

TCEQ DOCKET NO. 2013-2210-IWD

**IN THE MATTER OF THE
APPLICATION BY WASTE
CONTROL SPECIALISTS FOR
TPDES PERMIT NO. WQ0004857000**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

REPLY TO HEARING REQUESTS

TO THE HONORABLE MEMBERS OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY:

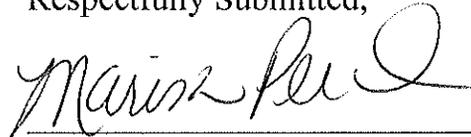
The Executive Director and Office of Public Interest Counsel are, by now, familiar with Rose Gardner and her justiciable interests. Indeed, OPIC has, in the past, recommended granting her hearing requests regarding WCS's By-Product and Low-level disposal licenses (R05807 and R04100, respectively).

As described on previous occasions, Ms. Gardner's home is between 4 and 6 miles from the WCS site, in the direction of the discharge route. Her home address is 1402 Avenue A, Eunice, New Mexico. She and her husband own businesses in Eunice, New Mexico; they own both a flower and gift shop and a feed store. The feed store is right next to their house. The flower shop is located near downtown Eunice.

They also own approximately 15 acres of land in Eunice, between 4 and 6 miles west of the site. They use this land to raise alfalfa and "hay grazer." They also own horses, cattle, goats, chickens, and a pig, which are all housed on the land and frequently graze parts of the field. The alfalfa is cut and dried and used both for the animals and to provide some hay for the feed store. The Gardners' rely on their 200-foot water well for their alfalfa.

Ms. Gardner possesses legally protected interests, rooted in property rights, including groundwater rights. Ms. Gardner also alleged economic interests. These are the types of interests that constitute legally protected interests distinct from those of the general public.

Respectfully Submitted,



Marisa Perales
State Bar No. 24002750

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CERTIFICATE OF SERVICE

By my signature, above, I hereby certify that on February 14, 2014, the foregoing document was served on all persons listed on the attached mailing list via facsimile transmission and/or deposit in the U.S. mail.

MAILING LIST
WASTE CONTROL SPECIALISTS, LLC.
TCEQ DOCKET NO. 2013-2210-IWD

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