

FILED  
582-22-08384  
9/25/2023 8:18 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Crystal Rosas, CLERK

ACCEPTED  
582-22-08384  
9/25/2023 8:39:11 am  
STATE OFFICE OF  
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Crystal Rosas, CLERK

# State Office of Administrative Hearings

Kristofer S. Monson  
Chief Administrative Law Judge

September 25, 2023

Benjamin Pence, TCEQ Staff Attorney

VIA EFILE TEXAS

Pranjal Mehta, OPIC Staff Attorney

VIA EFILE TEXAS

Sayedali Modi, Respondent  
A S K C-Stores, Inc., d/b/a Amigo Mart  
2018 Gustave Cook Lane  
Richmond, TX 77469

VIA REGULAR MAIL

**RE: Docket Number 582-22-08384.TCEQ; Texas Commission on Environmental Quality No. 2020-0255-PST-E; Executive Director of the Texas Commission on Environmental Quality v. A S K C-Stores, Inc. d/b/a Amigo Mart**

Dear Parties:

On September 6, 2023, the Executive Director filed exceptions to the Proposal for Decision (PFD) issued on August 18, 2023. Respondent A S K C-Stores, Inc. d/b/a Amigo Mart did not respond to those exceptions. The ALJ recommends the following exceptions be granted:

- The removal of the word “Preliminary” from Findings of Fact Nos. 12 and 13; and
- In Conclusion of Law No. 4, replace “The UST at the Facility is not” with “The USTs at the Facility are not.”

The ALJ recommends denying the other exceptions, including Proposed Conclusion of Law #7, which cites a provision in the Texas Administrative Code that is not cited in the Executive Director's First Amended Report and Petition.

With those changes, the PFD is ready for consideration.

ALJ Signature(s):



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Rebecca Smith,

Presiding Administrative Law Judge

CC: Service List

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Status as of 9/25/2023 8:40 AM CST

Associated Case Party: OPIC

Name	BarNumber	Email	TimestampSubmitted	Status
Pranjal Mehta		pranjal.mehta@tceq.texas.gov	9/25/2023 8:18:12 AM	SENT

Associated Case Party: Executive Director

Name	BarNumber	Email	TimestampSubmitted	Status
Benjamin Pence		ben.pence@tceq.texas.gov	9/25/2023 8:18:12 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
OLS Legal Support		TCEQsoah@tceq.texas.gov	9/25/2023 8:18:12 AM	SENT