

February 14, 2008

Les Trobman  
General Counsel  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin Texas 78711-3087

VIA FACSIMILE 512/239-5533

**Re: SOAH Docket No. 582-08-0523; TCEQ Docket No. 2007-0768-AIR-E; In Re: In the Matter of an Enforcement Action against Advantage Asphalt Products, Ltd.; RN104955497**

Dear Mr. Trobman:

The Administrative Law Judge (ALJ) has reviewed the Executive Director's Exceptions to the Administrative Law Judge's Proposal for Decision and Order (ED's Exceptions). As the proposed changes are non substantive in nature, the ALJ agrees with the ED's Exceptions.

With the changes made by the ED, the ALJ believes the Proposal for Decision and Order correctly and equitably apply the applicable statutes and promulgated rules to the facts set forth in the evidentiary record.

Sincerely,

Stephen J. Pacey  
Administrative Law Judge

SJP/ed  
xc: Service List