

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

**AUSTIN OFFICE**  
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DATE: **10/18/2013**  
NUMBER OF PAGES INCLUDING THIS COVER SHEET: **3**  
REGARDING: **EXCEPTIONS LETTER (BY ALJ)**  
DOCKET NUMBER: **582-13-2091**  
**JUDGE REBECCA SMITH**

**FAX TO:**

**FAX TO:**

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REBECCA M. COMBS (TEXAS COMMISSION ON ENVIRONMENTAL QUALITY)

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ALI ALSHAMMARI

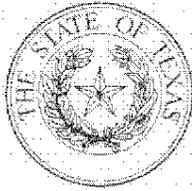
VIA REGULAR MAIL

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# State Office of Administrative Hearings



Cathleen Parsley  
Chief Administrative Law Judge

October 18, 2013

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

**VIA FACSIMILE: (512)239-5533**

**Re: SOAH Docket No. 582-13-2091; TCEQ Docket No. 2011-0486-PST-E; In Re:  
Executive Director of the Texas Commission on Environmental Quality v.  
MAGIC PRO, INC., Respondent**

Dear Mr. Trobman:

I have reviewed the Executive Director's exceptions to my Proposal for Decision. Having read these exceptions, I remain convinced that an examination of other factors as justice may require should result in a smaller administrative penalty than what the Executive Director requests. Therefore, I recommend that the Commission not accept the Executive Director's exceptions as they relate to the amount of the administrative penalty. I recommend that the Commission sustain the Executive Director's exceptions in all other matters. The Respondent did not timely file exceptions or replies to the Executive Director's exceptions.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca S. Smith".

Rebecca S. Smith  
Administrative Law Judge

RSS:ls  
cc: Mailing List

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**SERVICE LIST**

**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)  
**STYLE/CASE:** MAGIC PRO INC  
**SOAH DOCKET NUMBER:** 582-13-2091  
**REFERRING AGENCY CASE:** 2012-0486-PST-E

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**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE  
ALJ REBECCA SMITH**

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**REPRESENTATIVE / ADDRESS**

**PARTIES**

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TCEQ EXECUTIVE DIRECTOR

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MAGIC PRO INC

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## Liz Slick

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**From:** XMediusFAX@soah.state.tx.us  
**Sent:** Friday, October 18, 2013 8:37 AM  
**To:** Liz Slick  
**Subject:** Broadcast Completed: ALJ EXCEPTION LETTER - DKT. #582-13-2091  
**Attachments:** 59FFE36F-6E09-4B8C-ABE4-2DB74280AB8E-31502-BR.pdf

Time Submitted : Friday, October 18, 2013 8:35:21 AM CT  
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Status	Time Sent	Pages Sent	Duration	Remote CSID	Destination	Error Code
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