

Jon Niermann, *Chairman*  
Bobby Janecka, *Commissioner*  
Catarina R. Gonzales, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 8, 2024

To: Persons on the Attached Mailing List (via email and mail only as indicated)

Re: Motion for Leave to File a Motion to Overturn filed by Edna, Gary, and Andy Spillers regarding the Executive Director's Issuance of Standard Permit Registration No. 175198 to North Texas Natural Select Materials LLC; TCEQ Docket No. 2024-1583-AIR.

This letter is regarding a request to extend the deadline for filing a motion to overturn in the above-referenced matter. On October 7, 2024, Edna, Gary, and Andy Spillers filed their Motion for Leave asking the Commission consider their Motion to Overturn (MTO) after the filing deadline. Pursuant to Texas Administrative Code § 50.139(e) this letter grants the Spillers' request for an extension to file their MTO until October 7, 2024, so that it may be considered by the Commission.

This letter does not extend any other deadlines for this matter. On October 4, 2024, the Office of General Counsel notified the parties that the Executive Director, Office of Public Interest Counsel, and Applicant are encouraged to file response briefs with the Commission's Office of Chief Clerk (OCC) on or before **Friday, October 18, 2024**. The Movants,<sup>1</sup> including the Spillers, may file a reply brief on or before **Wednesday, October 30, 2024**. The deadline for the Commission to act on this Motion is **Friday, November 22, 2024**.

All responses and replies must be properly filed with the Chief Clerk of the TCEQ. Responses and replies may be filed with the Chief Clerk electronically at <https://www14.tceq.texas.gov/epic/eFiling/>. All response and reply briefs should also be mailed to all other persons on the attached updated mailing list on the same day filed in the OCC. To be considered timely, any response or reply brief must be received in the OCC on or before the applicable deadline. All briefs filed with the OCC should be addressed to the attention of the Agenda Docket Clerk and marked with the TCEQ Docket number provided above.

After the Office of General Counsel (OGC) has reviewed the filings, OGC will determine whether to set this matter on a Commission Agenda. If you have any questions about the briefing schedule or related matters, please contact Colleen Ford, Assistant General Counsel, at [Colleen.Ford@TCEQ.Texas.gov](mailto:Colleen.Ford@TCEQ.Texas.gov).

Respectfully,

A handwritten signature in black ink that reads "Mary Smith".

Mary Smith  
General Counsel

Mailing List

---

<sup>1</sup> Motions were filed by Adam Friedman and Thales Smith on behalf of John Huckle, Russel Petre, Anna Wylie, Edna Spillers, Gary Spillers, and Andy Spillers (Movants).

Mailing List  
North Texas Natural Select Materials LLC  
TCEQ Docket No. 2024-1583-AIR

Kevin Bernard  
Vice President Operations  
North Texas Natural Select Materials LLC  
6500 Meyer Way  
McKinney, Texas 75070-1997  
[kevin@ntnsmllc.com](mailto:kevin@ntnsmllc.com)

Adam Friedman  
Thales Smith  
McElroy, Sullivan, Miller & Webber, L.L.P.  
P.O. Box 12127  
Austin, Texas 78711  
512/327-8111  
[afriedman@msmtx.com](mailto:afriedman@msmtx.com)  
[tsmith@msmtx.com](mailto:tsmith@msmtx.com)

Russell Petre  
276 Cleve Cole Rd.  
Denison, Texas 75021-4032  
[rpetre123@yahoo.com](mailto:rpetre123@yahoo.com)

Anna Wylie  
4476 S. Fannin Ave  
Denison, Texas 75021-3112  
[annawylie.sandle@gmail.com](mailto:annawylie.sandle@gmail.com)

Edna Spillers  
Gary Spillers  
Andy Spillers  
P.O Box 803  
V.an Alstyne, Texas, 75495-0803  
903/267-1353

Kristyn Jacher  
TCEQ Air Permits Division MC 163  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-1250 FAX 512/239-1400  
[Kristyn.Jacher@tceq.texas.gov](mailto:Kristyn.Jacher@tceq.texas.gov)

Booker Harrison  
Elizabeth Black  
TCEQ Environmental Law Division MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0600 FAX 512/239-0606  
[Booker.Harrison@tceq.texas.gov](mailto:Booker.Harrison@tceq.texas.gov)  
[Elizabeth.Black@tceq.texas.gov](mailto:Elizabeth.Black@tceq.texas.gov)

Garrett Arthur  
Eli Martinez  
TCEQ Office of Public Interest Counsel MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-6363 FAX 512/239-6377  
[Garrett.arthur@tceq.texas.gov](mailto:Garrett.arthur@tceq.texas.gov)  
[Eli.martinez@tceq.texas.gov](mailto:Eli.martinez@tceq.texas.gov)

Docket Clerk  
TCEQ Office of Chief Clerk MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3300 FAX 512/239-3311  
<https://www14.tceq.texas.gov/epic/eFiling/>

Ryan Vise  
TCEQ External Relations Division MC 118  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0010 FAX 512/239-5000  
[pep@tceq.texas.gov](mailto:pep@tceq.texas.gov)

Kyle Lucas  
TCEQ Alternative Dispute Resolution MC 222  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0687 FAX 512-239-4015  
[Kyle.Lucas@tceq.texas.gov](mailto:Kyle.Lucas@tceq.texas.gov)