



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

July 14, 2015

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

Re: An Application by 3 B&J Wastewater Company, Inc. for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014911002 and the related Hearing Requests; TCEQ Docket No. 2015-0565-MWD.

This letter addresses the timeliness of a filing for the above referenced matter. Specifically, the Executive Director filed a response to hearing requests on July 13, 2015. Afterwards, the Executive Director became aware of a typographical error affecting its recommendation to the Commission. The Executive Director filed an amended response to hearing requests on July 14, 2015.

30 Texas Administrative Code ("TAC") § 55.254(e) provides that a written response to a hearing request may be filed no later than 23 days before the Commission meeting at which the Commission is scheduled to evaluate the hearing request. The Commission is scheduled to consider this matter at its August 5, 2015 agenda meeting. Therefore, the deadline to file a response brief for this matter was July 13, 2015.

The Office of General Counsel ("OGC") finds that the Executive Director's amended response to hearing requests clarifies his recommendation to the Commission, and will not unfairly surprise or prejudice the hearing requesters, the applicant, or the Office of Public Interest Counsel. OGC finds that extending the deadline by one day is appropriate under the circumstances. Therefore, OGC on its own motion extends the deadline to file response briefs in the above-referenced matter to 5:00 p.m. on July 14, 2015, pursuant to the Commission Resolution issued on February 2, 2009, Docket No. 2009-0059-RES, and 30 TAC § 10.3.

If you have any questions concerning this matter, please contact Tim Reidy, Assistant General Counsel, at (512) 239-0969.

Respectfully,

A handwritten signature in black ink, appearing to read "Tucker Royall".

Tucker Royall
General Counsel

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TCEQ Docket No. 2015-0565-MWD

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