

**SOAH DOCKET NO. 582-07-2674
TCEQ DOCKET NO. 2007-0362-IHW**

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| APPLICATION OF TEXCOM GULF DISPOSAL, L.L.C. FOR TEXAS COMMISSION ON ENVIRONMENTAL QUALITY INDUSTRIAL SOLID WASTE PERMIT NO. 87758 | § § § § § | BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS |
|--|----------------------------------|---|

**APPLICANT TEXCOM GULF DISPOSAL, LLC’S EXCEPTIONS
TO THE ADMINISTRATIVE LAW JUDGES’
SUPPLEMENTAL PROPOSAL FOR DECISION**

Pursuant to 30 Tex. Admin. Code § 80.257(a), TexCom Gulf Disposal, LLC (“*TexCom*” or “*Applicant*”) presents this, its Exceptions to the Administrative Law Judges’ (“*ALJs*”) Supplemental Proposal for Decision (“*Supplemental PFD*”) issued November 8, 2010. TexCom generally finds the ALJs’ Supplemental PFD to be supported by evidence put forth in this proceeding. Accordingly, TexCom accepts – with the few, limited exceptions identified in the table below – the ALJs’ PFD,¹ Supplemental PFD, and Revised Proposed Order. Furthermore, Applicant specifically accepts the ALJs’ recommendations set forth in the Supplemental PFD as follows:

- TexCom may only accept scheduled deliveries.
- Trucks carrying waste may not idle for more than 30 minutes on or near TexCom's facility.²

¹ TexCom notes that the version of the original PFD attached to the Supplemental PFD contained only the odd-numbered pages. Of course, the complete original PFD is in the administrative record, but to the extent that an incomplete version of the original PFD is attached to the ALJs’ Supplemental PFD in the official version in the record, Applicant suggests attaching a full copy of the original PFD to the Supplemental PFD.

² See *Supplemental PFD* at 14.

TexCom respectfully proposes the following revisions to the ALJs' Revised Proposed

Order:

| PAGE No(S). | PROVISION | PROPOSED REVISION(S) | BASIS FOR PROPOSED REVISION(S) |
|--------------------|--------------------------|--|---------------------------------------|
| 6 | Finding of Fact No. 44 | Replace "Time" with "time" | Typographical error |
| 17 | Conclusion of Law No. 18 | Insert "the" between "near" and "Facility" | Typographical error |

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document has been served on the following via electronic mail, facsimile, and/or overnight or first class mail on this the 29th day of November 2010:

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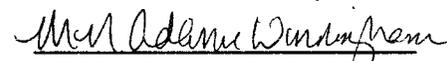
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