

November 12, 2007

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, TX 78711-3087

CHIEF CLERK'S OFFICE

2007 NOV 14 PM 2:44

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: Comment on the Proposal for Decision and Order.

I am a one-man owner of a sand & gravel company. I have no wash plant. I only dig gravel & load directly on the trucks. I only pumped rain water.

I did not have a permit to pump because I did not know I was required to have one. After the citation, I hired Hill Country Environmental & acquired a plan and a permit.

Some fines were as high as \$30,000, my fine was \$4,000. We hired an attorney & all fines were reduced to \$6,000. I don't think this is fair.

I think the fine was reduced improperly according to the original amounts. I think TCEQ should have notified all the gravel pit owners that a permit was required before locating them all & issuing citations in the first place.

Louis Moncar

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 26, 2007

TO: SEE SERVICE LIST

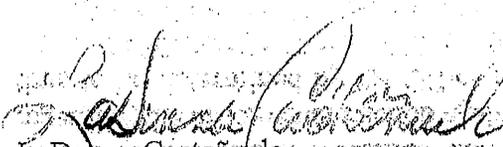
RE: Opportunity to Comment on the State Office of Administrative Hearings Proposal for Decision and Order regarding **Louis Moncus dba Moncus Sand & Gravel, TCEQ Docket No. 2004-1071-WQ-E; SOAH Docket No. 582-07-3619.**

Please be informed that the following notice will be published in the *Texas Register* for a 30-day comment period:

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality on October 19, 2007, in the matter of the **Executive Director of the Texas Commission on Environmental Quality, Petitioner v. Louis Moncus dba Moncus Sand & Gravel; SOAH Docket No. 582-07-3619; TCEQ Docket No. 2004-1071-WQ-E.** The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Louis Moncus dba Moncus Sand & Gravel on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Paul Munguia, Office of the Chief Clerk, (512) 239-3300.

This notice will be published in the *Texas Register* on **November 2, 2007.** Written public comments should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. Should you have any questions, please call Paul Munguia or me at (512) 239-3300.

Sincerely,


LaDonna Castañuela
Chief Clerk

LDC/pm