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September 29, 2014

Terry Andrews — Via E-mail: terry.andrews@tceq.texas.gov
Patricia Scott — VIA E-mail: patricia.scott@tceq.texas.gov
Texas Commission on Environmental Quality
MC-136
P. O. Box 13087
Austin, Texas 78711-3087

RE: CES Environmental Services Inc. Facility,
4904 Griggs Road, Houston, Harris County, Texas – SWR #30900
Request for Information

Dear Mr. Andrews and Ms. Scott:

Please be advised that the undersigned represents Green Earth Fuels of Houston, LLC ("GEF"). Kindly update your records to send future communications on this issue directly to the undersigned's attention. I am writing on behalf of GEF and in response to the TCEQ's August 28, 2014 letter request for information regarding the CES Environmental Services Inc. facility located at 4904 Griggs Road in Houston (the "Site").

As an initial matter, this will confirm that Patricia Scott granted my client, GEF, a thirty (30) day extension of time to produce records and information. Such responsive documents are now due on or before October 28, 2014.

The TCEQ also has asked whether GEF would be willing to fund or conduct TCEQ-approved cleanup activities at the Site such as removals, investigations, or remedial actions. While GEF may be willing to do so, GEF does not have enough information about the Site or the anticipated cleanup activities to make an unequivocal statement of willingness.

Therefore, GEF would like to propose a meeting with the TCEQ technical and legal representatives to ask questions regarding: the information that the TCEQ has collected regarding PRPs at the Site, the regulatory and other history of the Site, what cleanup activities the TCEQ anticipates will be necessary, what standards will be applicable to the Site, and what programs are available for the cleanup activities. GEF is also interested in learning about the involvement, if any, of the US EPA and the bankruptcy trustee for CES Environmental Services Inc. in the anticipated cleanup activities. GEF shares the TCEQ's desire to proceed as rapidly as possible, and therefore would be available for this meeting as soon as it can be arranged.

Green Earth Fuels of Houston, LLC looks forward to learning more about the Site, and continuing its cooperation with the TCEQ in this phase of the process.

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If the TCEQ is willing to have the requested meeting, please call the undersigned at (713) 652–3200 to discuss meeting participants and available dates and times.

Very truly yours,

SMITH ADAMS LAW FEEHAN LLP

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JDS:rmt