

State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

November 27, 2007

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 NOV 27 PM 4:47
CHIEF CLERKS OFFICE

Celeste Baker, Acting General Counsel
General Counsel
Texas Commission on Environmental Quality
PO Box 13087
Austin Texas 78711-3087

Re: SOAH Docket No. 582-06-2152; TCEQ Docket No. 2005-1300-PST-E; Texas Commission on Environmental Quality vs. SNW Enterprises, Inc., d/b/a Super Stop 12 and Super Stop 13

Dear Ms. Baker:

On November 5, 2007, the Executive Director of Texas Commission on Environmental Quality (ED) filed exceptions recommending that the Commission amend Conclusion of Law No. 22 in the Proposal for Decision (PFD) and Ordering Provision No. 1 in the Proposed Order to increase the administrative penalty to the amount originally sought. SNW Enterprises, Inc., did not file a response to those exceptions.

After consideration of the exceptions and their rationale, the Administrative Law Judge (ALJ) recommends that the Commission deny both exceptions and adopt the PFD and the Proposed Order as issued. As discussed in the PFD, the undersigned ALJ concluded that proposed amount of penalty set forth in Conclusion of Law No. 22 and Ordering Provision No. 1 is supported by the greater weight credible evidence in the record.

Sincerely,

Cassandra J. Church
Administrative Law Judge

CJC/vg (pp)
xc: Servicelist

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AGENCY: Environmental Quality, Texas Commission on (TCEQ)
STYLE/CASE: SNW ENTERPRISES INC / SUPER STOP 12 AND SUPER STOP 13
SOAH DOCKET NUMBER: 582-06-2152
REFERRING AGENCY CASE: 2005-1300-PST-E

**STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**ADMINISTRATIVE LAW JUDGE
ALJ CASSANDRA CHURCH**

REPRESENTATIVE / ADDRESS

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DOCKET NUMBER: 582-06-2152

JUDGE CASSANDRA CHURCH

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