

State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

June 6, 2023

Aubrey Pawelka
Garrett Arthur
Vic McWherter
Stefanie Albright
Rae Fregeolle-Burk
Joshua Katz
Emily Rogers
Natalie Scott
Steve Selinger

VIA EFILE TEXAS

RE: SOAH Docket Number 582-22-1885.TCEQ; Texas Commission on Environmental Quality No. 4361-02; 2021-1442-MWD; Application by Stephen Selinger for TPDES Permit No. WQ0015932001

Dear Parties:

The undersigned Administrative Law Judge issued a proposal for decision in this matter. Afterward, the Commission's Executive Director (ED), Stephen Selinger (Applicant), and City of Ennis, Texas, the City of Waxahachie, Texas, and Ellis County, Texas (collectively, Protestants) filed exceptions and replies. After considering the exceptions and replies, the ALJ makes one minor clarification requested by the ED and otherwise declines to make changes.

The ED requested a clarification to Finding of Fact #1. The request has merit, and the finding is revised as requested:

1. Selinger filed his application (Application) for a new TPDES permit with TCEQ on October 1, 2020.

Although Applicant and Protestants make many arguments in their exceptions, these matters were already considered and rejected. The ALJ declines to further amend the proposal for decision. It is ready for consideration.

ALJ Signature(s):

A handwritten signature in black ink that reads "Amy Davis". The signature is written in a cursive style with a horizontal line underneath it.

Amy Davis

Presiding Administrative Law Judge

CC: Service List