

# State Office of Administrative Hearings



Cathleen Parsley  
Chief Administrative Law Judge

CHIEF CLERKS OFFICE

2010 MAR 16 AM 10:25

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

March 16, 2010

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

VIA FACSIMILE NO. 239-5533

Re: SOAH Docket No. 582-09-3604; TCEQ Docket No. 2008-0289-MSW-E; In the Matter of an Enforcement Action Against Michael French dba Hiram Waste & Recycling

Dear Mr. Trobman:

I have reviewed the Executive Director's Exceptions to the Proposal for Decision (ED's Exceptions). I agree with the ED's Exceptions and, with one clarification, recommend the corrections. ED Exception No. 6 proposes adding a sentence to Conclusion of Law No. 1. The proposed sentence, as evidenced in ED Attachment A, should be added to Ordering Paragraph No. 1.

Apparently, Mr. French (Respondent) filed his exceptions with the Commission on February 25, 2010, but did not file a copy of his exceptions with SOAH. I learned of his exceptions when Ms. Treadwell filed the ED's response on March 11, 2010. At my request, Ms. Treadwell forwarded Mr. French's exceptions on March 15, 2010. I have reviewed Respondent's exceptions. I do not recommend any changes to the Proposal for Decision based upon Respondent's exceptions.

Sincerely,

Howard S. Seitzman  
Administrative Law Judge

HSS/pp  
cc: Mailing List

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STYLE/CASE: MICHAEL FRENCH AND HIRAM WASTE & RECYCLING INC
SOAH DOCKET NUMBER: 582-09-3604
REFERRING AGENCY CASE: 2008-0289-MSW-E

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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ADMINISTRATIVE LAW JUDGE
ALJ HOWARD S. SEITZMAN

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REGARDING:

EXCEPTIONS LETTER (BY ALJ)

DOCKET NUMBER:

582-09-3604

JUDGE HOWARD S SEITZMAN

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