

Vinson & Elkins

Molly Cagle mcagle@velaw.com
Tel 512 542 8552 Fax 512 236 3280

June 28, 2010

Via Electronic Filing

LaDonna Castañuela, Chief Clerk
Office of the Chief Clerk, MC-105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, TX 78711-3087

Re: TCEQ Docket No. 2009-0398-IWD; SOAH Docket No. 582-09-3322;
Oak Grove Management Company, LLC - TPDES Permit No. WQ0001986000
Comment regarding Proposal for Decision and Order

Dear Ms. Castañuela:

The purpose of this letter is to note a typographical error in the proposed Order related to the above-referenced matter. The error is in Conclusion of Law #23. The first statutory reference should be to §306 of the Clean Water Act (where the term “new source” is defined), rather than §316, as shown below:

23. The OGSES is not a new source under Clean Water Act §306, but is an existing facility as that term is defined in EPA’s regulations implementing §316(b).....

Thank you for your assistance in this matter.

Very truly yours,


Molly Cagle

cc: Service List

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on the following via first class mail, facsimile, electronic transmission and/or hand delivery on this the 28th day of June, 2010.

State Office of Administrative Hearings
ATTN: SOAH Docket Clerk
P.O. Box 13025
Austin, TX 78711-3025
300 West 15th Street
Austin, TX 78701
PH: (512) 475-4993
FAX: (512) 475-4994

Garrett Arthur
Public Interest Counsel, MC 103
Texas Commission on Environmental Quality
Bldg. F, 4th Flr.
P. O. Box 13087
Austin, TX 78711-3087
Tel: 512.239.5757
Facsimile: 512.239.6377
Email: garthur@tceq.state.tx.us

Robin Smith
Environmental Law Division, MC 173
Texas Commission on Environmental
Quality
Bldg. A, 3rd Flr., Rm 320J
P. O. Box 13087
Austin, TX 78711-3087
Tel: 512.239.0463 (RS)
Facsimile: 512.239.0606
Email: rsmith@tceq.state.tx.us

Eric Allmon
Lowerre, Frederick, Perales, Allmon &
Rockwell
707 Rio Grande, Suite 200
Austin, TX 78701
Tel: 512.469.6000
Facsimile: 512.482.9346
Email: callmon@lf-lawfirm.com


Molly Cagle