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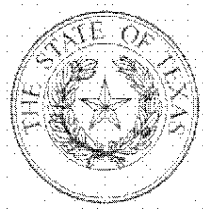

Cathleen Parsley
Chief Administrative Law Judge

March 18, 2011

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

via facsimile 512/239-5533

Re: **SOAH Docket No. 582-10-4853; TCEQ Docket No. 2009-1334-PST-E, In Re: D.C.T.D., Inc., d/b/a Boomers**

Dear Mr. Trobman:

On February 9, 2011, the Administrative Law Judge (ALJ) issued her proposal for decision (PFD) and a proposed order. On March 1, 2011, the Executive Director (ED's) filed exceptions that recommended three changes to the proposed order. The Respondent, D.C.T.D., Inc. d/b/a Boomers did not file exceptions to the PFD or a response to the ED's exceptions.

The ALJ has reviewed the ED's exceptions and recommends that the Commission sustain those exceptions. The ALJ further recommends that the Commission modify the proposed order as set out in the ED's March 1, 2001 exceptions.

Sincerely,

Kerrie Jo Qualtrough
Administrative Law Judge

KJQ/llg
cc: Mailing List

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AGENCY: **Environmental Quality, Texas Commission on (TCEQ)**

STYLE/CASE: **D.C.T.D. INC / BOOMERS**

SOAH DOCKET NUMBER: **582-10-4853**

REFERRING AGENCY CASE: **2009-1334-PST-E**

STATE OFFICE OF ADMINISTRATIVE HEARINGS

ADMINISTRATIVE LAW JUDGE
ALJ KERRIE QUALTROUGH

REPRESENTATIVE / ADDRESS | **PARTIES**

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D.C.T.D., INC. D/B/A BOOMERS

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xc: Docket Clerk, State Office of Administrative Hearings