

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 12, 2009

Les Trobman
General Counsel
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Docket No. 2009-1634-AGR
Application for OSVE Dairy
Permit No. WQ0003682000

Dear Mr. Trobman:

Please remand the above referenced item to the Executive Director. The Applicant has requested that its application for a major amendment be withdrawn. (*See Attachment*) The item is set on the November 18, 2009 Agenda.

Should you have any questions, please call me at 239-0611.

Sincerely,

A handwritten signature in black ink, appearing to be "MP", with a long horizontal flourish extending to the right.

Michael T. Parr
Staff Attorney
Environmental Law Division

cc: Mailing List

DOCKET NUMBER 2009-1634-AGR

APPLICATION BY	§	BEFORE THE
Joseph Wilson Osinga, Jennifer Sheree	§	
Osinga, Bert Marcel Velsen & Heidi	§	TEXAS COMMISSION ON
Velsen dba Osve Dairy	§	
for TPDES Permit No. WQ0003682000	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S MOTION FOR REMAND

TO THE GENERAL COUNSEL OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

OSVE Dairy (Applicant) through its Consultant, Norman Mullin, has informed the TCEQ that the Dairy has decided to maintain and renew its current permit authorization and does not wish to proceed with the amended application currently pending that increases the head count. *See Attachment A.* The Executive Director requests that this application be remanded so that the permit application and draft permit can be changed to reflect that the Dairy is proposing to renew its permit and not amend it. All parties or their representatives were notified of this motion and none expressed immediate objection.

Please do not hesitate to call me at (512) 239-0611 if you have any questions regarding this matter.

Respectfully submitted,



Michael T. Parr , Staff Attorney
Environmental Law Division
State Bar No. 24062936
REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS
COMMISSION ON ENVIRONMENTAL
QUALITY

CERTIFICATE OF SERVICE

I certify that on November 12, 2009, the original and seven true and correct copies of the attached "Executive Director's Motion for Remand" relating to the application of OSVE Dairy for a major amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003682000 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk and was served via first class mail, facsimile and/or hand delivered to those persons on the attached mailing list.



Michael T. Parr , Staff Attorney
Environmental Law Division
State Bar No. 24062936

ATTACHMENT A

Michael Parr - Re: OSVE Dairy

From: Michael Parr
To: Ekoh, Chris
Subject: Re: OSVE Dairy

>>> "Norman Mullin" <norman@enviroag.com> 11/10/2009 5:52 PM >>>

Dear Mr. Maguire:

OSVE Dairy (applicant) has informed me to advise the TCEQ that it has decided to maintain its current permit authorization with no increase in head count and does not wish to proceed with the amended application currently pending.

Should you have any questions please give me a call.
Thanks

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MAILING LIST
FOR PERMIT NO. WQ0003682000
OSVE Dairy

FOR THE CHIEF CLERK:

LaDonna Castañuela, *Chief Clerk*
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tele: (512) 239-3300
Fax: (512) 239-3311

OFFICE OF PUBLIC INTEREST COUNCIL

Blas Coy, Jr., *Public Interest Counsel*
Texas Commission on Environmental Quality
Office of Public Interest, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tele: (512) 239-6363
Fax: (512) 239-6377

FOR OFFICE OF PUBLIC ASSISTANCE:

Bridget Bohac
Texas Commission on Environmental Quality
Office of Public Assistance MC-108
P.O. Box 13087
Austin, Texas 78711-3087
Tele: (512) 239-4000
Fax: (512) 239-6377

FOR ALTERNATIVE DISPUTE RESOLUTION

Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711-3087
Tele: (512) 239-4010
Fax: (512) 239-4015

FOR THE APPLICANT:

Joseph Wilson Osinga & Jennifer Sheree Osinga
Bert Marcel Velsen & Heidi Velsen
OSVE Dairy
P.O. Box 500
Dublin, Texas 76446-0500

FOR THE EXECUTIVE DIRECTOR:

Michael T. Parr, *Staff Attorney*
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tele: (512) 239-0611
Fax: (512) 239-0606

Norman Mullin

Enviro-Ag Engineering, Inc.
3404 Airway Boulevard
Amarillo, Texas 79118-7741
Tele: (254) 445-2200
Fax: (806) 353-4132

Jaime Saladiner, *Technical Staff*

Texas Commission on Environmental Quality
Water Quality Division, MC-150
P.O. Box 13087
Austin, Texas 78711-3087
Tele: (512) 239-1298
Fax: (512) 239-4430

FOR THE REQUESTOR

Martin C. Rochelle
mrochelle@lglawfirm.com
Lauren Kalisek
lkalisek@lglawfirm.com
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Tele: (512) 322-5847
Fax: (512) 472-0532
