

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 23, 2009

LaDonna Castañuela, Chief Clerk  
TCEQ Office of Chief Clerk MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: South Texas Mining Venture, L.L.P.  
TCEQ Docket No. 2008-1876-UIC  
TCEQ Permit Nos. WDW 418 & WDW419  
Executive Director's Motion for Remand

CHIEF CLERKS OFFICE

2009 MAR 23 PM 12:56

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Dear Ms. Castañuela:

Enclosed for filing, please find the "*Executive Director's Motion for Remand*" regarding the above referenced hearing requests. If you have any questions, please do not hesitate to contact me at (512) 239-0969.

Sincerely,

A handwritten signature in black ink that reads "Tim Reidy".

Timothy J. Reidy  
Staff Attorney  
Environmental Law Division

**TCEQ DOCKET NO. 2008-1876-UIC  
TCEQ PERMIT NOS. WDW418 & WDW419**

**IN THE MATTER OF SOUTH  
TEXAS MINING VENTURE, L.L.P.**

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**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

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**EXECUTIVE DIRECTOR'S MOTION FOR REMAND**

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TO THE GENERAL COUNSEL OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2009 MAR 23 PM 2:56  
CHIEF CLERKS OFFICE

Pursuant to Section (§) 10.4(d) of Title 30 of the Texas Administrative Code (30 TAC), the Executive Director respectfully requests that General Counsel remand South Texas Mining Venture, L.L.P.'s applications for Permit Nos. WDW418 and WDW419 to the Executive Director for processing as uncontested matters. The Commission is scheduled to consider requests for a contested case hearing filed by Duval County Conservation and Reclamation District (Duval County District) and Jim Wells County Fresh Water Supply District No. 1 (Jim Wells District) at its March 25, 2009 agenda meeting. The Duval County District filed a letter withdrawing its request for a contested case hearing on March 5, 2009, and the Jim Wells District filed a letter withdrawing its request for a contested case hearing on March 23, 2009. As such, these applications may now be processed as uncontested matters pursuant to 30 TAC § 50.133(a).

Respectfully submitted,  
Texas Commission on Environmental Quality

Mark R. Vickery, P.G.  
Executive Director

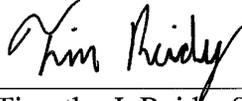
Robert Martinez, Director  
Environmental Law Division

By   
\_\_\_\_\_  
Timothy J. Reidy, Staff Attorney  
Environmental Law Division  
State Bar No. 24058069  
P.O. Box 13087, MC 173  
Austin, Texas 78711-3087  
(512) 239-0969

REPRESENTING THE EXECUTIVE  
DIRECTOR OF THE TEXAS  
COMMISSION ON ENVIRONMENTAL  
QUALITY

**CERTIFICATE OF SERVICE**

I certify that on March 23, 2009, the "Executive Director's Motion for Remand" was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk, and a copy of which was sent by hand delivery, first-class mail, or facsimile to all persons on the attached mailing list.



\_\_\_\_\_  
Timothy J. Reidy, Staff Attorney  
Environmental Law Division  
State Bar No. 24058069

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2009 MAR 23 PM 12: 56

CHIEF CLERKS OFFICE

MAILING LIST  
For  
SOUTH TEXAS MINING VENTURE, L.L.P.  
TCEQ DOCKET NO. 2008-1876-UIC  
PERMIT NOS. WDW418 & WDW419

FOR THE GENERAL COUNSEL:

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FOR THE APPLICANT:

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REQUESTER:

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INTERESTED PERSON:

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FOR THE CHIEF CLERK:

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