; reviews of endangered and threatened species lists and related materials, and his general understanding of biology, zoology and wildlife management. A copy of Mr. Sherrod's resume is attached.

8. John Michael McInturff, P. E., PTOE

HDR Engineering Inc.
504 Lavaca Street, #1175
Austin, TX 78701
Phone: (512) 904-3720

Mr. McInturff is a licensed professional traffic engineer who conducted traffic studies and analyses in connection with the permit application. Mr. McInturff will provide expert opinion and factual testimony regarding transportation, traffic patterns (current and projected), area roadways (current and planned), access to the landfill and related issues. In addition to

describing regional and local transportation, traffic patterns, roadways and site access, Mr. McInturff will testify (without limitation) that, in his opinion, the application provides adequate information related to transportation and complies with TCEQ transportation requirements; that the area roadway system providing access to the landfill is good; that current and future planned improvements to these roadways will continue to provide good access because the planned expansion of capacity on area roads will be more than adequate to accommodate the forecasted waste haul trips to the landfill. A summary of Mr. McInturff's observations, analyses and mental impressions and conclusions, as well as the factual bases for his mental impressions and conclusions, is contained in Part II, Section II.E (Transportation Study) of the permit application. Mr. McInturff bases his mental impressions and opinions on his knowledge, skill, experience, training, education and involvement in this project – which has included, without limitation, reviews of area roadways, performing traffic counts and analyses, coordination with TxDOT and the City of Austin, reviews of forecasted visits to the site and surrounding areas; and reviews of regional transportation and roadway plans. A copy of Mr. McInturff's resume is attached.

9. Dr. William E. Southern
W. 4147 County Hwy. F
Springbrook, WS 54875
Phone: (715) 466-2583

Dr. Southern is an ornithologist and principal of WES Ecological Consulting. He assisted in the development of the bird control plan for the facility.

Dr. Southern will provide expert testimony regarding vectors and scavengers. Dr. Southern will testify (without limitation) that, in his opinion, the facility's Bird Control Plan does control on-site populations of birds; that the Bird Control Plan does not allow scavenging by birds; that the Bird Control Plan prevents nuisance conditions from birds from being released from the property boundary of the authorized facility; that the Bird Control Plan prevents the creation of nuisances or public health hazards due to birds; and that the Bird Control Plan prevents propagation and attraction of birds and the creation of public health nuisances. A copy of Dr. Southern's resume is attached.

10. Larry Dunbar
Dunbar, Harder & Benson, L.L.P.
One Riverway, Suite 1850
Houston, TX 77056
(713) 782-4646

Mr. Dunbar is a licensed professional engineer and practicing attorney who has reviewed Attachment 6 in Part III of the permit application. Mr. Dunbar may provide expert testimony regarding (among other things) drainage patterns at the proposed facility. In addition to analyzing drainage at and around the site and the proposed facility, Mr. Dunbar will testify that, in his opinion, the application demonstrates that natural drainage patterns will not be significantly

altered by the proposed expansion and the facility has been designed to comply with applicable TCEQ regulations. Mr. Dunbar bases his mental impressions and opinions on his education, skill, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; his general understanding of hydrology; reviews of historical data and reports related to local and regional drainage; reviews of hydrology treatises, texts and studies; and coordination with professional engineers, geoscientists and hydrologists. A copy of Mr. Dunbar's resume is attached.

11. Shari B. Libicki, Ph.D.

ENVIRON International Corporation
6001 Shellmound Street, #700
Emeryville, California 94608
Phone: (510) 420-2533

Dr. Libicki has Masters and Doctoral degrees in Chemical Engineering. She is a principal at ENVIRON International where she serves as Air Quality Practice Area Leader. She is also an adjunct professor at Stanford University. She has extensive professional experience and expertise in matters pertaining to air quality, air emissions from industrial facilities and landfills, and the management and control of odors and dust from such facilities. Dr. Libicki may provide testimony regarding the impact of air emissions from the landfill, odor management and control, dust control and related issues. She will testify that, in her opinion, the application complies with regulatory odor management provisions and that the Site Operating Plan and other ancillary policies, procedures and practices at the landfill will provide effective means to control odors (including but not limited to odors associated with landfill gas). Dr. Libicki bases her mental impressions and opinions on her education, experience, and involvement in this project – including but not limited to site visitation, interviews of site personnel, review of the Site Operating Plan and other documents, regional meteorological data, information regarding site topography, and her general understanding of air quality, air emissions and odor management and control. A copy of Dr. Libicki's resume is attached.

12. John Worrall

John Worrall Consulting
500 Camino Barranca
Round Mountain, TX 78663
Phone: (830) 825-3029

Mr. Worrall is a land planning expert who has reviewed land uses in the vicinity of the landfill. Mr. Worrall will provide expert opinion and factual testimony on issues related to land use in the vicinity of the landfill, land use compatibility, visual impacts, zoning, buffer zones, screening, landfill configurations, compliance with applicable regulations and any other matter deemed relevant in these proceedings. Mr. Worrall will testify that the proposed facility is compatible with surrounding land uses and zoning requirements; that the proposed buffer zones meet or exceed all applicable regulations; that the visual screening of the facility meets or exceeds all applicable regulations; and that due care was taken in the development of the design of the

configuration, shape and height of the proposed facility. Mr. Worrall bases his opinions on area and site investigations; his review of regulations, zoning ordinances, local and regional governmental data and forecasts, and other materials; and his experience as a land planning consultant. A copy of Mr. Worrall's resume is attached.

13. Charles Heimsath

Capitol Market Research
605 Brazos, Suite 300
Austin, Texas 78701
(512) 476-5000

Mr. Heimsath is a real estate and land development and valuation expert who has reviewed land uses and growth trends in the vicinity of the landfill. Mr. Heimsath will provide expert opinion and factual testimony on issues related to land uses and growth trends in the vicinity of the facility. He will testify that the proposed facility is compatible with surrounding land uses, particularly (but not exclusively) in light of past and projected growth trends. Mr. Heimsath bases his opinions on area and site investigations; his review of regulations, zoning ordinances, local and regional governmental data and forecasts, market research, and other materials; and his experience as a real estate and land development and valuation consultant. A copy of Mr. Heimsath's resume is attached.

14. Donna Carter

Carter and Associates
817 W 11th Street
Austin, TX 78701
(512) 476-1812

Ms. Carter is an architect and land planner who has reviewed land uses in the vicinity of the landfill and worked on the structural design of the landfill. BFI anticipates that she will provide testimony on the subject matters discussed in the designation pertaining to John Worrall above. Ms. Carter bases her opinions on area and site investigations; her review of regulations, zoning ordinances, local and regional governmental data and forecasts, and other materials; and her experience as an architect and land planning consultant. A copy of Ms. Carter's resume is attached.

15. Michael S. Hunt, P.E.

Hunt Air Strategies
1611 Taylor Gaines
Austin, TX 78741
Phone: (512) 447-8082

Mr. Hunt is a professional engineer and has reviewed portions of the application regarding air emissions and controls. BFI anticipates that Mr. Hunt will provide expert opinion and factual testimony on issues related to air emissions and controls and compliance with applicable

regulations and any other matter deemed relevant in these proceedings. Mr. Hunt bases his opinions on site investigations, regulations and his experiences in the field of air emissions. Mr. Hunt may also provide rebuttal testimony. A copy of Mr. Hunt's resume is attached.

16. Mitcheal David Wilson

Titanium Environmental Services, LLC
P.O. Box 4029
Longview, Texas 75606-4029
903-234-8443

Mr. Wilson is a principal in Titanium Environmental Services, LLC, an environmental consulting firm located in Longview, Texas. Mr. Wilson has extensive experience and expertise in matters pertaining to air quality, air emissions from industrial facilities and the detection and management of odor from such facilities. Mr. Wilson may provide testimony regarding air emissions including the detection, control and management of landfill odor. Mr. Wilson bases his mental impressions and opinions on his education, experience and his involvement in this project – including but not limited to site visits, interviews, review of application documents, regional meteorological data and information regarding site topography and his general understanding of odor management and control. A copy of Mr. Wilson's resume is attached.

Rebuttal Experts

Each of the foregoing retained experts may provide direct case and rebuttal testimony. The following expert witnesses are currently anticipated to provide only rebuttal testimony.

17. Kevin Carel, P.G.

The Carel Corporation
136 Pecan Street
Keller, Texas 76248
Phone: (817) 337-0112

Mr. Carel is a licensed professional geoscientist. He has extensive experience with landfill groundwater monitoring systems and, more particularly, groundwater sampling, statistical analyses and report preparation for landfill groundwater monitoring systems. Mr. Carel may provide expert testimony regarding (among other things) the GWSAP and its preparation, groundwater sampling practices and procedures, statistical analyses of groundwater, and preparation of reports. In addition to describing the foregoing, Mr. Carel will testify that, in his opinion, the GWSAP is based on sound scientific and statistical principles and practices, complies with applicable MSW regulations, will assist in monitoring groundwater at and around the site to ensure prompt detection and reporting of any potential release, and will otherwise be protective of groundwater. He will also testify that the proposed vertical expansion will not have any effect on the GWSAP and groundwater sampling, analysis and reporting. A copy of Mr. Carel's resume is attached.

18. H. C. Clark, Ph.D.
2300 Bolsover
Houston, Texas 77005
Phone: (713) 529-0090

Dr. Clark has Master's and Doctoral degrees in geophysics. He is a licensed professional geoscientist who participated in the review of Attachments 4 and 5 in Part III of the permit application. Dr. Clark may provide expert testimony regarding (among other things) regional and site geology, geologic characterization, regional and site hydrogeology and hydrogeologic characterization, and groundwater monitoring and remediation. In addition to describing the geologic and hydrogeologic characterizations at and around the site, Dr. Clark will testify that, in his opinion, the facility has been designed to comply with applicable regulations and will be protective of groundwater. He will also testify that the vertical expansion will have no effect on groundwater flow or the groundwater monitoring and remediation systems. Dr. Clark bases his mental impressions and opinions on his education, experience and involvement in this project – which has included, without limitation, visits to the site and surrounding areas; review of the application; reviews of historical data and reports related to geology, hydrogeology and groundwater monitoring; reviews of regional geology treatises and texts; library research regarding site history, his general understanding of regional geology; and coordination with professional geoscientists and engineers. A copy of Dr. Clark's resume is attached.

NON-RETAINED EXPERTS

BFI reserves the right to elicit expert opinion testimony from the following non-retained experts:

19. Brad Dugas
Allied Waste Industries, Inc.
South Central Texas District Market Vice-President
2575 IH 35 South, Suite 103
San Marcos, TX. 78666
Phone: (512) 392-9101

Mr. Dugas is employed by Allied Waste, Inc. and serves as Market Vice-President for its South Central Texas District. He has extensive professional experience, skill and knowledge in matters pertaining to operation and management of MSW facilities. Among other things, Mr. Dugas may provide expert testimony regarding site operation and landfill management, the Site Operating Plan, and general environmental compliance. Mr. Dugas will testify that, in his opinion, the Site Operating Plan – including but not limited to those aspects of the Site Operating Plan that have been referred by TCEQ for contested case hearing – complies with the MSW regulations pertaining to site operation. Mr. Dugas bases his mental impressions and opinions on his education, skill, knowledge and experience, his general understanding regarding operation

and management of MSW facilities, and his specific knowledge of the Sunset Farms Landfill. A copy of Mr. Dugas' resume is attached.

20. Lee Kuhn

South Region Director, Engineering Environmental Management
Allied Waste
Greenspoint Park 2
16800 Greenspoint Park Drive, Suite #225N
Houston, Texas 77060
Phone: (281) 673-2036

Mr. Kuhn is employed by Allied Waste, Inc. and serves as Director of Engineering and Environmental Management for the South region. He has extensive professional experience, skill and knowledge in matters pertaining to landfill gas collection systems and the operation and management of MSW facilities. Among other things, Mr. Kuhn may provide expert testimony regarding landfill gas, odor control, dust control, site operation and landfill management, general environmental compliance. He will testify that, in his opinion, application provides for managing landfill gas and that the landfill gas collection systems comply with all regulatory requirements. He will also testify that the Site Operating Plan – including but not limited to those aspects of the Site Operating Plan that have been referred by TCEQ for contested case hearing – complies with the MSW regulations pertaining to site operation. Mr. Kuhn bases his mental impressions and opinions on his education, skill, knowledge and experience, his general understanding of landfill gas collection systems and understanding regarding operation and management of MSW facilities, and his specific knowledge of the Sunset Farms Landfill. Mr. Kuhn's resume is attached.

21. Scott Trebus

Regional Environmental Manager
Allied Waste
Greenspark Park 2
16800 Greenspoint Park Drive, Suite #225N
Houston, Texas 77060
Phone: (281) 673-2036

Mr. Trebus is employed by Allied Waste, Inc. and serves as Regional Environmental Manager for the Houston region. He has extensive professional experience, skill and knowledge in matters pertaining to landfill gas collection systems and the operation and management of MSW facilities. Among other things, Mr. Trebus may provide expert testimony regarding landfill gas, odor control, dust control, site operation and landfill management, general environmental compliance. He will testify that, in his opinion, the application provides for managing landfill gas and that the landfill gas collection system complies with all regulatory requirements. He will also testify that the Site Operating Plan – including but not limited to those aspects of the Site Operating Plan that have been referred by TCEQ for contested case hearing – complies with the MSW regulations pertaining to site operation. Mr. Trebus bases his mental impressions and

opinions on his education, skill, knowledge and experience, his general understanding of landfill gas collection systems and understanding regarding operation and management of MSW facilities, and his specific knowledge of the Sunset Farms Landfill. Mr. Trebus' resume is attached.

OTHERS

22. Richard Carmichael, Ph.D., P.E.
Jeff Holderread, P.E.
Jeff Davis
Arten Avakian, P.G.
Karen Cleveland
Matthew Udenenwu
Kim Sladek
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
(512) 239-1000

Carmichael, Holderread, Davis, Avakian, Cleveland, Udenenwu and Sladek are with TCEQ's Office of Permitting, Remediation and Registration, and may testify as to matters pertaining to the Executive Director and agency staff's administrative and technical evaluation of the application and regulatory compliance.

BFI WASTE SYSTEMS OF NORTH AMERICA, LLC reserves the right to supplement these designations, to substitute alternative experts, to designate additional rebuttal experts, and to cross-designate experts who may be designated by other parties. Applicant may also call consulting experts whose work was relied upon by any of the testifying experts.

BFI WASTE SYSTEMS OF NORTH AMERICA, LLC will supplement its list of testifying experts as required.