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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 10, 2016

To: Persons on the Attached Mailing List (by mail and facsimile as indicated)

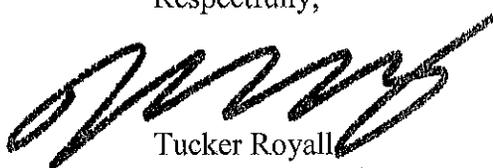
Re: An Application by 8 Mile Park, L.P. for a major amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0013796001; TCEQ Docket No. 2015-1792-MWD

This letter addresses the timeliness of a filing in the above-referenced matter. The Texas Commission on Environmental Quality's (TCEQ) Office of the Chief Clerk received a hearing request on the above-referenced application from Roy and Jan Edwards (Requesters) on August 8, 2014. On January 13, 2016, the Office of the Chief Clerk mailed a letter setting this matter for consideration at the Commission's February 17, 2016 public meeting and requesting written responses and replies. The Executive Director and Office of Public Interest Counsel filed written responses to the hearing request on January 25, 2016. The deadline for the Requesters to file a timely written response was February 8, 2016, and no response was received. Afterwards, the Executive Director became aware that the Compliance History Report submitted as part of the administrative record was incorrect. The Executive Director filed a Supplemental Compliance History Report, which corrected the dates for the compliance history period and the rating year, on February 9, 2016.

The Office of General Counsel (OGC) finds that the Executive Director's Supplemental Compliance History Report provides an accurate depiction of 8 Mile Park, L.P.'s (Applicant) compliance history, and will not unfairly surprise or prejudice the Requesters, the Applicant, or the Office of Public Interest Counsel. Therefore, OGC extends the Executive Director's filing deadline in the above-referenced matter to 5:00 p.m. on February 9, 2016, pursuant to the Commission Resolution issued on February 2, 2009, Docket No. 2009-0059-RES and 30 Tex. Admin. Code § 10.3. This extension will allow the Commission to consider all filings that are currently in the administrative record.

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

Respectfully,



Tucker Royall
General Counsel

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