

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 21, 2022

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality  
Office of the Chief Clerk (MC - 105)  
P.O. Box 13087  
Austin, Texas 78711-3087

RE: Port of Corpus Christi Authority of Nueces County  
SOAH Docket No. 582-20-1895  
TCEQ Docket No. 2019-1156-IWD

Dear Ms. Gharis:

Please find the Executive Director's Reply to Exceptions to the Proposal for Decision on Remand for the above referenced matter.

Best Regards,

A handwritten signature in cursive script, appearing to read "Harrison Cole Malley".

Harrison Cole Malley  
TCEQ Staff Attorney

cc: Rebecca Smith, Administrative Law Judge, State Office of Administrative Hearings  
Cassandra Quinn, Administrative Law Judge, State Office of Administrative Hearings

SOAH DOCKET NO. 582-20-1895  
TCEQ DOCKET NO. 2019-1156-IWD

APPLICATION OF	§	BEFORE THE STATE OFFICE
PORT OF CORPUS CHRISTI	§	
AUTHORITY OF NUECES	§	
COUNTY FOR TEXAS	§	OF
POLLUTANT DISCHARGE	§	
ELIMINATION SYSTEM	§	
PERMIT NO. WQ0005253000	§	ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S REPLY TO EXCEPTIONS TO THE PROPOSAL FOR  
DECISION ON REMAND

**I. Overview**

The Executive Director maintains his position that the draft permit, with the additional recommendations from the Administrative Law Judges, meets the requirements of the applicable statutory and regulatory requirements and will be protective of human health and the environment. PAC and the Steves/Kings continue to reargue issues that were thoroughly vetted during the remand hearing.

The Executive Director supports the ALJs' finding that the POCC met its burden of proof on all referred issues and their recommendation to issue the Executive Director's proposed permit. Therefore, the Executive Director respectfully requests that the Commission adopt the ALJs' proposed order with the Executive Director's recommended changes presented in his Exceptions to the PFD and issue the proposed permit with the changes recommended by the ALJs and the Executive Director.

Respectfully submitted,

Texas Commission on Environmental  
Quality

Toby Baker, Executive Director

Charmaine Backens, Deputy Director  
Environmental Law Division



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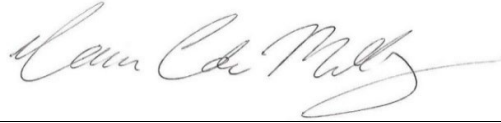
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REPRESENTING THE  
EXECUTIVE DIRECTOR OF THE TEXAS  
COMMISSION ON ENVIRONMENTAL  
QUALITY

## CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2022, the “Executive Director’s Reply to Exceptions to the Proposal for Decision on Remand” was served: electronically, by first class mail, or hand delivered to the parties listed below.



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Harrison Cole Malley  
Staff Attorney  
TCEQ’s Environmental Law Division  
State Bar of Texas No. 24116710

## SERVICE LIST – SOAH DOCKET NO. 582-20-1895

### TCEQ Public Interest Counsel

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### TCEQ Office of the Chief Clerk- for filings only

Laurie Gharis: (via e-Filings): <https://www14.tceq.texas.gov/epic/eFiling/>

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