

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

May 26, 2010

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: ALJ's Proposal for Decision and Proposed Order regarding the application of Quality Ready Mix, Ltd., L.L.P. for Air Quality Standard Permit Registration No. 85181; TCEQ Docket No. 2009-1483-AIR; SOAH Docket No. 582-10-1698.

This letter concerns the scheduling of oral presentations for the Texas Commission on Environmental Quality's (Commission) deliberation and decision on the above-referenced matter and supersedes the letter sent by the Chief Clerk of the Commission dated May 20, 2010. As previously notified, this matter has been set on the Commission's public meeting scheduled to begin at 9:30 a.m. on Wednesday, June 2, 2010. The Commission's meeting will take place in Room 201S of Building E, 12100 Park 35 Circle, Austin, Texas.

Oral argument time will remain at five minutes for the Applicant, five minutes for the Protestants collectively, and five minutes for the Office of Public Interest Counsel. Since the Executive Director did not participate in the hearing on this matter, no oral argument time is allotted to him. In addition, although the Applicant bears the burden of proof on the application, the Protestants bear the burden of proof to show that they are affected persons. Since the Protestants bear the burden of proof on affectedness and since the ALJ did not reach the merits of the application, the Protestants will present first with five minutes following the presentation by the Administrative Law Judge. The Protestants will be followed by the Applicant and Office of Public Interest Counsel, in that order. The Protestants are entitled to save some of their time for rebuttal. The Applicant will not receive any rebuttal time.

Furthermore, if the Commissioners need additional information, they may ask questions of the parties after oral argument is completed. If you have any questions about this matter, please contact Tracy Gross, Assistant General Counsel, at (512) 239-1736.

Very truly yours,

A handwritten signature in black ink, appearing to read "Les Trobman".

Les Trobman
General Counsel

Mailing List

Mailing List
Quality Ready Mix, Ltd., L.L.P.
TCEQ Docket No. 2009-1483-AIR
SOAH Docket No. 582-10-1698

Henry Lozano
General Manager/Managing Partner
Quality Ready Mix, Ltd., L.L.P.
333 McBride
Corpus Christi, Texas 78408
361/289-2515 FAX 361/299-2004

Docket Clerk
TCEQ Office of Chief Clerk MC 105
P.O. Box 13087
Austin, Texas 78711-3087
512/239-3300 FAX 512/239-3311

Mary Jane Robertson
P.O. Box 65
Mathis, Texas 78368
361/547-9617 FAX 361/547-7084

Bridget Bohac
TCEQ Office of Public Assistance MC 108
P.O. Box 13087
Austin, Texas 78711-3087
512/239-4000 FAX 512/239-4007

Ronald V. Tate
23816 CR 441/15
P.O. Box 65
Mathis, Texas 78368
361/547-9517

Robert L. Ramey
Attorney at Law
615 North Upper Broadway, Suite 1605
Corpus Christi, Texas 78477
361/882-5484 FAX 361/882-5486

Michael Lumpkin
9571 CR 505
Mathis, Texas 78368

The Honorable Thomas Walston
Administrative Law Judge
State Office of Administrative Hearings
P.O. Box 13025
Austin, Texas 78711-3025
512/475-4993 FAX 512/475-4994

James B. Murphy
TCEQ Office of Public Interest Counsel MC 103
P.O. Box 13087
Austin, Texas 78711-3087
512/239-6363 FAX 512/239-6377

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

May 20, 2010

TO: All Persons on Mailing List

RE: **SOAH Docket No 582-10-1698; TCEQ Docket No. 2009-1483-AIR.** Application of **Quality Ready Mix, Ltd.**, for New Air Quality Standard Permit No. 85181, in **San Patricio County, Texas**

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **June 2, 2010 at 9:30 A.M.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas.

I have been directed by the General Counsel to inform you he has established the time for oral argument as 5 minutes for the Applicant, 5 minutes for the Protestants collectively, 5 minutes for the Executive Director; and 5 minutes for the Office of Public Interest Counsel. The Protestants should apportion their 5 minutes among themselves prior to the public meeting and call Cheli Castro, Agenda Coordinator, Office of the Chief Clerk at (512) 239-0534 by **noon on Tuesday, June 1, 2010** to let her know how the time will be apportioned. The Applicant may save part of it's time for rebuttal, as it bears the burden of proof.

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
QUALITY READY MIX, LTD.
SOAH DOCKET NO. 582-10-1698
TCEQ DOCKET NO. 2009-1483-AIR

Robert L. Ramey
Attorney At Law
615 North Upper Broadway, Ste. 1605
Corpus Christi, Texas 78477
Tel: (361) 882-5484
Fax: (361) 882-5486

Representing Quality Ready Mix, Ltd.

Henry Lozano
General Manager/Managing Partner
Quality Ready Mix, Ltd.
333 McBride
Corpus Christi, Texas 78408
Tel: (361) 289-2515
Fax: (361) 299-2004

Mary Jane Robertson
P.O. Box 65
Mathis, Texas 78368
Tel: (361) 547-9617
Fax: (361) 547-7084

Representing Mary Jane Robertson

Ronald V. Tate
23816 CR 441/15
P.O. Box 65
Mathis, Texas 78368
Tel: (361) 547-9517

Representing Ronald V. Tate

Douglas Brown, Staff Attorney
Texas Commission on Environmental Quality
Legal Division, MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Representing the Executive Director
of the TCEQ

James B. Murphy
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

Tom Walston, 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