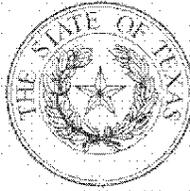


State Office of Administrative Hearings



Cathleen Parsley
Chief Administrative Law Judge

September 19, 2011

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

Re: SOAH Docket No. 582-10-5555; TCEQ Docket No. 2009-1991-PST-E; In Re:
Executive Director of the Texas Commission on Environmental, Petitioner, v. Old
Tymer Enterprises, Inc., Respondent

Dear Mr. Trobman:

Respondent Olde Tymer Enterprises, Inc. d/b/a The Olde Tymer's filed exceptions to the Proposal for Decision PFD) issued in this case. The Executive Director filed a response to Respondent's exceptions.

Respondent's exceptions asserted that the imposition of the administrative penalty was unjust and unconstitutional. The ED disagreed for the reasons set out in PFD. After considering Respondent's exceptions and the ED's response, I do not recommend any change to the PFD or to the proposed order.

Please let me know if you need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Catherine C. Egan".

Catherine C. Egan
Administrative Law Judge

CCE:nl
cc: Mailing List

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AGENCY: Environmental Quality, Texas Commission on (TCEQ)
STYLE/CASE: OLD TYMER ENTERPRISES INC
SOAH DOCKET NUMBER: 582-10-5555
REFERRING AGENCY CASE: 2009-1991-PST-E

**STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**ADMINISTRATIVE LAW JUDGE
ALJ CATHY C. EGAN**

REPRESENTATIVE / ADDRESS

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