

Bryan W. Shaw, Ph.D., P.E., *Chairman*
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Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 20, 2016

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

Re: TCEQ Docket No. 2016-0613-MIS-U. Consideration of the appeal filed by ELG Metals, Inc., regarding the partial Negative Use Determination issued by the Executive Director to ELG Metals, Inc., on Application No. 19451 in Harris County, Texas

This letter concerns the appeal that was filed by ELG Metals Inc., which requests Commission consideration of the negative use determination for the qualifying land and the roofs, walls, foundations and floors of the Turning Facility, issued on March 30, 2016, by the Executive Director to Applicant/Appellant for Application No. 19451. Copies of the use determination and the appeal on Application No. 19451 may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. By letter dated May 9, 2016, the Commission's Office of General Counsel established a briefing schedule for this appeal.

The Commission's Office of General Counsel is hereby setting the matter for consideration by the Commission at a public meeting to be held on **Wednesday, June 8, 2016, at 9:30 a.m.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas 78753. The parties should be available to respond to questions from the Commission at the public meeting. The following entities are allotted five minutes each for oral argument time in the following order for oral presentations: 1) the Applicant/Appellant ELG Metals, Inc.; 2) Harris County Appraisal District; 3) the Executive Director; and 4) the Office of Public Interest Counsel. The Applicant/Appellant may save some time for rebuttal.

Chapter 17 of the Commission's rules (30 Texas Administrative Code Chapter 17) contains the requirements applicable to use determinations, including the rules that address the review standards and appeal process. The website of the Texas Secretary of State (<http://www.sos.state.tx.us/tac/index.shtml>) contains a complete copy of the Texas Administrative Code, including Chapter 17 of Title 30.

If you have any questions about this matter, please contact Todd Burkey, Assistant General Counsel, at (512) 239-2941.

Respectfully,

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

Tucker Royall
General Counsel

Mailing List

Mailing List
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TCEQ Docket No. 2016-0613-MIS-U

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