

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*  
January 14, 2011

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

Re: TCEQ Docket No. 2010-1886-MIS: Motion to Overturn Executive Director's October 28, 2010 decision regarding the scrap tire permit issued to Genan, Inc; Registration No. 6200673.

This letter relates to the Motion to Overturn ("Motion") filed by Citizens for Responsible Recycling, ("Movant") on November 22, 2010. The Movant requests that the Commission overturn the Executive Director's Order dated October 28, 2010, approving Genan Inc.'s ("Applicant") scrap tire registration. The Commission's Office of General Counsel, in its letter dated December 7, 2010, invited the Applicant, Executive Director, the Office of Public Interest Counsel, and the Applicant to file responses to the Motion and authorized the Movant to file a reply. Complete copies of the Motion and related responses may be obtained from the Office of the Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

The Commission's Office of General Counsel has decided to set the above-referenced matter for consideration by the Commission at its public meeting on **Wednesday, January 26, 2011**, starting at **9:30 a.m.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas 78753.

The Commission will take oral argument on this matter. The Movant should be prepared to present the item to the Commission and will have five minutes of oral argument time, and may reserve time for rebuttal. The Applicant, the Executive Director, and the Office of Public Interest Council will each have five minutes of oral argument time.

If you have any questions about this matter, please contact Anne Idsal, Assistant General Counsel, at (512) 239-5537.

Respectfully,

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

Les Trobman  
General Counsel

Mailing List

Mailing List  
Genan, Inc.  
TCEQ Docket No. 2010-1886-MIS

Butch Battreall  
Genan, Inc.  
4630 North McCarty  
Houston, Texas 77013

Marisa Perales  
Lowerre, Frederick, Perales,  
Allmon & Rockwell  
707 Rio Grande, Suite 200  
Austin, Texas 78701  
512/469-6000 FAX 512/482-9346

Raffi Attar  
23501 Cinco Ranch Blvd., Suite B225  
Katy, Texas 77494

Connie Russell  
17940 HWY 90  
Houston, Texas 77049

Rene Sanchez, Jr.  
11026 Vanilla Circle  
Houston, Texas 77044

The Honorable Ed Emmet  
Harris County Judge  
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Houston, Texas 77002  
713/755-4000 FAX 713/755-8379

Michael R. Schaffer  
Environmental Public Health  
HCPHES  
101 S Richey, Suite G  
Pasadena, Texas 77396

Phillip R. Rogers  
Captian Prevention/Inspection  
Harris County Fire  
Marshal's Office  
2318 Atascocita Road  
Humble, Texas 77396

Guy Henry  
TCEQ Environmental Law Division MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0600 FAX 512/239-0606

Cynthia Hackathorn  
TCEQ Dallas Fort Worth Regional Office MC R-4  
2309 Gravel Dr.  
Fort Worth, Texas 76118-6951  
817/588-5800 FAX 817/588-5700

Blas J. Coy, Jr.  
TCEQ Office of Public Interest Counsel MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-6363 FAX 512/239-6377

Docket Clerk  
TCEQ Office of Chief Clerk MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3300 FAX 512/239-3311

Bridget Bohac  
TCEQ Office of Public Assistance MC 108  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-4000 FAX 512/239-4007

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 7, 2010

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

Re: Clarification: Motion to Overturn concerning the Executive Director's October 28, 2010 decision regarding the scrap tire permit issued to Genan, Inc.; Registration No. 6200673; TCEQ Docket No. 2010-1886-MIS.

It has been brought to our attention that our calendar incorrectly reflects the holiday schedule of the agency. By this letter, OGC further clarifies that those response briefs must be filed with the Chief Clerk's Office no later than **5:00 p.m. on Monday, December 27, 2010**. Please note that the Movant's reply brief deadline will now be due no later than **5:00 p.m. on Monday, January 10, 2011**. All written filings on this matter will be considered and I will inform the parties by letter if the Motion will be set on a Commission public meeting. We apologize for any confusion this may have caused.

If you have any questions about this matter, please contact Anne Idsal, Assistant General Counsel, at (512) 239-5537.

Very Truly Yours,

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

Les Trobman  
General Counsel

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Lowerre, Frederick, Perales,  
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707 Rio Grande, Suite 200  
Austin, Texas 78701  
512/469-6000 FAX 512/482-9346

Raffi Attar  
23501 Cinco Ranch Blvd., Suite B225  
Katy, Texas 77494

Connie Russell  
17940 HWY 90  
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Guy Henry  
TCEQ Environmental Law Division MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0600 FAX 512/239-0606

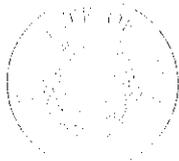
Cynthia Hackathorn  
TCEQ Dallas Fort Worth Regional Office MC R-4  
2309 Gravel Dr.  
Fort Worth, Texas 76118-6951  
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Docket Clerk  
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P.O. Box 13087  
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December 7, 2010

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

Re: Clarification: Motion to Overturn concerning the Executive Director's October 28, 2010 decision regarding the scrap tire permit issued to Genan, Inc.; Registration No. 6200673; TCEQ Docket No. 2010-1886-MIS.

On December 6, 2010, the Office of General Counsel (OGC) sent a letter which extended the time for the Commission to act on the above-referenced motion, and sought briefings on the matter. In the letter, OGC set a deadline for the Applicant, the Executive Director and the Office of Public Interest Counsel to file briefs no later than 5:00 p.m. on Friday, December 24, 2010. However, since the agency will be closed for the Christmas Holiday at 12:00 p.m. on December 24<sup>th</sup>, this letter is intended to clarify that those **response briefs must be filed with the Chief Clerk's Office no later than 12:00 p.m. on Friday, December 24, 2010. Movant's reply brief deadline remains due no later than 5:00 p.m. on Friday, January 7, 2011.** All written filings on this matter will be considered and I will inform the parties by letter if the Motion will be set on a Commission public meeting.

If you have any questions about this matter, please contact Anne Idsal, Assistant General Counsel, at (512) 239-5537.

Very Truly Yours,

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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December 6, 2010

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

Re: Motion to Overturn concerning the Executive Director's October 28, 2010 decision regarding the scrap tire permit issued to Genan, Inc.; Registration No. 6200673; TCEQ Docket No. 2010-1886-MIS.

This letter is in response to the above-referenced Motion filed by Marisa Perales on behalf of Citizens for Responsible Recycling (Movant). Title 30 of the Texas Administrative Code, Chapter 50 authorizes an extension of time for taking action on the Motion up to 90 days after the date written notice of the Executive Director's action is mailed to an applicant. In this case, notice regarding the permit issuance was mailed on October 29, 2010. Accordingly, this letter shall serve as the order extending the time for the Commission to act on this Motion until **Thursday, January 27, 2011.**

The Applicant, Executive Director, and the Office of Public Interest Counsel are hereby notified that they are encouraged to file briefs with regard to the issues raised in the Motion. The briefs must be filed with the Chief Clerk's Office no later than **5:00 p.m. on Friday, December 24, 2010.** Movant's reply brief is due no later than **5:00 p.m. on Friday, January 7, 2011.** All written filings on this matter will be considered and I will inform the parties by letter if the Motion will be set on a Commission public meeting.

If you have any questions about this matter, please contact Anne Idsal, Assistant General Counsel, at (512) 239-5537.

Very Truly Yours,

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