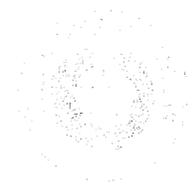


Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2009

TO: All Persons on Mailing List

RE: **SOAH Docket No. 582-08-3929; TCEQ Docket No. 2007-0859-MLM-E**; In the matter of an Enforcement Action against **Tommy Rutledge and B&M Freight**.

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **October 21, 2009** at **9:30 A.M.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas.

Pursuant to 30 TAC § 80.263, oral presentations before the commission shall be limited to five minutes each, excluding time for answering questions, unless the chairman or general counsel establishes other limitations.

Should you need any additional information, please contact Melissa Chao at the Texas Commission on Environmental Quality, Office of the Chief Clerk, (512) 239-3300.

Sincerely,

A handwritten signature in black ink, appearing to read "LaDonna Castañuela".

LaDonna Castañuela
Chief Clerk

LDC/mc

MAILING LIST
TOMMY RUTLEDGE AND B&M FREIGHT
SOAH DOCKET NO. 582-08-3929
TCEQ DOCKET NO. 2007-0859-MLM-E

Andy McSwain, Attorney
Fulbright Winniford, PC
P.O. Box 445
Waco, Texas 76703

Representing the Respondent

Jewel T. Rutledge
P.O. Box 1005
Groesbeck, Texas 76642

Tommy Rutledge
P.O. Box 1005
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
302 W. Navasota
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
P.O. Box 222
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
Route 3 Box 365C
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
884 LCR 390
Groesbeck, Texas 76642

Tracy Chandler, Staff Attorney
Texas Commission on Environmental Quality
Legal Division, MC-175
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Representing the Executive Director of the
TCEQ

Blas Coy, Jr.
Texas Commission on Environmental Quality
Office Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

Representing the Office of Public Interest
Counsel of the TCEQ

Lilo D. Pomerleau, Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Ste. 502
Austin, Texas 78701
Tel: (512) 475-4993
Fax: (512) 475-4994

Docket Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311

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

September 10, 2009

TO: SEE SERVICE LIST

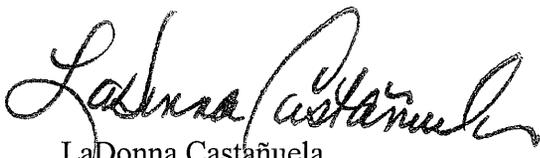
RE: Opportunity to Comment on the State Office of Administrative Hearings Proposal for Decision and Order regarding **Tommy Rutledge and B&M Freight, TCEQ Docket No. 2007-0859-MLM-E & SOAH Docket No. 582-08-3929**

Please be informed that the following notice was published in the *Texas Register* for a 30-day comment period:

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality on **August 26, 2009**, in the matter of the **Executive Director of the Texas Commission on Environmental Quality, Petitioner v. Tommy Rutledge and B&M Freight; SOAH Docket No. 582-08-3929; TCEQ Docket No. 2007-0859-MLM-E**. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against **Tommy Rutledge and B&M Freight** on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Melissa Chao, Office of the Chief Clerk, (512) 239-3300.

This notice will be published in the *Texas Register* on **September 11, 2009**. Written public comments should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. Should you have any questions, please call Melissa Chao or me at (512) 239-3300.

Sincerely,



LaDonna Castañuela
Chief Clerk

LDC/mt

MAILING LIST
TOMMY RUTLEDGE AND B&M FREIGHT
SOAH DOCKET NO. 582-08-3929
TCEQ DOCKET NO. 2007-0859-MLM-E

Andy McSwain, Attorney
Fulbright Winniford, PC
P.O. Box 445
Waco, Texas 76703

Representing the Respondent

Jewel T. Rutledge
P.O. Box 1005
Groesbeck, Texas 76642

Tommy Rutledge
P.O. Box 1005
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
302 W. Navasota
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
P.O. Box 222
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
Route 3 Box 365C
Groesbeck, Texas 76642

Julia Fletcher
B&M Unclaimed Freight
884 LCR 390
Groesbeck, Texas 76642

Tracy Chandler, Staff Attorney
Texas Commission on Environmental Quality
Legal Division, MC-175
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Representing the Executive Director of the
TCEQ

Blas Coy, Jr.
Texas Commission on Environmental Quality
Office Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

Representing the Office of Public Interest
Counsel of the TCEQ

Lilo D. Pomerleau, Administrative Law Judge
State Office of Administrative Hearings
300 W. 15th Street, Ste. 502
Austin, Texas 78701
Tel: (512) 475-4993
Fax: (512) 475-4994

Docket Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311