Brooke T. Paup, *Chairwoman*
Catarina R. Gonzales, *Commissioner*
Tonya R. Miller, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 25, 2026

To: Persons on the Attached Mailing List

Re: Motion to Overturn filed by the Executive Director of the Texas Commission on Environmental Quality regarding the Executive Director's order approving the City of Old River-Winfree's application for an order pursuant to Tex. Health & Safety Code § 366.031; TCEQ Docket No. 2026-0357-OSS.

The above-referenced Motion to Overturn (MTO) was filed by the Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ) on March 23, 2026, regarding the ED's order approving the City of Old River-Winfree's application for an order pursuant to Tex. Health & Safety Code § 366.031. The ED's order was mailed by the TCEQ's Office of the Chief Clerk (OCC) by letter dated February 26, 2026.

Title 30 of the Texas Administrative Code Chapter 50 authorizes an extension of time for taking action on a Motion to Overturn up to 90 days after notice of the ED's action is mailed. In this case, notice of the decision was mailed on February 26, 2026. This letter shall serve as the order extending the time for the Commission to act on this Motion until **Wednesday, May 13, 2026.**

This letter is also to notify the Office of Public Interest Counsel and the City of Old River-Winfree that they are encouraged to file response briefs with the OCC on or before **Wednesday, April 8, 2026**. The ED may file a reply brief on or before **Monday, April 13, 2026**.

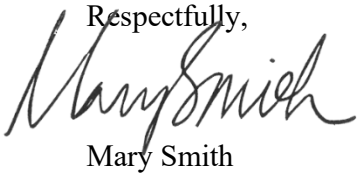
All responses and replies must be properly filed with the Chief Clerk of the TCEQ. Responses and replies may be filed with the Chief Clerk electronically at https://www14.tceq.texas.gov/epic/eFiling/. All response and reply briefs should also be mailed to all other persons on the attached mailing list 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.

Additionally, this letter is to notify you that the ED's Motion to Overturn has been set for consideration at the Commission's public meeting scheduled to begin at **9:30 A.M. on Wednesday, April 30, 2026**. The Commission will consider the MTO and all timely responses and replies. The agenda meeting may be held in person in Room 201S of Building E, at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm how the meeting will be held, please visit the Commissioners' Agenda webpage at: https://www.tceq.texas.gov/agency/decisions/agendas/comm/comm_agendas.html eight days before the Agenda.

The Commission will take oral argument on this matter during the public meeting. The ED, as the moving party, may speak first and save part of the time for rebuttal. The ED will have five minutes of oral argument time. The City of Old River-Winfree will speak next, followed by the Office of Public Interest Counsel. The City and the Office of Public Interest Counsel will each have five minutes for their respective oral presentations.

If you have any questions about the briefing schedule or related matters, please contact Ron M. Olson, Assistant General Counsel, at Ron.Olson@TCEQ.Texas.gov.

Respectfully,



Mary Smith
General Counsel

Mailing List

Mailing List
City of Old River-Winfree
TCEQ Docket No. 2026-0357-OSS

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