Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 30, 2009

TO: All Persons on Mailing List

RE: **Docket No. 2005-1094-MWD**
Wynne Jackson, Inc. and West Foundation
Request(s) filed on Permit No. WQ0014535001

The above-referenced matter is scheduled to be considered by the Texas Commission on Environmental Quality on **March 11, 2009** at **9:30 A.M.** in Room 201S, Building E, 12100 Park 35 Circle, Austin, Texas.

Should you need any additional information, please contact Melissa Chao at the Texas Commission on Environmental Quality, Office of the Chief Clerk, (512) 239-3300.

Sincerely,

LaDonna Castañuela
Chief Clerk

LDC/jf

MAILING LIST
WYNNE JACKSON, INC. AND WEST FOUNDATION
DOCKET NO. 2005-1094-MWD; PERMIT NO. WQ0014535001

FOR THE APPLICANT:
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FOR PUBLIC INTEREST COUNSEL:
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FOR OFFICE OF PUBLIC ASSISTANCE:
Ms. Bridget Bohac, Director
Texas Commission on Environmental Quality
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FOR ALTERNATIVE DISPUTE RESOLUTION:
Mr. Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
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FOR THE CHIEF CLERK:
Ms. LaDonna Castañuela
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
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REQUESTER(S):
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North Texas Municipal Water District
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Martin Rochelle
Lloyd Gosselink Blevins
Rochelle & Townsend, P.C.
816 Congress Ave. Ste. 1900
Austin, Texas 78701-2478

PUBLIC OFFICAL- INTERESTED PERSON:
The Honorable Robert F. Deuell
Attn: Ms. Cindy Burkett
P.O. Box 12068
Austin, Texas 78711-2068

INTERESTED PERSON(S):
John K. McKissick
12832 Glenwood Trl.
Forney, Texas 75126-6414

F. Lawerence Oaks
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

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Patricia & Ronnie Rains
15522 Valley Vw.
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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

2006 APR 24 AM 11:05
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 21, 2006

To: Persons on the attached mailing list (By mail and facsimile as indicated)

Re: Application by Wynne Jackson, Inc. and West Foundation for new TPDES Permit No. WQ0014535001 and related pleadings; TCEQ Docket No. 2005-1094-MWD

The above-named matter is scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its April 26, 2006 public meeting. By letter dated April 19, 2006, Wynne Jackson, Inc. (Applicant) requested a continuance of that setting. The letter states that the Protestant, North Texas Municipal Water District, and the Office of Public Interest Counsel are unopposed to continuing the matter. The Office of General Counsel has conferred with the Executive Director who is also unopposed.

Accordingly, this matter is hereby continued. As provided by 30 TAC Section 10.4(c), the Chief Clerk will send notice of the rescheduled meeting date to the parties no later than ten days before the meeting is to be held.

If you have any questions about this matter, please contact Anne Rowland, Assistant General Counsel, at 512/239-6376.

Respectfully,

Derek Seal
General Counsel

Mailing List
h:/counsel/rowland/letters/continuance/wynnejackson.con

Mailing List
Wynne Jackson, Inc. and West Foundation
TCEQ Docket No. 2005-1094-MWD

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REQUESTER:
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COMMENTERS/INTERESTED PERSONS:
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April 19, 2006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2006 APR 20 PM 2:42
CHIEF CLERKS OFFICE

Via Facsimile: (512) 239-3311 and Overnight Courier
LaDonna Castañuela
Office of the Chief Clerk, MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Third Motion For Continuance
Public Meeting on TPDES Permit No. WQ0014535001
TCEQ Docket No. 2005-1094-MWD
Wynne Jackson, Inc.

Dear Ms. Castañuela:

Pursuant to 30 TAC § 10.4(b), Applicant, Wynne Jackson, Inc., files this Third Motion for Continuance as to the consideration of its application for TPDES Permit No. WQ0014535001. The application is currently scheduled for consideration by the commissioners of the Texas Commission on Environmental Quality (TCEQ) on the April 26, 2006 agenda.

The Applicant requests this continuance to allow the Applicant and the Requester, North Texas Municipal Water District (the "District") and the City of Forney ("Forney"), additional time in which to finalize the terms of an agreement whereby Applicant would connect with Forney's wastewater system. Once Applicant is connected with Forney, the District would ultimately provide the wastewater treatment capacity contemplated in the permit application through Forney's participation in the Buffalo Creek Interceptor System.

The basic agreements underlying the District's provision of the wastewater capacity via Forney are in place. However, this further continuance is sought so that Applicant and Forney can have additional time in which to finalize the details of Applicant's connection to Forney's wastewater system. To the extent such further agreements and details can be finalized, further consideration of this application by the commissioners could be eliminated.

For the stated reason, the Applicant requests that that consideration of the application be removed from the agenda and rescheduled to a date not less than 90 days from April 26, 2006.

Counsel for the Applicant has conferred with counsel for the District and Public Interest Counsel and both are unopposed and have agreed to join in this motion for continuance. Counsel for the Applicant has not been able to confer with Counsel for the Executive Director prior to filing this motion.

Pursuant to 30 TAC § 10.1, counsel for the Applicant has forwarded the original and 11 copies of this request to the office of the Chief Clerk, and has provided copies as indicated below.

Sincerely,

Kelton C. Tonn

cc:

Via Facsimile: (972) 442-5405
James M. Parks, Executive Director
North Texas Municipal Water District
P.O. Box 2408
Wylie, Texas 75098-2408

Via Facsimile: (512) 930-7742
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Via Facsimile: (512) 239-6377
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Via Facsimile: (512) 239-4007
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Via Facsimile: (512) 239-4015
Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
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Via Certified Mail R/R/R:
Hon. Robert F. Deuell
Attn: Cindy Burkett
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Mesquite, Texas 75150-6439

Via Certified Mail R/R/R:
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Via Certified Mail R/R/R:
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Via Certified Mail R/R/R:
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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2006 JAN 18 PM 1:42

CHIEF CLERK'S OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 17, 2006

To: Persons on the attached mailing list (By mail and facsimile as indicated)

Re: Application by Wynne Jackson, Inc. and West Foundation for Permit No. WQ0014535001 and related pleadings; TCEQ Docket No. 2005-1094-MWD

The above-named matters are scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its January 25, 2006 public meeting. By letter dated January 13, 2006, Wynne Jackson, Inc. (Applicant) requested a second continuance of the above-described matters. The letter indicates that the requester, Executive Director, and Office of Public Interest Counsel are all unopposed to the continuance and/or join in the request.

Accordingly, this matter is hereby continued to the Commission's public meeting scheduled on **Wednesday, April 26, 2006**, beginning at **9:30a.m.** The meeting will take place in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas. The revised deadline for the Applicant, the Executive Director, and the Office of Public Interest Counsel to file responses to the request(s) is **5:00p.m.** on **Monday, April 3, 2006**, and the revised deadline for any requester, including any person who submitted a request for reconsideration, to file replies to the responses is **5:00 p.m.** on **Monday, April 17, 2006**. Please refer to the letter dated September 16, 2005, from the Commission's Chief Clerk for additional instructions for the filing and service of responses and replies. As explained in the Chief Clerk's letter, the Commissioners will not take oral argument or additional comment on this matter, but they may ask questions of the Applicant, requester(s), or TCEQ staff.

If you have any questions about this matter, please contact Celeste Baker, Assistant General Counsel, at 512/239-5527.

Respectfully,

Derek Seal
General Counsel

Mailing List
h:/counsel/baker/letters/wynnejackson2nd.con

Mailing List
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Docket No. 2005-1094-MWD

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REQUESTER:
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COMMENTERS/INTERESTED PERSONS:
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January 13, 2006

Via Facsimile: (512) 239-3311 and Overnight Courier
LaDonna Castañuela
Office of the Chief Clerk, MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2006 JAN 17 PM 2:43
CHIEF CLERKS OFFICE

Re: Second Motion For Continuance
Public Meeting on TPDES Permit No. WQ0014535001
TCEQ Docket No. 2005-1094-MWD
Wynne Jackson, Inc.

Dear Ms. Castañuela:

Pursuant to 30 TAC § 10.4(b), Applicant, Wynne Jackson, Inc., files this Second Motion for Continuance as to the consideration of its application for TPDES Permit No. WQ0014535001. The application is currently scheduled for consideration by the commissioners of the Texas Commission on Environmental Quality (TCEQ) on the January 25, 2006 agenda.

The Applicant requests this continuance to allow the Applicant and the Requester, North Texas Municipal Water District (the "District") and the City of Forney ("Forney"), additional time in which to finalize the terms of an agreement whereby Applicant would connect with Forney's wastewater system. Once Applicant is connected with Forney, the District would ultimately provide the wastewater treatment capacity contemplated in the permit application through Forney's participation in the Buffalo Creek Interceptor System.

The basic agreements underlying the District's provision of the wastewater capacity via Forney are in place. However, this continuance is sought so that Applicant and Forney can have additional time in which to finalize the details of Applicant's connection to Forney's wastewater system. To the extent such further agreements and details can be finalized, further consideration of this application by the commissioners could be eliminated.

For the stated reason, the Applicant requests that that consideration of the application be removed from the agenda and rescheduled to a date not less than 90 days from January 25, 2006.

Counsel for the Applicant has conferred with counsel for the District and the District is unopposed and has agreed to join in this motion for continuance. Counsel for the Applicant has also conferred with Counsel for the Executive Director and Public Interest Counsel and both are unopposed to this continuance.

Pursuant to 30 TAC § 10.1, counsel for the Applicant has forwarded the original and 11 copies of this request to the office of the Chief Clerk, and has provided copies as indicated below.

Sincerely

Kelton C. Tonn

cc:

Via Facsimile: (972) 442-5405
James M. Parks, Executive Director
North Texas Municipal Water District
P.O. Box 2408
Wylie, Texas 75098-2408

Via Facsimile: (512) 930-7742
Angela Moorman
Russell, Moorman & Rodriguez, LLP
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Via Facsimile: (512) 239-5533
Derek Seal, General Counsel
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Via Facsimile: (512) 239-6377
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Jody Henneke, Director
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Via Facsimile: (512) 239-4015
Kyle Lucas
Texas Commission on Environmental Quality
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Via Certified Mail R/R/R:
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Attn: Cindy Burkett
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Via Certified Mail R/R/R:
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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

AMENDED NOTICE: **The original continuance letter, dated October 3, 2005, for this matter included an incorrect deadline. The purpose of this amended notice is to correct this deadline. The correct deadline for filing a Reply to the Response(s) is January 17, 2006. All other information in this letter remains the same.**

December 30, 2005

To: Persons on the attached mailing list (By mail and facsimile as indicated)

Re: Application by Wynne Jackson, Inc. and West Foundation for Permit No. WQ0014535001 and related pleadings; TCEQ Docket No. 2005-1094-MWD

The above-named matter is scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its October 26, 2005 public meeting. By letter dated September 30, 2005, Wynne Jackson, Inc. (Applicant) requested a continuance of that setting. The letter indicates that the requester, Executive Director, and Office of Public Interest Counsel are all unopposed to the continuance.

Accordingly, this matter is hereby continued to the Commission's public meeting scheduled on **Wednesday, January 25, 2006**, beginning at **9:30a.m.** The meeting will take place in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas. The revised deadline for the Applicant, the Executive Director, and the Office of Public Interest Counsel to file responses to the request(s) is **5:00p.m.** on **Monday, January 2, 2006**, and the revised deadline for any requester, including any person who submitted a request for reconsideration, to file replies to the responses is **5:00 p.m.** on **Tuesday, January 17, 2006**. Please refer to the letter dated September 16, 2005, from the Commission's Chief Clerk for additional instructions for the filing and service of responses and replies. As explained in the Chief Clerk's letter, the Commissioners will not take oral argument or additional comment on this matter, but they may ask questions of the Applicant, requester(s), or TCEQ staff.

If you have any questions about this matter, please contact Matt Beeter, Assistant General Counsel, at 512/239-1406.

Respectfully,

LaDonna Castañuela
Chief Clerk

Mailing List

Mailing List
Wynne Jackson, Inc. and West Foundation
Docket No. 2005-1094-MWD

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REQUESTER:
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P.O. Box 2408
Wylie, Texas 75098-2408

Angela Moorman
Russell, Moorman & Rodriguez
102 West Morrow Street, Ste. 103
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COMMENTERS/INTERESTED PERSONS:
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Attn: Cindy Burkett
18601 LBJ Fwy., Ste. 400
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Jonnie C. Stephens
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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 3, 2005

To: Persons on the attached mailing list (By mail and facsimile as indicated)

Re: Application by Wynne Jackson, Inc. and West Foundation for Permit No. WQ0014535001 and related pleadings; TCEQ Docket No. 2005-1094-MWD

The above-named matter is scheduled to be considered by the Texas Commission on Environmental Quality (Commission) at its October 26, 2005 public meeting. By letter dated September 30, 2005, Wynne Jackson, Inc. (Applicant) requested a continuance of that setting. The letter indicates that the requester, Executive Director, and Office of Public Interest Counsel are all unopposed to the continuance.

Accordingly, this matter is hereby continued to the Commission's public meeting scheduled on **Wednesday, January 25, 2006**, beginning at **9:30a.m.** The meeting will take place in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas. The revised deadline for the Applicant, the Executive Director, and the Office of Public Interest Counsel to file responses to the request(s) is **5:00p.m.** on **Monday, January 2, 2006**, and the revised deadline for any requester, including any person who submitted a request for reconsideration, to file replies to the responses is **5:00 p.m.** on **Monday, January 16, 2006**. Please refer to the letter dated September 16, 2005, from the Commission's Chief Clerk for additional instructions for the filing and service of responses and replies. As explained in the Chief Clerk's letter, the Commissioners will not take oral argument or additional comment on this matter, but they may ask questions of the Applicant, requester(s), or TCEQ staff.

If you have any questions about this matter, please contact Matt Beeter, Assistant General Counsel, at 512/239-1406.

Respectfully,

Derek Seal
General Counsel

Mailing List
h:/counsel/matt/letters/continued/wynnejackson.con

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2005 OCT -4 AM 9:42
CHIEF CLERKS OFFICE

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Wynne Jackson, Inc. and West Foundation
Docket No. 2005-1094-MWD

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Docket Clerk
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Kyle Lucas
TCEQ Alternative Dispute
Resolution Program MC 222
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512/239-0687 FAX 512/239-4015

REQUESTER:
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North Texas Municipal Water District
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Wylie, Texas 75098-2408

Angela Moorman
Russell, Moorman & Rodriguez
102 West Morrow Street, Ste. 103
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512/930-7742

COMMENTERS/INTERESTED PERSONS:
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2005 OCT -3 PM 2:29
CHIEF CLERKS OFFICE

September 30, 2005

Via Facsimile: (512) 239-3311 and Overnight Courier
LaDonna Castañuela
Office of the Chief Clerk, MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Motion For Continuance
Public Meeting on TPDES Permit No. WQ0014535001
TCEQ Docket No. 2005-1094-MWD
Wynne Jackson, Inc.

Dear Ms. Castañuela:

Pursuant to 30 TAC § 10.4(b), Applicant, Wynne Jackson, Inc., files this Motion for Continuance as to the consideration of its application for TPDES Permit No. WQ0014535001. The application is currently scheduled for consideration by the commissioners of the Texas Commission on Environmental Quality (TCEQ) on the October 26, 2005 agenda.

The Applicant requests this continuance to allow the Applicant and the Requester, North Texas Municipal Water District (the "District"), additional time in which to finalize the terms of an agreement whereby the District would provide the wastewater treatment capacity contemplated in the permit application. To the extent such an agreement can be reached, further consideration of this application by the commissioners could be eliminated.

For the stated reason, the Applicant requests that that consideration of the application be removed from the agenda and rescheduled to a date not less than 120 days from October 26, 2005.

Counsel for the Applicant has conferred with counsel for the District and the District is unopposed to this continuance. Counsel for the Applicant has also conferred with Counsel for the Executive Director and Public Interest Counsel and both are unopposed to this continuance.

Pursuant to 30 TAC § 10.1, counsel for the Applicant has forwarded the original and 11 copies of this request to the office of the Chief Clerk, and has provided copies as indicated below.

Sincerely

Kelton C. Tonn

cc:

Via Facsimile: (972) 442-5405
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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 16, 2005

TO: Persons on the Attached Mailing List

RE: Docket No. 2005-1094-MWD
Wynne Jackson, Inc. and West Foundation
Request(s) filed on Permit No. WQ0014535001

The above-referenced application and all timely filed hearing requests/requests for reconsideration on the above-referenced application will be considered by the commissioners of the Texas Commission on Environmental Quality (TCEQ) during the public meeting on **October 26, 2005**. The meeting will begin at 9:30 a.m. in Room 201S of Building E, at the commission's offices located at 12100 Park 35 Circle in Austin, Texas.

In accordance with commission rules, copies of the timely hearing requests/requests for reconsideration have been forwarded to the applicant, the Executive Director of the TCEQ, and the Public Interest Counsel of the TCEQ. Each of these persons is entitled to file a formal written response to the hearing requests/requests for reconsideration no later than 23 days before the public meeting date, that is by **October 3, 2005**. Persons who have filed timely hearing requests/requests for reconsideration may file a formal written reply to these responses no later than nine days before the public meeting, that is by **October 17, 2005**.

An original and 11 copies of any response or reply must be filed with the Chief Clerk of the TCEQ. The address of the Chief Clerk is: Office of Chief Clerk, ATTN: Agenda Docket Clerk, Mail Code 105, TCEQ, P. O. Box 13087, Austin, Texas 78711-3087 [Fax number (512) 239-3311]. On the same day any response is transmitted to the Chief Clerk, a copy must also be sent to the Executive Director, the Public Interest Counsel, the Director of the Office of Public Assistance, the Applicant and the requesters at their addresses listed on the attached mailing list. On the same day any reply is transmitted to the Chief Clerk, a copy must also be sent to the Executive Director, the Public Interest Counsel, the Director of the Office of Public Assistance, and other requesters and the applicant at their addresses listed on the attached mailing list.

The procedures for evaluating hearing requests/requests for reconsideration are located in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F (§§55.200-211) of the commission's rules. The procedures for the filing of responses and replies are located in 30 TAC Chapters 1 (§§1.10-11) and 55 (§55.209) of the commission's rules. Copies of these rules may be obtained by calling the Office of Public Assistance toll free at 1-800-687-4040.

The commissioners will not take oral argument or additional comment on this matter at the public meeting. Therefore, it is important to address the sufficiency of the requests in timely filed written responses and requesters' replies. At the public meeting, the commissioners may ask questions of the applicant, requesters, or TCEQ staff. The commissioners will make a decision on the request(s) during the meeting and will base that decision on the timely written requests, public comments, any written responses and replies, any responses to questions during the meeting, and applicable statutes and rules. Copies of all timely public comments and requests have been forwarded to the Office of Alternative Dispute Resolution to determine if informal, voluntary mediation might help resolve any dispute.

The attachment to this letter is intended to help you better understand how the TCEQ processes and evaluates hearing requests and requests for reconsideration. To obtain additional information, or to ask questions about anything in this letter, please call the TCEQ's Office of Public Assistance toll-free at 1-800-687-4040.

Sincerely,

LaDonna Castañuela
Chief Clerk

Enclosures: Copies of protestant correspondence to Applicant, Executive Director, Office of Public Interest Counsel, Office of Public Assistance and Alternative Dispute Resolution.

ATTACHMENT

Procedures Concerning Requests for Reconsideration and Requests for Contested Case Hearing

The purpose of this document is to describe commission procedures for evaluating requests for reconsideration and requests for contested case hearing. This document is not intended to be a comprehensive guide to public participation at the TCEQ.

The three commissioners determine the validity of requests for reconsideration and requests for contested case hearing and vote to grant or deny the requests during a public meeting. These public meetings are usually held every other Wednesday in Austin. Prior to the meeting, the following occurs:

1) the written requests are distributed to the executive director, the public interest counsel, and the applicant. These persons may file a response at least 23 days before the meeting;
2) the requester may then file a reply to the responses at least 9 days before the meeting. This is the requester's opportunity to address any deficiencies in the request that have been identified by TCEQ staff or the applicant. The requester must submit any information he or she wishes the commissioners to consider (ex: maps or diagrams showing requester's location relative to the applicant's proposed activities) by this deadline; and
3) the commissioners read the requests, the responses to requests, and the replies, before the public meeting. Then, during the public meeting, the commissioners vote to grant or deny the requests.

Requests for Reconsideration

A request for reconsideration must expressly state that the person is requesting that the commission reconsider the executive director's decision and state the reasons why the commission should reconsider the executive director's decision. The commission will consider a request for reconsideration at a scheduled public meeting and grant or deny the request.

Requests for Contested Case Hearing

A contested case hearing is an evidentiary proceeding, similar to a hearing in civil court. The law allows for holding a contested case hearing on certain types of applications.

A valid request for a contested case hearing must:

1) demonstrate that the requester is an "affected person" with a "personal justiciable interest" related to a legal right, duty, privilege, power or economic interest which would be affected by the application in a manner not common to the general public;
2) if the request is made by a group or association, identify one or more members who have standing to request a hearing, and the interests the group or association seeks to

protect;

3) expressly request a contested case hearing;
4) raise disputed issues of fact that are relevant and material to the commission's decision on the application which were raised during the comment period and not withdrawn prior to the filing of the Executive Director's Response to Comment; and
5) include any other information as specified in public notices.

The commission is authorized to protect human health and safety, and natural resources. The commission cannot address other matters outside the commission's authority, such as the effect of the existence of a proposed facility on nearby property values.

When the commissioners deny hearing requests, they often proceed to vote on approval or denial of the application. Alternatively, they may remand the application to the executive director for final action. If a hearing request is granted and the application is referred to the State Office of Administrative Hearings (SOAH), the commissioners will specify a list of issues which will be the subject of the hearing and an expected date for the SOAH judge's proposal for decision. The SOAH judge will conduct the hearing and submit a proposal to the commission to approve or deny the application.

The Alternative Dispute Resolution Office may contact requesters to determine their interest in informal discussions with the permit applicant and a mediator.

By necessity this document gives a very general description of commission procedures. If you have any questions, please call OPA toll-free at 1-800-687-4040.

MAILING LIST
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DOCKET NO. 2005-1094-MWD; PERMIT NO. WQ0014535001

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REQUESTER:
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