

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 22, 2021

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

Re: Motion to Overturn concerning the Executive Director's approval of the application by Roadrunner Express LLC for Registration No. 170067: TCEQ Docket No. 2021-1482-MSW

This letter is in response to the Motion to Overturn (Motion) filed on November 8, 2021, by County Commissioner Bill Schumann, requesting that the Commission overturn the Executive Director's approval of the application by Roadrunner Express LLC (Applicant) for Registration No. 170067. Complete copies of the Motion may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

Title 30, Section 50.139 of the Texas Administrative Code authorizes the General Counsel to extend the time for the Commission to act on a motion to overturn up to 90 days after the date written notice of the Executive Director's action is mailed to the Applicant. Accordingly, this letter shall serve as the order extending the time for the Commission to act on the Motion until **Wednesday, January 12, 2022**.

The Applicant, the Executive Director and the Office of Public Interest Counsel are hereby notified that they are encouraged to file response briefs with regard to the issues raised in the Motion. These briefs must be filed with the Chief Clerk's Office no later than **5:00 p.m. on Tuesday, November 30, 2021**. The Movant may file a reply brief with the Chief Clerk's Office no later than **5:00 p.m. on Tuesday, December 7, 2021**. The General Counsel will consider all written filings on this matter and will inform the parties by separate letter if the Motion will be set for consideration at a future Commission Agenda meeting.

If you have any questions about this matter, please contact Elaine Lucas, Assistant General Counsel, at (512) 239-6215.

Respectfully,

A handwritten signature in cursive script that reads "Mary Smith".

Mary Smith
General Counsel

Mailing List

Mailing List
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TCEQ Docket No. 2021-1482-MSW

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