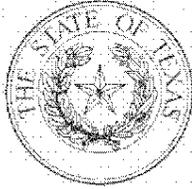


# State Office of Administrative Hearings



Cathleen Parsley  
Chief Administrative Law Judge

May 27, 2014

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

**VIA FACSIMILE NO. 512/239-5533**

Re: **SOAH Docket No. 582-13-5790; TCEQ Docket No. 2012-2263-PST-E; In Re:  
Executive Director of the Texas Commission on Environmental Quality v.  
Brushy Landing, LLC**

Dear Ms. Idsal:

I have reviewed the exceptions filed by the Executive Director of the Texas Commission on Environmental Quality to the Proposal for Decision and Order that have been recommended to the Commission for approval. I do not disagree with the Executive Director's recommendation that ordering provision number 4 be stricken and the remaining ordering provisions be re-numbered accordingly. As the Executive Director has conceded current compliance, and apparently no certification is needed regarding payment of the administrative penalty, then this provision is not required.

Except as noted in this letter, I have no other suggested modifications to the recommendation or proposed order.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig R. Bennett".

Craig R. Bennett  
Administrative Law Judge

CRB/Is  
cc: Mailing List

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

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**Austin, Texas 78701**  
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**SERVICE LIST**

**AGENCY:** Environmental Quality, Texas Commission on (TCEQ)  
**STYLE/CASE:** BRUSHY LANDING, LLC  
**SOAH DOCKET NUMBER:** 582-13-5790  
**REFERRING AGENCY CASE:** 2012-2263-PST-E

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**STATE OFFICE OF ADMINISTRATIVE  
HEARINGS**

**ADMINISTRATIVE LAW JUDGE**  
**ALJ CRAIG R. BENNETT**

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**REPRESENTATIVE / ADDRESS**

**PARTIES**

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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MARSHALL, TX 75672

BRUSHY LANDING, LLC

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