

State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

January 31, 2006

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JAN 31 PM 4:39
TEXAS
COMMISSION ON ENVIRONMENTAL
QUALITY

Derek Seal
General Counsel
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

VIA FACSIMILE 512/239-5533

Re: SOAH Docket No. 582-05-1040; TCEQ Docket No. 2004-0839-AIR; Application by Southern Crushed Concrete, Inc., to Change the Location of a Concrete Crushing Facility in Harris County

Dear Mr. Seal:

The Proposal for Decision (PFD) was issued today in the above-referenced case. There is one correction that was inadvertently not made before issuance of the PFD that I would like to correct by this letter. On page 2 of the PFD, in footnote 2, I reference two permit numbers—40072 and 70136L001—and offer an explanation of the correlation of the two permit numbers. My explanation is incorrect, based upon confusion between the interplay of the two permit numbers. This was not an issue at the hearing and the information contained in footnote 2 was my initial understanding of the interplay between the two numbers. However, after reading the Commission's Interim Order again, I realized that Permit No. 70136L001 was simply the new number for former Permit No. 40072. I intended to correct the footnote along with any related statements in the PFD. However, I inadvertently failed to modify the footnote. Therefore, the text of footnote 2 should be disregarded in accordance with this letter.

Sincerely,

Craig R. Bennett
Administrative Law Judge

CRB/ls
cc: Mailing List

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COMMISSION ON
ENVIRONMENTAL
QUALITY

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AGENCY: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

STYLE/CASE: APPLICATION BY SOUTHERN CRUSHED CONCRETE, INC., TO CHANGE THE LOCATION OF A CONCRETE CRUSHING FACILITY IN HARRIS COUNTY

SOAH DOCKET NUMBER: 582-05-1040

TCEQ DOCKET NUMBER: 2004-0839-AIR

STATE OFFICE OF ADMINISTRATIVE HEARINGS

**CRAIG R. BENNETT
ADMINISTRATIVE LAW JUDGE**

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SOAH DOCKET NO. 582-05-1040
TCEQ DOCKET NO. 2004-0839-AIR

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01/31/004

TEXAS
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SOAH DOCKET NO.: 582-05-1040
TCEQ DOCKET NO.: 2004-0839-AIR

REGARDING: Letter to Mr. Seal Re: Correction to the Proposal for Decision

FROM: Judge Craig R. Bennett

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