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April 5, 2006

VIA FAX AND MAIL

Ms. LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Re: Manuel Manriquez dba M&A Oil Co.
SOAH Docket No. 582-05-8335
TCEQ Docket No. 2004-1315-PST-E
TCEQ ID No. 0015928; Enforcement ID No. 18852

CHIEF CLERKS OFFICE

2006 APR -6 PM 2:46

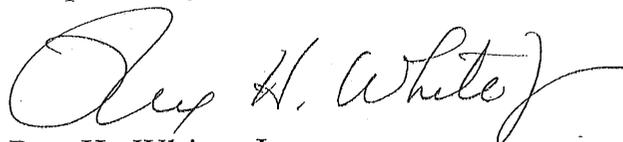
TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Ms. Castañuela:

Enclosed for filing in the referenced matter are an original and 11 copies of Respondent's Exceptions to Proposal for Decision.

Copies are being served on all parties.

Respectfully submitted,



Rex H. White, Jr.

Attorney for Respondent, Manuel
Manriquez dba M&A Oil Co.

Enclosure

cc: State Office of Administrative Hearings

Attn: Shannon Kilgore, ALJ

- via fax and mail

Mr. Justin Lannen

- "

Mr. Blas J. Coy, Jr.

- "

SOAH DOCKET NO. 582-05-8335
TCEQ DOCKET NO. 2004-1315-PST-E

EXECUTIVE DIRECTOR OF
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

V.

MANUEL MANRIQUEZ, DBA
M&A OIL CO. (PST NO. 15928)

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2004 APR - 6 PM 2:46
CHIEF CLERKS OFFICE

RESPONDENT'S EXCEPTIONS
TO PROPOSAL FOR DECISION

TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

Manuel Manriquez, dba M&A Oil Co., Respondent, respectfully excepts to the Proposal for Decision issued in the above entitled and numbered docket.

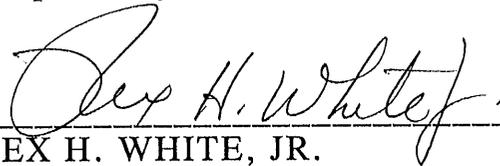
Exceptions

1. Respondent excepts to Finding of Fact No. 10 on the basis that the "violations" in the current enforcement action, i.e., outstanding UST fees, penalties and interest, were documented "before and during" Respondent's Chapter 13 bankruptcy proceeding, not "after" the conclusion in March 2002. Manriquez Exhibits 6, 8; Exhibit 7, Finding of Fact No. 2; Agreed Stipulation No. 3.

2. Respondent excepts to Conclusion of Law No. 8 because the outstanding annual UST fees, including late penalties and interest, were allowed as a general unsecured claim in Respondent's Chapter 13 bankruptcy proceeding and were discharged by "Order Discharging Debtor After Completion of Chapter 13 Plan" dated March 21, 2002. Manriquez Exhibits 6, 7, 8.

3. Respondent excepts to the proposed Order, specifically paragraph 2, because all outstanding fees, including any associated penalties and interest, were discharged by Respondent's discharge from his Chapter 13 bankruptcy proceeding.

Respectfully submitted,



REX H. WHITE, JR.

State Bar No. 12347000

Attorney at Law

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Austin, Texas 78701-2022

512 - 472-7041

Fax 512 - 472-8801

ATTORNEY FOR MANUEL
MANRIQUEZ

CERTIFICATE OF SERVICE

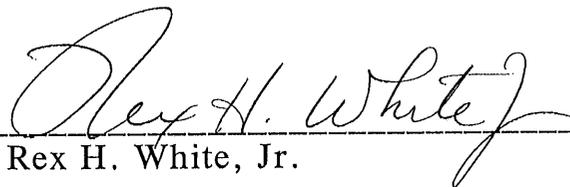
I hereby certify that a copy of the foregoing instrument was served by the method and on the persons shown below in accordance with the Texas Rules of Civil Procedure on this the 5th day of April, 2006.

Chief Clerk - via fax and mail
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, TX 78711-3087

State Office of Administrative Hearings - via fax and mail
Attn: The Hon. Shannon Kilgore, ALJ
P. O. Box 13025
Austin, TX 78711-3025

Mr. Justin Lannen - via fax and mail
Texas Commission on Environmental Quality
Litigation Division-Dallas/Ft Worth Regional Office
2309 Gravel Drive
Fort Worth, TX 76118

Mr. Blas J. Coy, Jr. - via fax and mail
Office of Public Interest Counsel
Texas Commission on Environmental Quality
MC-103 P. O. Box 13087
Austin, TX 78711-3087



Rex H. White, Jr.

Case Number: 99 - 70443

MAR 27 2002

NEAL R ALLEN
P C ATTORNEYS
112 LORAIN SOUTH STE 101
MIDLAND TX 79701

IN RE(NAME OF DEBTOR)

Manuel P. Manriquez , 456-60-1119
P O Box 1191 Market Street Presidio, TX 79845

Amparo A. Manriquez , 457-08-7721
P O Box 1191 Market Street Presidio, TX 79845

**ORDER DISCHARGING DEBTOR AFTER COMPLETION
OF CHAPTER 13 PLAN**

The court finds that the debtor filed a petition under title 11, United States Code, on June 15, 1999 , that the debtor's plan has been confirmed, and that the debtor has fulfilled all requirements under the plan.

IT IS ORDERED THAT:

1. Pursuant to 11 U.S.C. sec. 1328(a), the debtor is discharged from all debts provided for by the plan or disallowed under 11 U.S.C. sec. 502, except any debt:
 - a. provided for under 11 U.S.C. sec. 1322(b)(5) and on which the last payment is due after the date on which the final payment under the plan was due;
 - b. in the nature of alimony to, maintenance for, or support of a spouse, former spouse, or child of the debtor in connection with a separation agreement, divorce decree or other order of a court of record, or property settlement agreement, as specified in 11 U.S.C. sec. 523(a) (5);
 - c. for a student loan or educational benefit overpayment as specified in 11 U.S.C. sec. 523 (a) (8);
 - d. for a death or personal injury caused by the debtor's unlawful operation of a motor vehicle while intoxicated, as specified in 11 U.S.C. sec. 523 (a)(9); or
 - e. for restitution included in a sentence on the debtor's conviction of a crime.
2. Pursuant to 11 U.S.C. sec. 1328 (d), the debtor is not discharged from any debt based on an allowed claim filed under 11 U.S.C. sec. 1305 (a) (2) if prior approval by the trustee of the debtor's incurring such debt was practicable and was not obtained.
3. All creditors are prohibited from attempting to collect any debt that has been discharged in this case.

Date: 03/21/02

BY THE COURT

Ronald B. King
UNITED STATES BANKRUPTCY JUDGE

FILED

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CLERK, U.S. BANKRUPTCY COURT
BY *[Signature]*

MAR 29 11 10 AM '00

IN RE:

MANUEL P. MANRIQUEZ AND
AMPARO A. MANRIQUEZ,

DEBTORS

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§
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§
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§

CASE NO. 99-70443-RBK

CHAPTER 13

ORDER REGARDING DEBTORS' OBJECTION TO CLAIM OF
TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

On January 11, 2000, came on to be heard the claim of the Texas Natural Resource Conservation Commission ("TNRCC") and the Debtors' Objection thereto. After hearing the evidence and the arguments of counsel, the Court is of the opinion that the following orders should be entered:

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that the TNRCC shall be allowed a general unsecured claim in the Debtors' bankruptcy case in the amount of \$3,560.00; and

It is further **ORDERED, ADJUDGED AND DECREED** that the TNRCC has no claim for environmental liabilities arising prior to the confirmation date of the Debtors' Chapter 13 Plan. The TNRCC, however, has the right to seek any appropriate relief under law for any claim or liability for environmental hazards arising post-confirmation of the Debtors' Plan. The Debtors have the right to contest any such action by the TNRCC.

Signed this 24 day of March, 2000.

Re 12

[Signature]
Ronald B. King
United States Bankruptcy Judge

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