

**UPDATE:**

Below is an email from Representative Thompson's Office indicating that the Draft Agreed Order from TCEQ would be sent in mid to late December. However, at this time, the Draft Agreed Order for the odor violations has not been mailed to Blue Ridge Landfill. According to TCEQ, the Draft Order is ready to be sent, however they are holding the Order pending the outcome of an additional investigation conducted by the region. If this investigation documents additional violations that warrant formal enforcement actions, the violations will be combined with the current Draft Agreed Order. It is anticipated the additional investigation will be completed within two weeks.

**From:** Ferrell Fields [<mailto:Ferrell.Fields@tceq.texas.gov>]

**Sent:** Monday, November 14, 2016 4:47 PM

**To:** Emily Kirchner

**Subject:** Blue Ridge

Emily,

The Notice of Enforcement was sent to Blue Ridge Landfill October 21, 2016, which also constitutes a referral from TCEQ's Houston Regional Office to TCEQ's Enforcement Division. The case is under development within the Enforcement Division. The Enforcement Division anticipates that the draft agreed order will be offered to Blue Ridge Landfill by approximately mid to late December 2016. Blue Ridge will have 60 days to respond to the offer. If accepted, the order will be presented to the Commissioners for their review and approval at an agenda meeting. If rejected, the matter will be referred to the Litigation Division and the matter may be set for a contested case hearing at the State Office of Administrative Hearings if it cannot be settled. After trial, the administrative law judge will make a recommendation based on the evidence and draft a Proposal for Decision that will be presented to the Commission at an agenda meeting.

Let me know if you have any questions or need anything else! Thanks!

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