

State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

June 21, 2023

David Keagle
Attorney for TCEQ

VIA EFILE TEXAS

Pierre Elbayeh
For Antonina LLC

VIA EFILE TEXAS

Jennifer Jameson
Attorney for OPIC

VIA EFILE TEXAS

RE: Docket Number 582-22-2669.TCEQ; Texas Commission on Environmental Quality No. 2021-0064-PST-E; *Executive Director of the Texas Commission on Environmental Quality v. Antonina LLC dba Food & Fuel Express*

Dear Parties:

The Executive Director filed exceptions asking that Finding of Fact 13(a) be modified to reflect that the violation is appropriately analyzed not under the health and safety matrix but under the environmental, property, and human health matrix. No other party filed exceptions or replies.

The Executive Director's request has merit. Finding of Fact 13(a) is amended to state that Antonina's violation "is appropriately analyzed under the environmental, property, and human health matrix."

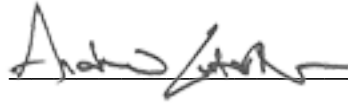
With this change, the proposal for decision is ready for consideration.

Exceptions Letter

June 21, 2023

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ALJ Signature(s):

A handwritten signature in black ink, appearing to read "Andrew Lutostanski", is written over a solid horizontal line.

Andrew Lutostanski

Presiding Administrative Law Judge

CC: Service List