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October 22, 2008

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Client No.: 1635-03
From: Paul Gosselink

No. of Pages: 20 + 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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**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'S
NOTICE OF ORAL DEPOSITION OF
EVAN WILLIAMS AND SUBPOENA DUCES TECUM**

TO: Northeast Neighbors Coalition and Aligned Entities and Individuals, by and through their counsel of record, Jim Blackburn, Blackburn and Carter, LLP, 4709 Austin Street, Houston, Texas 77004.

PLEASE TAKE NOTICE pursuant to Rule 199 of the Texas Rules of Civil Procedure that Applicant BFI Waste Systems of North America, LLC will take the following oral deposition in this proceeding:

Witness: Evan Williams
Date: Tuesday, October 28, 2008
Time: 3:00 p.m. (or immediately upon completion of the deposition of Evelyn Remmert in the event that deposition runs past 3:00pm)
**Location: Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, Texas 78701**

The deposition will continue from day-to-day until completed. The deposition will be taken before a certified court reporter from Kennedy Reporting Service. The following persons may attend the deposition in addition to counsel for BFI: a corporate representative of BFI. The witness is requested to bring to the deposition for review and inspection the originals of the documents requested in the subpoena duces tecum that is attached as Exhibit "A."

Respectfully submitted,

By: 
Paul G. Gosselink
Texas Bar No. 08222800

LLOYD, GOSSELINK, ROCHELLE & TOWNSEND, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 78701
Phone: (512) 322-5800
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**ATTORNEYS FOR APPLICANT
BFI WASTE SYSTEMS OF NORTH
AMERICA, LLC**

OF COUNSEL:

John E. Carlson
Texas Bar No. 00790426

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Notice of Oral Deposition 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 October 22, 2008:

FOR THE PUBLIC INTEREST COUNSEL:

Christina Mann
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4014
Fax: (512) 239-6377

FOR THE EXECUTIVE DIRECTOR:

Steve Shepherd, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
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REPRESENTING CITY OF AUSTIN:

Holly Noelke
Assistant City Attorney
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Fax: (512) 974-6490

REPRESENTING GILES HOLDINGS, L.P.

Paul M. Terrill, III
The Terrill Firm, P.C.
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REPRESENTING NORTHEAST NEIGHBORS
COALITION AND INDIVIDUALS:

Jim Blackburn and Mary Carter
Blackburn and Carter, LLP
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Fax: (713) 524-5165

REPRESENTING TJFA, L.P.:

Bob Renbarger and J. D. Head
Fritz, Byrne, Head, & Harrison, LLP
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REPRESENTING TRAVIS COUNTY:

Kevin Morse
Assistant Travis County Attorney
Travis County Attorney's Office
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515 Congress Avenue
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Austin, Texas 78767
Tel: (512) 472-9990
Fax: (512) 472-3183



Paul G. Gosselink

Exhibit "A"
Subpoena Duces Tecum

Please produce and make available at the deposition the following:

1. Any and all supplemental documents or tangible things within your possession, custody or control that are responsive to and within the scope of the discovery requests as set forth in BFI Waste Systems of North America, LLC First Set of Interrogatories and Requests to Production and Things to Williams, Ltd..
2. Any and all documents in your possession, custody or control that regard, refer or relate to BFI's application to expand the Sunset Farms Landfill that have not been previously produced by you in this proceeding.
3. Location mapping of odor complaints/sources/impacts and documents that reflect, refer or relate to same.

**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'S
NOTICE OF ORAL DEPOSITION OF
MARK MCAFEE AND SUBPOENA DUCES TECUM**

TO: Northeast Neighbors Coalition and Aligned Entities and Individuals, by and through their counsel of record, Jim Blackburn, Blackburn and Carter, LLP, 4709 Austin Street, Houston, Texas 77004.

PLEASE TAKE NOTICE pursuant to Rule 199 of the Texas Rules of Civil Procedure that Applicant BFI Waste Systems of North America, LLC will take the following oral deposition in this proceeding:

- Witness:** Mark McAfee
- Date:** Wednesday, October 29, 2008
- Time:** 1:00 p.m. (or immediately upon completion of the deposition of Delmer Rogers in the event that deposition runs past 1:00 p.m.)
- Location:** Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, Texas 78701

The deposition will continue from day-to-day until completed. The deposition will be taken before a certified court reporter from Kennedy Reporting Service. The following persons may attend the deposition in addition to counsel for BFI: a corporate representative of BFI. The

witness is requested to bring to the deposition for review and inspection the originals of the documents requested in the subpoena duces tecum that is attached as Exhibit "A."

Respectfully submitted,

By: 
Paul G. Gosselink
Texas Bar No. 08222800

LLOYD, GOSSELINK, ROCHELLE & TOWNSEND, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 78701
Phone: (512) 322-5800
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**ATTORNEYS FOR APPLICANT
BFI WASTE SYSTEMS OF NORTH
AMERICA, LLC**

OF COUNSEL:

John E. Carlson
Texas Bar No. 00790426

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Notice of Oral Deposition 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 October 22, 2008:

FOR THE PUBLIC INTEREST COUNSEL:

Christina Mann
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
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Austin, Texas 78711-3087
Tel: (512) 239-4014
Fax: (512) 239-6377

FOR THE EXECUTIVE DIRECTOR:

Steve Shepherd, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
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REPRESENTING NORTHEAST NEIGHBORS
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REPRESENTING TJFA, L.P.:

Bob Renbarger and J. D. Head
Fritz, Byrne, Head, & Harrison, LLP
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Fax: (512) 477-5267

REPRESENTING TRAVIS COUNTY:

Kevin Morse
Assistant Travis County Attorney
Travis County Attorney's Office
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REPRESENTING PIONEER FARMS:

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Tel: (512) 472-9990
Fax: (512) 472-3183



Paul G. Gosselink

Exhibit "A"
Subpoena Duces Tecum

Please produce and make available at the deposition the following documents and things:

1. Any and all supplemental documents or tangible things within your possession, custody or control that are responsive to and within the scope of the discovery requests as set forth in BFI Waste Systems of North America, LLC First Set of Interrogatories and Requests to Production and Things to Mark and Melanie McAfee.
2. Any and all documents in your possession, custody or control that regard, refer or relate to BFI's application to expand the Sunset Farms Landfill that have not been previously produced by you in this proceeding.
3. Location mapping of odor complaints/sources/impacts and documents that reflect, refer or relate to same.

**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'S
NOTICE OF ORAL DEPOSITION OF
DELMER ROGERS AND SUBPOENA DUCES TECUM**


TO: Northeast Neighbors Coalition and Aligned Entities and Individuals, by and through their counsel of record, Jim Blackburn, Blackburn and Carter, LLP, 4709 Austin Street, Houston, Texas 77004.

PLEASE TAKE NOTICE pursuant to Rule 199 of the Texas Rules of Civil Procedure that Applicant BFI Waste Systems of North America, LLC will take the following oral deposition in this proceeding:

Witness: Delmer Rogers
Date: Wednesday, October 29, 2008
Time: 10:00 a.m.
**Location: Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, Texas 78701**

The deposition will continue from day-to-day until completed. The deposition will be taken before a certified court reporter from Kennedy Reporting Service. The following persons may attend the deposition in addition to counsel for BFI: a corporate representative of BFI. The witness is requested to bring to the deposition for review and inspection the originals of the documents requested in the subpoena duces tecum that is attached as Exhibit "A."

Respectfully submitted,

By: 
Paul G. Gosselink
Texas Bar No. 08222800

LLOYD, GOSSELINK, ROCHELLE & TOWNSEND, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 78701
Phone: (512) 322-5800
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**ATTORNEYS FOR APPLICANT
BFI WASTE SYSTEMS OF NORTH
AMERICA, LLC**

OF COUNSEL:

John E. Carlson
Texas Bar No. 00790426

Certificate of Service

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FOR THE PUBLIC INTEREST COUNSEL:

Christina Mann
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
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Austin, Texas 78711-3087
Tel: (512) 239-4014
Fax: (512) 239-6377

FOR THE EXECUTIVE DIRECTOR:

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Texas Commission on Environmental Quality
Environmental Law Division, MC-173
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REPRESENTING CITY OF AUSTIN:

Holly Noelke
Assistant City Attorney
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REPRESENTING TRAVIS COUNTY:

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Assistant Travis County Attorney
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Paul G. Gosselink

Exhibit "A"
Subpoena Duces Tecum

Please produce and make available at the deposition the following documents and things:

1. Any and all supplemental documents or tangible things within your possession, custody or control that are responsive to and within the scope of the discovery requests as set forth in BFI Waste Systems of North America, LLC's First Set of Interrogatories and Requests to Production and Things to Delmer Rogers.
2. Any and all documents in your possession, custody or control that regard, refer or relate to BFI's application to expand the Sunset Farms Landfill that have not been previously produced by you in this proceeding.
3. Location mapping of odor complaints/sources/impacts and documents that reflect, refer or relate to same.

**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'S
NOTICE OF ORAL DEPOSITION OF
JOYCE BEST AND SUBPOENA DUCES TECUM**

TO: Northeast Neighbors Coalition and Aligned Parties and Individuals, by and through their counsel of record, Jim Blackburn and Mary Carter, BLACKBURN AND CARTER, LLP, 4709 Austin Street, Houston, Texas 77004.

PLEASE TAKE NOTICE pursuant to Rule 199 of the Texas Rules of Civil Procedure that Applicant BFI Waste Systems of North America, LLC will take the following oral deposition in this proceeding:

Witness: Joyce Best
Date: Tuesday, October 28, 2008
Time: 9:00 a.m.
**Location: Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, Texas 78701**

The deposition will continue from day-to-day until completed. The deposition will be taken before a certified court reporter from Kennedy Reporting Service. The following persons may attend the deposition in addition to counsel for BFI: a corporate representative of BFI. The witness is requested to bring to the deposition for review and inspection the originals of the documents requested in the subpoena duces tecum that is attached as Exhibit "A."

Respectfully submitted,

By: *Paul Gosselink*
Paul G. Gosselink
Texas Bar No. 08222800

LLOYD, GOSSELINK, ROCHELLE & TOWNSEND, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 78701
Phone: (512) 322-5800
Fax: (512) 472-0532

**ATTORNEYS FOR APPLICANT
BFI WASTE SYSTEMS OF NORTH
AMERICA, LLC**

OF COUNSEL:

John E. Carlson
Texas Bar No. 00790426

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Christina Mann
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
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Fax: (512) 239-6377

FOR THE EXECUTIVE DIRECTOR:

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Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
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REPRESENTING CITY OF AUSTIN:

Holly Noelke
Assistant City Attorney
City of Austin Law Department
P. O. Box 1088
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REPRESENTING GILES HOLDINGS, L.P.

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The Terrill Firm, P.C.
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REPRESENTING TJFA, L.P.:

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Fritz, Byrne, Head, & Harrison, LLP
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Fax: (512) 477-5267

REPRESENTING TRAVIS COUNTY:

Kevin Morse
Assistant Travis County Attorney
Travis County Attorney's Office
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Paul G. Gosselink

Exhibit "A"
Subpoena Duces Tecum

Please produce and make available at the deposition the following documents and things:

1. Any and all supplemental documents or tangible things within your possession, custody or control that are responsive to and within the scope of the discovery requests as set forth in BFI Waste Systems of North America, LLC's First Set of Interrogatories and Requests to Production and Things to Northeast Neighbors Coalition.
2. Any and all documents in your possession, custody or control that regard, refer or relate to BFI's application to expand the Sunset Farms Landfill that have not been previously produced by you in this proceeding.
3. Location mapping of odor complaints/sources/impacts and documents that reflect, refer or relate to same.

**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'S
NOTICE OF ORAL DEPOSITION OF
EVELYN REMMERT AND SUBPOENA DUCES TECUM**

TO: Northeast Neighbors Coalition and Aligned Entities and Individuals, by and through their counsel of record, Jim Blackburn, Blackburn and Carter, LLP, 4709 Austin Street, Houston, Texas 77004.

PLEASE TAKE NOTICE pursuant to Rule 199 of the Texas Rules of Civil Procedure that Applicant BFI Waste Systems of North America, LLC will take the following oral deposition in this proceeding:

Witness: Evelyn Remmert


Date: Tuesday, October 28, 2008

Time: 1:00 p.m. (or immediately upon completion of the deposition of Joyce Best in the event that deposition runs past 1:00pm)

Location: Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, Texas 78701

The deposition will continue from day-to-day until completed. The deposition will be taken before a certified court reporter from Kennedy Reporting Service. The following persons may attend the deposition in addition to counsel for BFI: a corporate representative of BFI. The witness is requested to bring to the deposition for review and inspection the originals of the documents requested in the subpoena duces tecum that is attached as Exhibit "A."

Respectfully submitted,

By: 
Paul G. Gosselink
Texas Bar No. 08222800

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AMERICA, LLC**

OF COUNSEL:

John E. Carlson
Texas Bar No. 00790426

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Paul G. Gosselink

Exhibit "A"
Subpoena Duces Tecum

Please produce and make available at the deposition the following documents and things:

1. Any and all supplemental documents or tangible things within your possession, custody or control that are responsive to and within the scope of the discovery requests as set forth in BFI Waste Systems of North America, LLC's First Set of Interrogatories and Requests to Production and Things to Northeast Neighbors Coalition.
2. Any and all documents in your possession, custody or control that regard, refer or relate to BFI's application to expand the Sunset Farms Landfill that have not been previously produced by you in this proceeding.
3. Location mapping of odor complaints/sources/impacts and documents that reflect, refer or relate to same.