

Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RECEIVED

*Protecting Texas by Reducing and Preventing Pollution*

SEP 20 2004

September 16, 2004

TO: Persons on the attached mailing list

RB: Penske Truck Leasing Co., L.P.  
TCEQ Docket No. 2004-0984-IHW-E  
An Interim Order Concerning Motions to Overturn

Attached is a copy of an order issued by the Commission regarding the above-referenced matter.

Should you have any questions, please contact Cynthia Zapata of the Texas Commission on Environmental Quality's Office of the Chief Clerk (MC 105) at (512) 239-4517.

Sincerely,

A handwritten signature in cursive script, appearing to read "LaDonna Castañuela".

LaDonna Castañuela  
Chief Clerk

LDC/cz

Enclosure

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



THE STATE OF TEXAS  
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a  
Texas Commission on Environmental Quality document,  
which is filed in the permanent records of the Commission.  
Given under my hand and the seal of office on

  
LaDonna Castanuela, Chief Clerk  
Texas Commission on Environmental Quality

SEP 17 2004

AN INTERIM ORDER

concerning Motions to Overturn regarding the Executive Director's June 18, 2004 and June 30, 2004 letters allowing Penske Truck Leasing Co., L.P. to dispose of commingled picture tube waste as municipal solid waste special waste; TCEQ Docket No. 2004-0984-IHW-E.

On September 16, 2004, the Texas Commission on Environmental Quality (Commission) evaluated during its public meeting the Motions to Overturn filed by Texas Disposal Systems Landfill, Inc. concerning the Executive Director's June 18, 2004 and June 30, 2004 letters allowing Penske Truck Leasing Co., L.P. to dispose of commingled picture tube waste as municipal solid waste special waste. The Commission also considered responses/briefs to the motions and replies/briefs to those responses.

After considering the written filings, oral argument, and responses to questions during the public meeting, the Commission determined that the Motions to Overturn should be granted and that the matter should be remanded to the Executive Director.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

1. The Motions to Overturn filed by Texas Disposal Systems Landfill, Inc. are GRANTED; and
2. This matter is hereby REMANDED to the Executive Director.

Issue date: SEP 16 2004

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

  
Kathleen Hartnett White, Chairman