

# State Office of Administrative Hearings



Cathleen Parsley  
Chief Administrative Law Judge

CHIEF CLERKS OFFICE

2008 OCT 22 AM 10:52

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

October 22, 2008

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

**VIA FACSIMILE 512/239-5533**

**Re: SOAH Docket No. 582-08-1956; TCEQ Docket No. 2007-1295-PST-E; In the Matter of an Enforcement Action against Dewayne Dyer**

Dear Mr. Trobman:

I have received and reviewed the Executive Director (ED) of the Texas Commission on Environmental Quality's exception to the Proposal for Decision (PFD). I did not receive exceptions or a reply to the exceptions from Dewayne Dyer (Respondent). This was a default proceeding based upon the Respondent's failure to appear.

I agree with the ED's non-substantive modification of an obvious typographical error. As the ED notes in his Exception letter, the proposed introduction to the PFD stated that the penalty amount requested was "\$6,305.00," when the correct number should have been "\$6,300.00."

Sincerely,

Penny A. Wilkov  
Administrative Law Judge

PAW/ap  
cc: Mailing List

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**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)  
**STYLE/CASE:** DEWAYNE DYER  
**SOAH DOCKET NUMBER:** 582-08-1956  
**REFERRING AGENCY CASE:** 2007-1295-PST-E

**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE  
ALJ PENNY WILKOV**

**REPRESENTATIVE / ADDRESS**

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DEWAYNE DYER

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xc: Docket Clerk, State Office of Administrative Hearings

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DATE: 10/22/2008

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REGARDING: EXCEPTIONS LETTER (BY ALJ)

DOCKET NUMBER: 582-08-1956

JUDGE PENNY WILKOV

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