

# State Office of Administrative Hearings



Cathleen Parsley  
Chief Administrative Law Judge

March 22, 2011

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

**Re: SOAH Docket No. 582-09-2895; TCEQ Docket No.2008-1305-MWD; In the Matter of the Application by Farmersville Investors, LP, for Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014778001**

Dear Mr. Trobman:

Exceptions to the Amended Proposal for Decision (PFD) in the above-referenced case were filed by Farmersville Investors, LP (Applicant), James A. and Shirley Martin (Protestants), and the Executive Director (ED) of the Texas Commission on Environmental Quality. Replies to exceptions were filed by Applicant, Protestants, the ED, and the Office of Public Interest Counsel (OPIC).

The ALJ recommends the ED's proposed changes to the Discussion in Section I and Section IV of the PFD; Findings of Fact Nos. 25-28; and Ordering Provision No. 1 of the Proposed Order.

The ALJ also agrees with the ED's proposed language for Finding of Fact No. 40, except that instead of referencing 30 TAC Section 217.1 as proposed, Finding of Fact No. 40 should refer to 30 TAC Section 217.6.

The ALJ recommends no further changes to the Amended PFD.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Cloninger".

Sharon Cloninger  
Administrative Law Judge

SC/lh  
cc: Mailing List

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AGENCY: Environmental Quality, Texas Commission on (TCEQ)  
STYLE/CASE: FARMERSVILLE INVESTOR, LP  
SOAH DOCKET NUMBER: 582-09-2895  
REFERRING AGENCY CASE: 2008-1305-MWD

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STATE OFFICE OF ADMINISTRATIVE  
HEARINGS

ADMINISTRATIVE LAW JUDGE  
ALJ SHARON CLONINGER

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