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Glenn Shankle, *Executive Director*



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2008 JAN -7 PM 4:09

CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 7, 2008

To: Persons on the attached mailing list (by mail and facsimile as indicated)

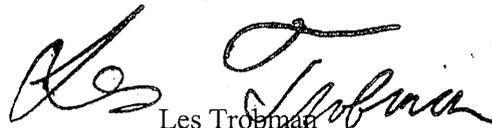
Re: Motion to Overturn filed by the Texas Campaign for the Environment and Community In-power Development Association, Inc. concerning the Executive Director's issuance on November 28, 2007 of a Temporary Authorization to use certain Newpark material as Alternative Daily Cover (ADC) at the City of Port Arthur Landfill, Municipal Solid Waste Permit No. 1815A; TCEQ Docket No. 2007-0599-MSW.

This letter is to notify all persons on the attached mailing list that the Texas Commission on Environmental Quality (TCEQ or Commission) will consider the above-described Motion to Overturn and related filings during its public meeting scheduled to begin at **1:00 P.M. on Wednesday, January 30, 2008**. If needed, a copy of the Motion to Overturn may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. During the January 30, 2008 meeting, the Movants, the Executive Director, the Office of Public Interest Counsel, and the Applicant will each have five minutes for oral argument. The Movants will also have three minutes for rebuttal if they so desire.

Section 50.139(e) of the Commission's rules authorizes the Commission's General Counsel to extend the time for the Commission to act on a Motion up to 90 days after the date written notice of the authorization is mailed to the Applicant. Accordingly, this letter shall serve as the order extending the time for the Commission to act on this Motion until **5:00 P. M. on Tuesday, February 26, 2008**. The Office of Public Interest Counsel, the Executive Director, and the Applicant may file responses with regard to the issues raised in the Motion with the Chief Clerk's Office no later than **5:00 P. M. on Thursday, January 17, 2008**. The Movants may file a reply to the responses with the Chief Clerk's Office on or before **1:00 P.M. on Tuesday, January 22, 2008**. An original and eleven (11) copies of any response and reply must be filed in the Commission's Office of Chief Clerk by the 5:00 P.M. deadline to be considered timely. All responses should be addressed to the Attention of the Agenda Docket Clerk and be marked with the TCEQ Docket number provided above.

If you have any questions about this matter, you may contact me at 512/239-5500 or Celeste A. Baker, Assistant General Counsel, at 512/239-5527.

Very truly yours,


Les Trobman
General Counsel

Mailing List

<h:/counsel/baker/letters/08/mtos/CityPortArthurMTOSetResp.ltr.doc>

Mailing List
City of Port Arthur
TCEQ Docket No. 2007-0599-MSW

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