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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 17, 2012

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

Re: Application by Affordable Dewatering Service, LLC for new MSW Permit No. 2373, in Midland County, Texas; TCEQ Docket No. 2012-1401-MSW.

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its September 19, 2012 agenda. On September 14, 2012, Chuck Bailey and Robert Wilson filed a joint request on behalf of FenceCo, Alpha Equipment, and the Applicant to continue the above-referenced matter. The joint request indicates that the parties are attempting to meet to discuss a potential resolution of this matter, but will not be able to meet prior to the September 19, 2012 agenda. Thus, the parties request a continuance of this matter for four weeks, with the understanding that they will submit a status update to the Commission no later than October 10, 2012. The joint request states that Mr. Wilson contacted both the ED and OPIC and neither party opposes the requested continuance.

Having reviewed the joint request and facts of this matter, I have determined to grant the requested continuance. Accordingly, pursuant to 30 TAC §10.4 and the Commission's Resolution issued on February 2, 2009, Docket No. 2009-0059-RES, **the above-referenced matter is hereby continued to a future Commission agenda and will not be considered by the Commission on September 19, 2012.** Notification of the scheduling of this matter on a future Commission agenda will be provided through separate correspondence from my office.

If you have any questions about this matter, please contact Elaine Lucas, Assistant General Counsel, at 512-239-6215.

Very truly yours,

A handwritten signature in black ink, appearing to read "Les Trobman".

Les Trobman
General Counsel

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