

# LATHROP & GAGE<sub>LLP</sub>

JESSICA E. MERRIGAN  
DIRECT LINE: 816.460.5706  
EMAIL: JMERRIGAN@LATHROPGAGE.COM  
WWW.LATHROPGAGE.COM

2345 GRAND BOULEVARD, SUITE 2200  
KANSAS CITY, MISSOURI 64108-2618  
PHONE: 816.292.2000  
FAX: 816.292.2001

October 16, 2014

## VIA EMAIL AND US MAIL

Thomas Phillips  
Missouri Attorney General's Office  
P.O. Box 899  
Jefferson City, MO 65102

Re: State of Missouri, ex rel. v Republic Services, Inc. et al  
Case No: 13L-CC01088

Dear Tom:

This responds to your October 15<sup>th</sup> letter and confirms that, consistent with the direction of MDNR's October 7<sup>th</sup> Letter:

Bridgeton Landfill this week initiated weekly temperature measurement of the GEWs addressed in the October 7<sup>th</sup> letter and the results of this new weekly testing will be included in the weekly reports beginning with the next report.

Bridgeton Landfill has already begun planning for the design and installation of the TMPs requested by MDNR's letter. The proposed location, plans and schedule will be submitted to MDNR. While project initiation and completion is necessarily dependent upon availability of materials, equipment and specialty subcontractors, Bridgeton Landfill is working to initiate installation within the 30 days as requested by the October 7<sup>th</sup> letter. To the extent that acquisition of project materials or scheduling of specialty contractors and equipment mandates a different schedule, please take this letter as a written request for Dispute Resolution under Agreed Order Paragraph 47 to establish workable timelines. Bridgeton Landfill is not refusing to perform the requested work and, as such, no motion for enforcement will be necessary.

Bridgeton Landfill will submit a Corrective Action Plan as requested by the letter.

I appreciate your update on MDNR's review of the Revised OM&M Plan Volume 1 (the June 20, 2014 submittal I assume you are referencing) and we look forward to receiving those comments. Also pending are Bridgeton Landfill's September 2013 submittals of Volumes 2 and 3. Given the substantial work undertaken by Bridgeton

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Landfill since that submittal, it may be more useful for Bridgeton Landfill to submit updated copies for review if the Department has not yet substantively reviewed the September 2013 submittals. The site team can follow up with MDNR to assess the best approach.

Should you have questions or need additional information, please let me know.

Sincerely,

LATHROP & GAGE LLP

By: 

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Jessica E. Merrigan

JEM/vac

cc: William G. Beck  
Matthew A. Jacober