

Jean and Leonard Killgore
P.O. Box 625, Somerville, TX 77879
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June 22, 2009

Commissioners Garcia, Soward, Shaw
Texas Commission on Environmental Quality
c/o Chief Clerk, MC 105
12100 Park 35 Circle
Austin, TX 78753

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 23 AM 8:08
CHIEF CLERKS OFFICE

RE: **SOAH Docket No. 582-08-2177; TCEQ Docket No. 2007-1765-MWD; In Re: In**
the Matter of the Application of TCB Rental, Inc. for New Wastewater Permit,
Proposed Texas Pollutant Discharge Elimination System, Permit No.
WQ0014725001 – Exceptions to ALJ Proposal for Decision and Order

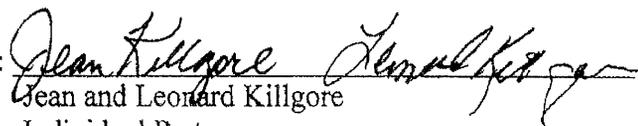
Dear Commissioners:

In the matter referenced above during the hearing process and testimony, credible evidence provided by Koontz Bayou Old River Group and Jean and Leonard Killgore was not allowed by the Judge. KBOR photos and newspaper articles showing flood conditions which verify landowner's observations over time at the proposed plant site and reference maps were not allowed as evidence. However, one of KBOR's maps not admitted by the Judge was used by TCB Rentals attorneys and allowed as evidence for TCB Rentals by the Judge. Throughout the Judge's Proposal and Order words have been calculated and references have been chosen to discredit KBOR and Jean and Leonard Killgore's witnesses and testimony.

In addition, we adopt the Koontz Bayou Old River Group's Exceptions or Brief to the Proposal for Decision and Order regarding this matter. All KBOR's statements and contentions submitted are incorporated herein by reference. Amy Rickers, attorney for KBOR, will provide KBOR's Exceptions or Brief to you under separate cover.

For any and all reasons stated here and in the KBOR Exceptions or Brief, we request denial of the permit. We also retain our individual party status and request to appear before the Commission at the time of the hearing and consideration of this matter.

Respectfully submitted,

By: 
Jean and Leonard Killgore
Individual Party

Enclosures - Certificate of service and 11 copies

TCEO Docket No. 2007-1765-MWD SOAH Docket No. 582-08-2177

Certificate of Service

I hereby certify that on June 22, 2009 a true and complete copy of the foregoing was sent to the individuals on the following mailing list via the method indicated.

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| Office of Public Interest Council | Eli Martinez Office of Public Interest, MC-103 P.O. Box 13087 Austin, TX 78711-3087 | via fax: 512-239-6377 & First Class Mail |
| D. A. Chris Ekoh (Courtesy Copy) | Staff Attorney TCEQ Environmental Law Division, MC-173 P. O. Box 13087 Austin, TX 78711-3087 | via fax: 512-239-0606 |
| SOAH – Docket Clerk | State Office of Admin. Hearings Docket Clerk P. O. Box 13025 Austin, TX 78711-3025 | via fax: 512-475-4994 & First Class Mail |
| Paul M. Terrill III Geoffrey P. Kirshbaum | 810 West 10th Street Austin, TX 78701 | via fax: 512-474-9888 & First Class Mail |
| Amy Rickers | Munsch, Hardt, Kopf & Harr, P.C. 500 N. Akard St. 3800 Lincoln Plaza Dallas, TX 75201-3302 | via fax: 214-978-4339 & First Class Mail |

Jean Killgore

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FAX COVER SHEET

June 22, 2009

Please Deliver to: Chief Clerk, TCEQ
Total number pages sent including coversheet: 3

RE: SOAH Docket No. 582-08-2177; TCEQ Docket No. 2007-1765-MWD
TCB Rental, Inc. Proposed Wastewater Treatment TPDES Permit No. WQ0014725001

If you do not receive all of the pages, please call back as soon as possible. Contact: Jean Killgore 979-272-8727 or cell 979-229-5590

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| D. A. Chris Ekoh (TCEQ) | 512-239-0606 | |
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