

Bryan W. Shaw, Ph.D., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 17, 2010

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

Re: Appeal Regarding Use Determination Application No. 8262, Mizuho Corporate Bank MHCBC (USA); TCEQ Docket No. 2010-0252-MIS-U.

This letter is in response to the August 16, 2010 request by Mr. Mark Farley, counsel for Mizuho Corporate Bank MHCBC (USA) ("MHCBC"), to change the date for the Texas Commission on Environmental Quality's ("Commission's") consideration of MHCBC's appeal of the Executive Director's Negative Use Determination for Revised Application No. 8262 (the "Appeal"). On August 10, 2010, our office mailed a letter setting this matter for consideration at the Commission's public meeting scheduled for August 25, 2010. However, Mr. Farley has indicated that he will be out of the state on that date and that the other parties in the case are not opposed to moving the consideration of the Appeal to another public meeting date.

In light of Mr. Farley's unavailability and the lack of opposition by the other parties, I have decided to grant MHCBC's request to move consideration of the Appeal from August 25, 2010. This letter is to notify you that the Commission will now consider the Appeal, dated May 25, 2010, and all related filings during the Commission's public meeting scheduled to begin at **9:30 A.M. on Friday, October 15, 2010.**

During the public meeting, MHCBC, or its representative, may speak first and save part of its time for rebuttal since MHCBC has filed the appeal at issue here. MHCBC has five minutes for its oral presentation, including the time for rebuttal argument. Harris County Appraisal District ("HCAD"), or its representative, may speak next and has five minutes for its oral presentation. The Executive Director will speak next followed by the Office of Public Interest Counsel. The Executive Director and the Office of Public Interest Counsel each have a total time of five minutes for their oral presentations.

If you have any questions about the public meeting or related matters, please contact Jim Rizk at (512) 239-5530.

Very truly yours,

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

Les Trobman
General Counsel

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Mailing List
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