

2008 SEP -2 PM 4: 14

SOAH DOCKET NO. 582-08-2960  
TCEQ DOCKET NO. 2007-1805-PWS-E

CHIEF CLERKS OFFICE

IN THE MATTER OF	§	BEFORE THE
AN ENFORCEMENT ACTION	§	
AGAINST	§	TEXAS COMMISSION ON
MARK STEWART AND DONA	§	
STEWART DBD STEWART WATER;	§	ENVIRONMENTAL QUALITY
RN101194447		

**EXECUTIVE DIRECTOR'S STATEMENT SUPPORTING THE ADMINISTRATIVE  
LAW JUDGE'S PROPOSED ORDER**

NOW COMES the Executive Director of the Texas Commission on Environmental Quality ("Commission" or "TCEQ") and hereby files this Statement Supporting the Administrative Law Judge's Proposal for Decision, pursuant to 30 TEX. ADMIN. CODE § 80.257.

The Executive Director agrees with and supports the adoption of all of the Administrative Law Judge's ("ALJ") Findings of Fact and Conclusions of Law.

Respectfully submitted,

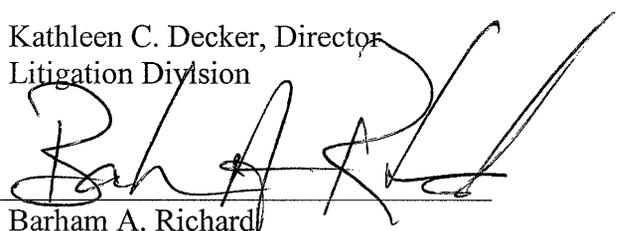
Texas Commission on Environmental Quality

Mark Vickery, P.G.  
Executive Director

Stephanie Bergeron Perdue, Deputy Director  
Office of Legal Services

Kathleen C. Decker, Director  
Litigation Division

by

  
Barham A. Richard

State Bar of Texas No. 24056201  
Litigation Division, MC 175  
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Austin, Texas 78711-3087  
(512) 239-0107  
(512) 239-3434 ( AX)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of September, 2008, the original and 7 copies of the foregoing "Executive Director's Proposed Modifications to the Administrative Law Judge's Proposed Order" ("Proposed Modifications") were filed with the Chief Clerk, Texas Commission on Environmental Quality, Austin, Texas.

I further certify that on this day a true and correct copy of the foregoing Proposed Modifications were sent to the following:

Via Inter-Agency Mail  
Via Facsimile to (512) 475-4994  
The Honorable Thomas H. Walston  
State Office of Administrative Hearings  
300 W. 15<sup>th</sup> Street, Suite 504  
Austin, Texas 78701-1649

Via First Class Mail, Postage Prepaid  
Via Certified Mail, Return Receipt Requested, Article Number 91 7108 2133 3935 1950 0691  
Mr. Mark Stewart and Mrs. Dona Stewart  
Stewart Water  
4432 Early Morn Drive  
Plano, Texas 75093

Via Intra Agency Mail  
Blas Coy, TCEQ Public Interest Counsel, MC 103  
Les Trobman, TCEQ Office of the General Counsel, MC 101

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
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Barham A. Richard, Attorney  
Office of Legal Services, Litigation Division  
Texas Commission on Environmental Quality