

STATE OFFICE OF ADMINISTRATIVE HEARINGS

AUSTIN OFFICE

**300 West 15th Street Suite 502
Austin, Texas 78701
Phone: (512) 475-4993
Fax: (512) 475-4994**

DATE: **01/15/2009**
NUMBER OF PAGES INCLUDING THIS COVER SHEET: **5**
REGARDING: **ORDER NO. 14- DENYING MOTION TO RECONSIDER ORDER NO. 13**
DOCKET NUMBER: **582-08-2178**

JUDGE WILLIAM G NEWCHURCH

<u>FAX TO:</u>	<u>FAX TO:</u>
JIM BLACKBURN	(713) 524-5165
KEVIN W. MORSE	(512) 854-4808
HOLLY C. NOELKE	(512) 974-6490
PAUL TERRILL	(512) 474-9888
J.D. HEAD	(512) 477-5267
BOB RENBARGER (FRITZ, BYRNE, HEAD & HARRISON, LLP)	(512) 477-5267
PAUL GOSSELINK (LLOYD GOSSELINK BLEVINS ROCHELL & TOWNSEND, P.C.)	(512) 472-0532
JOHN CARLSON (LLOYD GOSSELINK BLEVINS ROCHELLE & TOWNSEND, P.C.)	(512) 472-0532
ARTURO D. RODRIGUEZ, JR. (RUSSELL & RODRIGUEZ, L.L.P.)	(866) 929-1641
CHRISTINA MANN (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 239-6377
STEVE SHEPHERD (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 239-0606
SUSAN WHITE (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)	(512) 239-0606

TCEQ Docket Clerk, Fax Number 512/239-3311

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT NORMA LOPEZ(nlo) (512) 475-4993

<p>The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address via the U.S. Postal Service. Thank you.</p>

**SOAH DOCKET NO. 582-08-2178
TCEQ DOCKET NO. 2007-1774-MSW**

**APPLICATION OF BFI WASTE § BEFORE THE STATE OFFICE
SYSTEMS OF NORTH AMERICA, INC., §
FOR A MAJOR AMENDMENT TO § OF
TYPE I MSW PERMIT NO. 1447A §
§ ADMINISTRATIVE HEARINGS**

**ORDER NO. 14
DENYING MOTION TO RECONSIDER ORDER NO. 13**

On January 14, 2009, Texas Disposal Systems Landfill, Inc. (TDSL), which is not a party in this case, filed a motion to a motion to reconsider Order No. 13. The motion to reconsider is denied.

SIGNED January 15, 2009.



**WILLIAM G. NEWCHURCH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS**

STATE OFFICE OF ADMINISTRATIVE HEARINGS

AUSTIN OFFICE

**300 West 15th Street Suite 502
Austin, Texas 78701
Phone: (512) 475-4993
Fax: (512) 475-4994**

SERVICE LIST

AGENCY: Environmental Quality, Texas Commission on (TCEQ)
STYLE/CASE: BFI WASTE SYSTEMS OF NORTH AMERICA INC
SOAH DOCKET NUMBER: 582-08-2178
REFERRING AGENCY CASE: 2007-1774-MSW

**STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**ADMINISTRATIVE LAW JUDGE
ALJ WILLIAM G. NEWCHURCH**

REPRESENTATIVE / ADDRESS

PARTIES

CHRISTINA MANN
ATTORNEY
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
OFFICE OF PUBLIC INTEREST COUNSEL
P.O. BOX 13087, MC-103
AUSTIN, TX 78711-3087
(512) 239-4014 (PH)
(512) 239-6377 (FAX)

OFFICE OF PUBLIC INTEREST COUNSEL

ARTURO D. RODRIGUEZ, JR.
RUSSELL & RODRIGUEZ, L.L.P.
1633 WILLIAMS DRIVE BUILDING 2, SUITE 200
GEORGETOWN, TX 78628
(512) 930-1317 (PH)
(866) 929-1641 (FAX)
arodriguez@txadminlaw.com

TEXAS DISPOSAL SYSTEMS LANDFILL, INC. (TDSL)

PAUL TERRILL
ATTORNEY
810 W 10TH STREET
AUSTIN, TX 78701
(514) 474-9100 (PH)
(512) 474-9888 (FAX)
PTERRIL@HAZEN-TRRILL.COM

GILES HOLDINGS, L.P.

BOB RENBARGER
ATTORNEY
FRITZ, BYRNE, HEAD & HARRISON, LLP
98 SAN JACINTO BLVD., SUITE 2000
AUSTIN, TX 78701
(512) 476-2020 (PH)
(512) 477-5267 (FAX)
bob@fbhh.com

TJFA, L.P. (TJFA)

J.D. HEAD
ATTORNEY AT LAW
FRITZ, BYRNE, HEAD & HARRISON, LLP
98 SAN JACINTO BLVD., SUITE 2000
AUSTIN, TX 78701
(512) 476-2020 (PH)
(512) 477-5267 (FAX)

TJFA, L.P. (TJFA)

HOLLY C. NOELKE
ASSISTANT CITY ATTORNEY
CITY OF AUSTIN LAW DEPARTMENT
P.O. BOX 1088
AUSTIN, TX 78767
(512) 974-2630 (PH)
(512) 974-6490 (FAX)
holly.noelke@ci.austin.tx.us

CITY OF AUSTIN

STEVE SHEPHERD
LEGAL COUNSEL
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
ENVIRONMENTAL LAW DIVISION
MC-173 P.O. BOX 13087
AUSTIN, TX 78711-3087
(512) 239-0464 (PH)
(512) 239-0606 (FAX)
sshpherd@tceq.state.tx.us

EXECUTIVE DIRECTOR

PAUL GOSSELINK
LLOYD GOSSELINK BLEVINS ROCHELL & TOWNSEND,
P.C.
816 CONGRESS AVENUE, SUITE 1900
AUSTIN, TX 78701
(512) 322-5800 (PH)
(512) 472-0532 (FAX)

BFI WASTE SYSTEMS OF NORTH AMERICA, INC. (BFI)

JIM BLACKBURN
ATTORNEY
4709 AUSTIN
HOUSTON, TX 77004
(713) 524-1012 (PH)
(713) 524-5165 (FAX)
jbb@blackburncarter.com

MARK MCAFEE

MELANIE MCAFEE

ROGER JOSEPH

DELMER ROGERS

WILLIAMS, LTD.

NORTHEAST NEIGHBORS COALITION

KEVIN W. MORSE
ASSISTANT TRAVIS COUNTY ATTORNEY
P.O. BOX 1748
AUSTIN, TX 78767
(512) 854-9513 (PH)
(512) 854-4808 (FAX)

TRAVIS COUNTY

JOHN CARLSON
LLOYD GOSSELINK BLEVINS ROCHELLE &
TOWNSEND, P.C.
816 CONGRESS AVENUE, SUITE 1900
AUSTIN, TX 78701
(512) 322-5867 (PH)
(512) 472-0532 (FAX)

BFI WASTE SYSTEMS OF NORTH AMERICA, INC. (BFI)

SUSAN WHITE
STAFF ATTORNEY
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
LITIGATION DIVISION
PO BOX 13087
AUSTIN, TX 78711
(512) 239-0454 (PH)
(512) 239-0606 (FAX)
swhite@tceq.state.tx.us

EXECUTIVE DIRECTOR

xc: Docket Clerk, State Office of Administrative Hearings