

State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

August 13, 2024

Mary Smith
General Counsel
Texas Commission on Environmental Quality

VIA EFILE TEXAS

RE: Docket Number 582-23-22765.TCEQ; TCEQ Docket No. 2023-0265-MSW; *Application of USA Waste of Texas Landfills, Inc. for a Municipal Solid Waste Permit Amendment*

Dear Parties:

Applicant USA Waste of Texas Landfills, Inc. filed exceptions to the Proposal for Decision (PFD) issued in this case, and Protestant Westwind Industries, LP filed a reply to those exceptions. Both the exceptions and the reply reurge the parties' previous positions in this matter. Because those positions have already been addressed, the ALJ recommends that no changes be made in response to Applicant's exceptions. Similarly, the ALJ recommends against amending the PFD or Proposed Order in response to Westwind Industries' suggestion that dismissal should be with prejudice. The PFD is ready for consideration.

ALJ Signature(s):

Rebecca S Smith

Rebecca Smith,

Presiding Administrative Law Judge

Exceptions Letter

August 13, 2024

Page 2 of 2

CC: Service List