

**TCEQ AIR QUALITY PERMIT NUMBER 162941
TCEQ DOCKET NUMBER 2022-0157-AIR**

APPLICATION BY	§	BEFORE THE TEXAS
MAX MIDSTREAM TEXAS, LLC	§	
SEAHAWK CRUDE CONDENSATE	§	COMMISSION ON
TERMINAL	§	
POINT COMFORT, CALHOUN	§	
COUNTY	§	ENVIRONMENTAL QUALITY

**EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS AND REQUESTS FOR
RECONSIDERATION**

I. INTRODUCTION

The Executive Director (ED) of the Texas Commission on Environmental Quality (commission or TCEQ) files this response (Response) to the requests for a contested case hearing submitted by persons listed herein regarding the above-referenced matter. The Texas Clean Air Act (TCAA), TEX. HEALTH & SAFETY CODE (THSC) § 382.056(n), requires the commission to consider hearing requests in accordance with the procedures provided in TEX. WATER CODE (TWC) § 5.556.¹ This statute is implemented through the rules in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F.

A map showing the location of the plant is included with this Response and has been provided to all hearing requesters listed on the mailing list for this application. In addition, a technical review summary, which includes a compliance summary of the Applicant, and the draft permit prepared by the ED’s staff have been filed as backup material for the commissioners’ agenda. Notice of the ED’s Response to Public Comment (RTC) was mailed by the chief clerk to all persons on the mailing list and is on file with the chief clerk for the commission’s consideration.

II. PLANT DESCRIPTION

Max Midstream Texas, LLC (Applicant) has applied to the TCEQ for a New Source Review (NSR) Authorization under TCAA § 382.0518. This will authorize the modification of the existing plant and the construction of new facilities that may emit air contaminants and will change the authorization type of the plant from a Permit by Rule to a Subchapter B (case-by-case) NSR permit.

This permit will authorize the Applicant to construct the Seahawk Crude Condensate Terminal. The terminal is proposed to be located at the following driving directions: 1.9 miles south of the State Highway 35 and Farm-to-Market 1593 intersection, at the Farm-to-Market 1593 and County Road 319 intersection, go south 0.15 mile to the site main gate entrance, Point Comfort, Calhoun County, Texas. Contaminants authorized under this permit include carbon monoxide (CO), hazardous air pollutants, hydrogen

¹ Statutes cited in this response may be viewed online at www.statutes.legis.state.tx.us. Relevant statutes are found primarily in the THSC and the TWC. The rules in the TAC may be viewed online at www.sos.state.tx.us/tac/index.shtml or follow the “Rules” link on the TCEQ website at www.tceq.texas.gov.

sulfide (H₂S), nitrogen oxides (NO_x), organic compounds, particulate matter including particulate matter with diameters of 10 microns (PM₁₀) or less and 2.5 microns or less (PM_{2.5}), and sulfur dioxide (SO₂).

III. PROCEDURAL BACKGROUND

Before work is begun on the modifications to an existing plant or the construction of new plant that may emit air contaminants, the person planning the construction must obtain a permit from the commission. This permit application is for an initial issuance of Air Quality Permit No. 162941.

The permit application was received on October 6, 2020 and declared administratively complete on October 8, 2020. The Notice of Receipt and Intent to Obtain an Air Quality Permit (first public notice or "NORI") for this permit application was published in English, on October 28, 2020, in the *Port Lavaca Wave* and in Spanish, on October 27, 2020, in *La Prensa Comunidad*. The Notice of Application and Preliminary Decision for an Air Quality Permit (second public notice or "NAPD") was published in English, on May 5, 2021, in the *Port Lavaca Wave* and in Spanish, on May 4, 2021, in *La Prensa Comunidad*. A public meeting was held on August 17, 2021 utilizing the virtual GoToMeeting platform. The public comment period ended at the close of the public meeting on August 17, 2021. Because this application was received after September 1, 2015, it is subject to the procedural requirements of and rules implementing Senate Bill 709 (84th Legislature, 2015).

The ED's RTC was filed with the Chief Clerk's Office on December 3, 2021 and notice of the filing was mailed to all interested persons on December 3, 2021, including to those who asked to be placed on the mailing list for this application and those who submitted comments or requests for a contested case hearing. The notice of the filing of the RTC included information about making requests for a contested case hearing or for reconsideration of the ED's decision. The notice also explained that hearing requesters should specify any of the ED's responses to comments they dispute and the factual basis of the dispute, in addition to listing any disputed issues of law or policy. The time for requests for reconsideration and submitting additional hearing requests ended on January 10, 2022. The TCEQ did not receive any requests for reconsideration or additional hearing requests.

The TCEQ received 2,549 timely hearing requests that were not withdrawn during the comment period from the persons listed in Attachments A, B, C, and D of this Response, which have been filed separately in this matter. The majority of these hearing requests consisted of a form letter which was submitted via an automated system. The TCEQ also received timely hearing requests from the Environmental Integrity Project (EIP), on behalf of itself, the San Antonio Bay Estuarine Waterkeeper, Texas Rio Grande Legal Aid, and Texas Campaign for the Environment (collectively, EIP). Texas Campaign for the Environment (TCE) also submitted an additional hearing request on its own behalf.

IV. THE EVALUATION PROCESS FOR HEARING REQUESTS

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the commission's consideration of hearing requests. Senate Bill 709

revised the requirements for submitting public comment and the commission's consideration of hearing requests. The evaluation process for hearing requests is as follows:

A. Response to Requests

The ED, the Public Interest Counsel, and the Applicant may each submit written responses to any hearing requests. 30 TAC § 55.209(d).

Responses to hearing requests must specifically address:

- 1) whether the requestor is an affected person;
- 2) which issues raised in the hearing request are disputed;
- 3) whether the dispute involves questions of fact or of law;
- 4) whether the issues were raised during the public comment period;
- 5) whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's RTC;
- 6) whether the issues are relevant and material to the decision on the application; and
- 7) 7) a maximum expected duration for the contested case hearing.

30 TAC § 55.209(e).

B. Hearing Request Requirements

In order for the commission to consider a hearing request, the commission must first determine whether the request meets certain requirements:

Affected persons may request a contested case hearing. The request must be made in writing and timely filed with the chief clerk. The request must be based only on the requestor's timely comments and may not be based on an issue that was raised solely in a public comment that was withdrawn by the requestor prior to the filing of the ED's RTC.

30 TAC § 55.201(c).

A hearing request must substantially comply with the following:

- 1) give the time, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
- 2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed plant or activity that is the subject of the application and how

and why the requestor believes he or she will be adversely affected by the proposed plant or activity in a manner not common to members of the general public;

- 3) request a contested case hearing;
 - 4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and
 - 5) provide any other information specified in the public notice of application.
- 30 TAC § 55.201(d).

C. Requirement that Requester be an Affected Person/"Affected Person" Status

In order to grant a contested case hearing, the commission must determine whether a requester is an affected person. Section 55.203 sets out who may be considered an affected person.

- a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.
- b) Except as provided by 30 TAC § 55.103, governmental entities, including local governments and public agencies with authority under state law over issues raised by the application, may be considered affected persons.
- c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
 - 1) whether the interest claimed is one protected by the law under which the application will be considered;
 - 2) distance restrictions or other limitations imposed by law on the affected interest;
 - 3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
 - 4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
 - 5) likely impact of the regulated activity on use of the impacted natural resource by the person;
 - 6) whether the requester timely submitted comments on the application which were not withdrawn; and

- 7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TAC § 55.203

In regard to air quality permits, the activity the commission regulates is the emissions of air contaminants into the atmosphere. Any person who plans to construct or modify a plant that may emit air contaminants must receive authorization from the commission. Commission rules also include a general prohibition against causing a nuisance. Further, for air quality permits, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant.

For applications filed on or after September 1, 2015, 30 TAC § 55.201(d) allows the commission to consider, to the extent consistent with case law:

1. the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
2. the analysis and opinions of the ED; and
3. any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requester.

D. Referral to the State Office of Administrative Hearings (SOAH)

"When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to SOAH for a hearing." 30 TAC § 50.115(b). The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- 1) involves a disputed question of fact or mixed question of law and fact;
- 2) was raised during the public comment period by an affected person whose hearing request is granted; and
- 3) is relevant and material to the decision on the application.

30 TAC § 50.115(c).

V. ANALYSIS OF THE REQUESTS

The ED has analyzed the hearing requests to determine whether they comply with commission rules, if the requesters qualify as affected persons, what issues may be referred for a contested case hearing, and what is the appropriate length of the hearing.

A. Whether the Individual Requesters Meet the Affected Person Requirements

1. *Hearing Requesters residing outside the United States*

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission

find the persons listed in Attachment A are not affected persons.

The requesters listed in Attachment A each submitted a hearing request as part of a timely filed comment. The hearing requests were identical form letters submitted individually by each requester. The hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing requests. In the hearing requests, the requesters expressed concern that emissions from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. The requesters also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best available control technology. However, the hearing requests did not describe any likely impact of the regulated activity on the health and safety of the requester or on the use of property of the requester. Therefore, the requesters listed in Attachment A did not raise personal justiciable interests.

Based on the addresses provided, the ED determined that the requesters listed in Attachment A live outside the United States of America. For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the location of the requesters' residences relative to location of the terminal, the requesters' health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that the requesters listed in Attachment A are not affected persons based on the criteria in 30 TAC § 55.203.

In their hearing requests, requesters listed in Attachment A raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

2. Hearing Requesters residing outside the State of Texas

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find the persons listed in Attachment B are not affected persons.

The requesters listed in Attachment B each submitted a hearing request as part of a timely filed comment. The hearing requests were identical form letters submitted

individually by each requester. The hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing requests. In the hearing requests, the requesters expressed concern that emissions from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. The requesters also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best available control technology. However, the hearing requests did not describe any likely impact of the regulated activity on the health and safety of the requester or on the use of property of the requester. Therefore, the requesters listed in Attachment B did not raise personal justiciable interests.

Based on the addresses provided, the ED determined that the requesters listed in Attachment B live outside the state of Texas. For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the location of the requesters' residences relative to location of the terminal, the requesters' health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that the requesters listed in Attachment B are not affected persons based on the criteria in 30 TAC § 55.203.

In their hearing requests, requesters listed in Attachment B raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

3. *Hearing Requesters residing in Texas but beyond the counties immediately surrounding the proposed location of the terminal*

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find the persons listed in Attachment C are not affected persons.

The requesters listed in Attachment C each submitted a hearing request as part of a timely filed comment. The hearing requests were identical form letters submitted individually by each requester. The hearing requests were in writing, provided the required contact information, and included issues that are the basis of the hearing requests. In the hearing requests, the requesters expressed concern that emissions

from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. The requesters also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best available control technology. However, the hearing requests did not describe any likely impact of the regulated activity on the health and safety of the requester or on the use of property of the requester. Therefore, the requesters listed in Attachment C did not raise personal justiciable interests.

Based on the addresses provided, the ED determined that the requesters listed in Attachment C live in the state of Texas but beyond the counties immediately surrounding the location of the terminal (Calhoun, Victoria, and Matagorda Counties). For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the location of the requesters' residences relative to location of the terminal, the requesters' health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that the requesters listed in Attachment C are not affected persons based on the criteria in 30 TAC § 55.203.

In their hearing requests, requesters listed in Attachment C raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

4. *Hearing Requesters residing in the counties immediately surrounding the location of the terminal (Calhoun, Victoria, and Matagorda Counties)*

a. Kelcee Hufford

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find that Kelcee Hufford is not an affected person.

Ms. Hufford submitted a hearing request as part of a timely filed comment. The hearing request was the same identical form letter as the hearing requests submitted by the persons listed in Attachments A, B, and C. The hearing request was in writing, provided the required contact information, and included issues that are the basis of

her hearing request. In her hearing request, Ms. Hufford expressed concern that emissions from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. Ms. Hufford also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best available control technology. However, the hearing request did not describe any likely impact of the regulated activity on Ms. Hufford's health and safety or on the use of her property. Therefore, Ms. Hufford did not raise a personal justiciable interest.

Based on the address provided, the ED determined that Ms. Hufford resides approximately 28.9 miles from the location of the terminal. For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Hufford's address relative to the location of the terminal, her health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Kelcee Hufford is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Kelcee Hufford raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

b. Bob Lindsey

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find that Bob Lindsey is not an affected person.

Mr. Lindsey submitted two hearing requests as part of timely filed comments. The hearing requests were both the same identical form letter as the hearing requests submitted by the persons listed in Attachments A, B, and C. The hearing requests were in writing, provided the required contact information, and included issues that are the basis of his hearing requests. In his hearing requests, Mr. Lindsey expressed concern that emissions from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. Mr. Lindsey also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best

available control technology. However, the hearing requests did not describe any likely impact of the regulated activity on Mr. Lindsey's health and safety or on the use of his property. Therefore, Mr. Lindsey did not raise a personal justiciable interest.

Based on the address provided, the ED determined that Mr. Lindsey resides approximately 16 miles from the location of the terminal. For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Lindsey's residence relative to the location of the terminal, his health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Bob Lindsey is not an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing requests, Bob Lindsey raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

c. Marcus Perez

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find that Marcus Perez is not an affected person.

Mr. Perez submitted a hearing request as part of timely filed comments. The hearing request was the same identical form letter as the hearing requests submitted by the persons listed in Attachments A, B, and C. The hearing request was in writing, provided the required contact information, and included issues that are the basis of his hearing request. In his hearing request, Mr. Perez expressed concern that emissions from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. Mr. Perez also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best available control technology. However, the hearing request did not describe any likely impact of the regulated activity on Mr. Perez's health and safety or on the use of his property. Therefore, Mr. Perez did not raise a personal justiciable interest.

Based on the address provided, the ED determined that Mr. Perez resides approximately 26.8 miles from the location of the terminal. For air authorizations,

distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Mr. Perez's residence relative to the location of the terminal, his health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Marcus Perez is not an affected person based on the criteria set out in 30 TAC § 55.203.

In his hearing request, Marcus Perez raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

d. Elizabeth Riebschlaeger

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find that Elizabeth Riebschlaeger is not an affected person.

Ms. Riebschlaeger submitted a hearing request as part of a timely filed comment. The hearing request was in writing, provided the required contact information, and included issues that are the basis of her hearing request. In her hearing request, Ms. Riebschlaeger expressed concern that the proposed terminal would negatively affect the environment, including the Matagorda and Lavaca Bays. Ms. Riebschlaeger also expressed concern about the Applicant's experience operating this type of plant and questioned whether the Applicant would be required to utilize the best available control technology. In addition, Ms. Riebschlaeger expressed concern about the dredging potentially needed to accommodate large ships the terminal will service and questioned whether the permit should be issued to a corporation not domiciled in the United States. However, the hearing request did not describe any likely impact of the regulated activity on Ms. Riebschlaeger's health and safety or on the use of her property. Therefore, Ms. Riebschlaeger did not raise a personal justiciable interest.

Based on the address provided, the ED determined that Ms. Riebschlaeger resides approximately 28.3 miles from the location of the terminal. For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes.

Given the distance of Ms. Riebschlaeger's residence relative to the location of the terminal, her health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Elizabeth Riebschlaeger is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her hearing request, Elizabeth Riebschlaeger raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

Issue 10: Whether the proposed plant will diminish the ecological integrity of the area.

Issue 11: Whether the proposed plant will negatively impact nearby residents' use and enjoyment of their property.

Issue 12: Whether the proposed plant will cause adverse economic impacts on the local community, including the local fishing industry.

e. Diane Wilson

The ED reviewed the factors found in 30 TAC § 55.201(c) and (d), and § 55.203 for determining whether a person is an affected person and recommends the commission find that Diane Wilson is not an affected person.

Ms. Wilson was identified by EIP as a member of the San Antonio Bay Estuarine Waterkeeper and Texas Campaign for the Environment who would have standing in her own right. However, Ms. Wilson also submitted her own hearing request as part of a timely filed comment. Although the ED believes Ms. Wilson's individual request is subsumed by EIP's, out of an abundance of caution, the ED is briefing both requests separately.

Ms. Wilson's individual request was in writing, provided the required contact information, and included issues that are the basis of her hearing requests. Ms. Wilson stated she is a fisherwoman who lives in the area. She expressed concern that emissions from the proposed terminal may harm the nearby community and negatively affect the environment, including the Matagorda and Lavaca Bays. Ms. Wilson also expressed concern about the Applicant's experience operating this type of plant, the Applicant's financial stability, and questioned whether the Applicant would be required to utilize the best available control technology. However, the hearing request did not describe any likely impact of the regulated activity on Ms. Wilson's

health and safety or on the use of her property. Therefore, Ms. Wilson did not raise a personal justiciable interest in her individual request.

Based on the address provided, the ED determined that Ms. Wilson lives approximately 16 miles from the proposed location of the terminal. For air authorizations, distance from the proposed plant is particularly relevant to the issue of whether there is a likely impact of the regulated activity on a person's interests because of the dispersion and effects of individual air contaminants emitted from a plant. The natural resource that is the subject of this permit is the ambient air an individual breathes. Given the distance of Ms. Wilson's residence relative to the location of the terminal, her health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Diane Wilson is not an affected person based on the criteria set out in 30 TAC § 55.203.

In her individual hearing request, Diane Wilson raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

Issue 10: Whether the proposed plant will diminish the ecological integrity of the area.

Issue 12: Whether the proposed plant will cause adverse economic impacts on the local community, including the local fishing industry.

B. Whether the Group and Association Requesters Meet the Affected Person Requirements

In addition to the requirements in 30 TAC § 55.201 and 30 TAC § 55.203, requests for a contested case hearing by a group or association on an application filed on or after September 1, 2015, must meet the requirements in 30 TAC § 55.205(b). Specifically: (1) the group or association must have submitted timely comments on the application; (2) the request must identify, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right; (3) the interests the group or association seeks to protect must be germane to the organization's purpose; and (4) the claim asserted or the relief requested may not require the participation of the individual members in the case.

a. Environmental Integrity Project (EIP)

(1) Whether the group or association submitted timely comments on the application.

EIP submitted a total of four hearing requests on behalf of itself, the San Antonio Bay Estuarine Waterkeepers, Texas Rio Grande Legal Aid, and Texas Campaign for the Environment (collectively, EIP). The issues raised in EIP's hearing requests were raised in the group's timely comments. The ED recommends that the commission find that EIP has met this requirement for associational standing.

(2) Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.

In its hearing requests, EIP identified the following individuals as members who would have standing to request a hearing in their own right: Mauricio Blanco, Dale Jurasek, John and Janet Maresh, Curtis Miller, and Diane Wilson. Diane Wilson also submitted an individual hearing request, which is briefed separately above.

i. Mauricio Blanco

EIP stated that Mauricio Blanco makes a living shrimping and oystering in Matagorda and Lavaca Bays and that he is concerned that emissions from the terminal may negatively affect his health and the environment, including the Matagorda and Lavaca Bays, which could potentially impact his business and livelihood. EIP also stated that Mr. Blanco's business is dependent on the maintenance of habitable bays for shrimp, fish, and oysters.

EIP stated that Mr. Blanco resides across Lavaca Bay, approximately 6 miles southwest from the location of the terminal. However, no address was provided for Mr. Blanco, and thus, the ED was unable to confirm the distance from Mr. Blanco's residence relative to the location of the terminal. Accordingly, the ED was unable to determine whether Mr. Blanco's health and safety or his property would be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Mauricio Blanco is not an affected person based on the criteria set out in 30 TAC § 55.203.

ii. Dale Jurasek

EIP named Dale Jurasek as a member of the San Antonio Bay Estuarine Waterkeepers. However, the hearing requests did not describe any likely impact of the regulated activity on the health and safety of Mr. Jurasek or on the use of his property. EIP stated Mr. Jurasek lives approximately 5 miles east from the location of the terminal. However, no address was provided for Mr. Jurasek, and thus, the ED was unable to confirm the distance from Mr. Jurasek's residence relative to the location of the terminal. Accordingly, the ED was unable to determine whether Mr. Jurasek's health and safety or his property would be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Dale Jurasek is not an affected person based on the criteria set out in 30 TAC § 55.203.

iii. John and Janet Maresh

John Maresh and Janet Maresh were named as members of the San Antonio Bay Estuarine Waterkeepers. EIP stated that the terminal would negatively affect the use of

the Maresh family's property. EIP also stated that due to the proximity of the proposed plant to the Maresh's residence, their health will be negatively affected. EIP stated that John and Janet Maresh reside approximately 1.73 miles north from the location of the terminal. However, no address was provided for this residence or any other address for John or Janet Maresh and thus, the ED was unable to confirm their location relative to the terminal. Accordingly, the ED was unable to determine whether John Maresh and Janet Maresh's health and safety or their property would be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that John Maresh and Janet Maresh are not affected persons based on the criteria set out in 30 TAC § 55.203.

iv. Curtis Miller

Curtis Miller was identified as a member of the San Antonio Bay Estuarine Waterkeepers and TCE. EIP stated that Mr. Miller owns and operates Miller Seafood Company Inc. in Port Lavaca, which sells shrimp and oysters harvested from Lavaca and Matagorda Bays. EIP also stated that Mr. Miller owns four commercial fishing boats, on which he and paid staff work. EIP indicated the proposed terminal would negatively affect fishing, shrimping, and oystering in Lavaca and Matagorda Bays due to the dredging of the Matagorda Ship Channel to accommodate tankers traveling to and from the terminal and that the increased freshwater usage will spoil oyster habitats and negatively impact Mr. Miller's business. In addition, EIP stated Mr. Miller has asthma and other respiratory issues and recreates by fishing at Mitchell's Reef, located approximately 2 miles from the proposed terminal. EIP expressed concern that emissions from the terminal will negatively impact Mr. Miller's health due to the proximity of the terminal to his place of business and time spent in the bays for work and recreational activities.

EIP stated that Mr. Miller's business is located 4.8 miles from the proposed location of the terminal. Based on the address provided, the ED confirmed that the business is approximately 4 miles west from the location of the terminal. Based on his location relative to the terminal, Mr. Miller's health and safety would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Curtis Miller is not an affected person based on the criteria set out in 30 TAC § 55.203.

v. Diane Wilson

Diane Wilson was identified as a member of the San Antonio Bay Estuarine Waterkeepers and TCE. EIP stated that Ms. Wilson is a fisherwoman who lives in the area, swims with her children and grandchildren in Matagorda Bay, and is outdoors in the area on a weekly basis. EIP stated that Ms. Wilson's duties as a San Antonio Bay Estuarine Waterkeeper include routine visits to water bodies near the proposed terminal to observe whether discharges have occurred from other industrial facilities near the terminal. According to EIP, these inspections of other facilities are conducted as part of consent decree which establishes a legally protected interest for San Antonio Bay Estuarine Waterkeeper and Ms. Wilson that is not shared by the general public. EIP stated that Ms. Wilson often spends several hours visiting various outfall sites, which are located between 1300 feet to 5 miles away from the terminal.

EIP stated that Ms. Wilson resides approximately 15 miles from the proposed location of the terminal. While EIP raised concerns regarding Ms. Wilson's visits to the

Matagorda and Lavaca Bays, based on the address provided, the ED determined that Ms. Wilson resides approximately 16 miles from the location of the terminal. Given the distance of Ms. Wilson's residence relative to the location of the terminal, her health and safety and her property would not be impacted in a manner different from the general public. Therefore, the ED recommends that the commission find that Diane Wilson is not an affected person based on the criteria set out in 30 TAC § 55.203.

As discussed above, the ED recommends that the commission find that Mauricio Blanco, Dale Jurasek, John and Janet Maresh, Curtis Miller, and Diane Wilson are not affected persons. Accordingly, the ED recommends that the commission find that EIP has not met this requirement for associational standing.

(3) Whether the interests the group or association seeks to protect are germane to the organization's purpose.

EIP submitted hearing requests on behalf of several groups. However, EIP provided information about the organizations' purpose for two groups, the San Antonio Bay Estuarine Waterkeepers and TCE. According to one of the hearing requests, San Antonio Bay Estuarine Waterkeepers is part of a network of Waterkeeper organizations whose mission is to protect the Lavaca Bay, Matagorda Bay, and San Antonio Bay. In addition, EIP provided a description that stated TCE is an organization dedicated to informing and mobilizing Texas to protect their health, their communities, and the environment by promoting enforcement of anti-pollution laws. Based on these two descriptions, the interests the San Antonio Bay Estuarine Waterkeepers and TCE seek to protect are germane to the organization's purpose. The ED recommends that the commission find that that EIP has met this requirement for associational standing.

(4) Whether the claim asserted or the relief requested requires the participation of the individual members in the case.

The relief requested by EIP does not require the participation of any individual member of EIP. Thus, the ED recommends that the commission find that EIP has met this requirement for associational standing.

Because EIP has not met all four requirements for associational standing, the ED recommends the commission find that EIP is not an affected person.

In EIP's hearing requests, it raised the following issues:

Issue 1: Whether the proposed plant will negatively affect air quality.

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 4: Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.

Issue 5: Whether the Applicant should have been allowed to utilize the expedited permitting process.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

Issue 7: Whether the application demonstrates compliance with all applicable rules and regulations.

Issue 8: Whether the air quality analysis was properly conducted.

Issue 9: Whether the draft permit contains adequate monitoring and recordkeeping requirements to ensure compliance with all applicable rules and requirements.

Issue 10: Whether the proposed plant will diminish the ecological integrity of the area.

Issue 11: Whether the proposed plant will negatively impact nearby residents' use and enjoyment of their property.

Issue 12: Whether the proposed plant will cause adverse economic impacts on the local community, including the local fishing industry.

Issue 13: Whether the proposed plant will interfere with recreational interests and activities of the community.

b. Texas Campaign for the Environment (TCE)

(1) Whether the group or association submitted timely comments on the application.

In addition to being included in EIP's hearing requests, TCE submitted a hearing request on its own behalf. Although the ED believes TCE's hearing request is subsumed by EIP's, out of an abundance of caution, the ED is briefing both requests separately. The issues raised in TCE's hearing request were raised in the group's timely comments. The ED recommends that the commission find that TCE has met this requirement for associational standing.

(2) Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.

In its individual hearing request, TCE did not name a member of the group or association who would otherwise have standing to request a hearing in their own right. The ED recommends that the commission find that TCE has not met this requirement for associational standing.

(3) Whether the interests the group or association seeks to protect are germane to the organization's purpose.

The hearing request submitted by TCE does not provide information regarding the organization's purpose. Therefore, ED recommends that the commission find that TCE has not met this requirement for associational standing.

(4) Whether the claim asserted or the relief requested requires the participation of the individual members in the case.

The relief requested by TCE does not require the participation of any individual member of TCE. Thus, the ED recommends that the commission find that TCE has met this requirement for associational standing.

Because TCE has not met all four requirements for associational standing, the ED recommends the commission find that TCE is not an affected person.

In TCE's hearing request, it raised the following issues:

Issue 2: Whether the proposed plant will negatively affect human health, including sensitive subgroups.

Issue 3: Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.

Issue 6: Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).

Issue 12: Whether the proposed plant will cause adverse economic impacts on the local community, including the local fishing industry.

C. Whether Issues Raised Are Referable to SOAH for a Contested Case Hearing

The ED has analyzed issues raised in accordance with the regulatory criteria. The issues discussed were raised during the public comment period and addressed in the RTC. None of the issues were withdrawn. For applications submitted on or after September 1, 2015, only those issues raised in a timely comment by a requester whose request is granted may be referred.² The issues raised for this application and the ED's analysis and recommendations follow.

Issue 1: *Whether the proposed plant will negatively affect air quality.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachments A, B, and C, as well as Kelcee Hufford, Bob Lindsey, Marcus Perez, Elizabeth Riebschlaeger, Diane Wilson, EIP, and TCE, who the ED recommends are not affected persons.

Issue 2: *Whether the proposed plant will negatively affect human health, including sensitive subgroups.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachments A, B, and C, as well as Kelcee Hufford, Bob Lindsey, Marcus Perez, Elizabeth Riebschlaeger, Diane Wilson, EIP, and TCE, who the ED recommends are not affected persons.

Issue 3: *Whether the proposed plant will negatively affect welfare, including plants, animals, and the environment.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachments A, B, and C, as well as Kelcee Hufford, Bob Lindsey, Marcus Perez, Elizabeth Riebschlaeger, Diane Wilson, EIP, and TCE, who the ED recommends are not affected persons.

² TX. GOV'T. CODE § 2003.047(e-1); 30 TAC § 55.211 (c)(2)(A)(ii).

Issue 4: *Whether the proposed plant will negatively impact the water quality of the Matagorda and Lavaca Bays.*

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. While the TCEQ is responsible for the environmental protection of all media, including water, the TCAA specifically addresses air related issues. This permit, if issued, would regulate the control and abatement of air emissions only; and therefore, issues regarding water quality are not within the scope of this permit review. The ED recommends the commission not refer this issue to SOAH.

Issue 5: *Whether the Applicant should have been allowed to utilize the expedited permitting process.*

This issue involves an undisputed question of fact. Senate Bill 1756, 83rd Legislature, 2013³, amended the TCAA to provide TCEQ with the authority to accept a surcharge from applicants to cover expenses incurred by expediting the processing of an application. Any applicant may request to have their application expedited. Expedited applications undergo the same level of scrutiny and review as non-expedited applications and must follow all air permitting process requirements. TCEQ's rules provide that only disputed issues of fact or mixed questions of fact and law may be referred to SOAH. 30 TAC § 50.115(c). The ED recommends the commission not refer this issue to SOAH.

Issue 6: *Whether this permit application requires the Applicant to utilize the Best Available Control Technology (BACT).*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by the requesters in Attachments A, B, and C, as well as Kelcee Hufford, Bob Lindsey, Marcus Perez, Elizabeth Riebschlaeger, Diane Wilson, EIP, and TCE, who the ED recommends are not affected persons.

Issue 7: *Whether the application demonstrates compliance with all applicable rules and regulations.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by EIP, who the ED recommends is not an affected person.

Issue 8: *Whether the air quality analysis was properly conducted.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by EIP, who the ED recommends is not an affected person.

Issue 9: *Whether the draft permit contains adequate monitoring and recordkeeping requirements to ensure compliance with all applicable rules and requirements.*

This issue involves a disputed question of fact, and was not withdrawn, and is

³ The statute was also amended by Senate Bill 698, 86th Legislature, 2019; however, those amendments do not impact this application.

relevant and material to the issuance of the draft permit. This issue was raised by EIP, who the ED recommends is not an affected person.

Issue 10: *Whether the proposed plant will diminish the ecological integrity of the area.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by Elizabeth Riebschlaeger, Diane Wilson, and EIP, who the ED recommends are not affected persons.

Issue 11: *Whether the proposed plant will negatively impact nearby residents' use and enjoyment of their property.*

The issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by Elizabeth Riebschlaeger and EIP, who the ED recommends are not affected persons.

Issue 12: *Whether the proposed plant will cause adverse economic impacts on the local community, including the local fishing industry.*

This issue involves a disputed question of fact, and was not withdrawn; however, it is not relevant and material to the issuance of the draft permit. The TCEQ's jurisdiction is limited to the issues set forth in statute. The TCEQ does not have the authority to consider economic impact on the surrounding community, except for ensuring that emissions from the proposed plant will be protective of public health and physical property. The ED recommends the commission not refer this issue to SOAH.

Issue 13: *Whether the proposed plant will interfere with recreational interests and activities of the community.*

This issue involves a disputed question of fact, and was not withdrawn, and is relevant and material to the issuance of the draft permit. This issue was raised by EIP, who the ED recommends is not an affected person.

VII. CONTESTED CASE HEARING DURATION

If there is a contested case hearing on this application, the ED recommends that the duration of the hearing be no less than six months from the preliminary hearing to the presentation of a proposal for decision to the commission.

VIII. CONCLUSION

The ED respectfully recommends the following actions by the commission:

1. The ED recommends that the commission find that the hearing requesters are not affected persons and deny their hearing requests.
2. If referred to SOAH, first refer the matter to Alternative Dispute Resolution for a reasonable period.
3. If referred to SOAH, the ED recommends 180 days be the duration of the hearing.

Respectfully submitted,

Texas Commission on Environmental Quality

Toby Baker, Executive Director

Erin E. Chancellor, Director
Office of Legal Services

Charmaine Backens, Deputy Director
Environmental Law Division



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REPRESENTING THE
EXECUTIVE DIRECTOR OF THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Max Midstream Texas LLC Permit No. 162941

Seahawk Crude Condensate Terminal

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



*Protecting Texas by
Reducing and
Preventing Pollution*

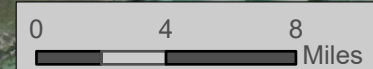
Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 2/8/2022
CRF 0065715
Cartographer: jbartlin



- Approximate Boundaries
- Requestors
- Facility
- One Mile Radius
- Three Mile Radius
- Five Mile Radius



The facility is located in Calhoun County. The Circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Calhoun County (red) in the state of Texas.



Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

INSTRUCTIONS FOR VIEWING ATTACHMENTS

The ED has made Attachments A, B, C, and D available for viewing on the Internet.

You may view and print the mailing list or attachments by visiting the TCEQ Commissioners' Integrated Database at the following link:

<https://www.tceq.texas.gov/goto/cid>

In order to view these documents at the link above, enter the TCEQ ID Number for this application (162941), check "Include Filings on this Item," and click the "Search" button. The search results will display a link to this Response and the other filings made on this application.

Individuals who would prefer a hard copy of the attachments mailed to you or who are having trouble accessing the documents on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at CHIEFCLK@tceq.texas.gov.

For more information on the public participation process, you may contact the Office of the Public Interest Counsel at (512) 239-6363 or call the Public Education Program, toll free, at (800) 687-4040. You may also view a copy of the ED's Response, mailing list, and attachments at the TCEQ Central Office in Austin, Texas.

CERTIFICATE OF SERVICE

On this 7th day of March 2022, a true and correct copy of the ED's Response to Hearing Requests was served on all persons on the mailing list by the undersigned via deposit in the U.S. Mail, inter-agency mail, facsimile, electronic mail, or hand delivery.

The mailing list has been filed with the Office of the Chief Clerk and can be viewed by visiting the TCEQ Commissioners' Integrated Database at the following link:

<https://www.tceq.texas.gov/goto/cid>.

In order to view the documents at the link above, enter the TCEQ ID Number for this application (162941), check "Include Filings on this Item," and click the "Search" button. The search results will display a link to the documents.

A handwritten signature in black ink, appearing to read 'L. Patrick', is written over a light blue horizontal line.

Lorena Patrick

Attachment A: Hearing Requesters residing outside the United States

Vanessa Aguiar
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Vicente Ferreira, Portugal

Jorg Gaiser
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Baiersbronn, Germany

Vittorio Ricci
Via Murtola 33C
Genova, Italy

Andreas Rossing Algeltveit
Storgata 189A, 08
Porsgrunn, Norway

Dunja Gasser
Obere Buetschen 101
Reigoldswil, Switzerland

Marina Ris
Ulica Narcisa 47
Sesvete, Croatia

Silvia Bertano
Corso Rosselli 123/8
Torino To, Italy

Angela Hoehne
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Taufkirchin Vils, Germany

Elisabeth Ritter
Galgengartenstrasse 22
Schwabach, Germany

Adrian Cardwell
27 Chalfont Ct
Knutsford Cheshire,
United Kingdom

Rob Jursa
Liesingtalstrasse 117
Breitenfurt, Austria

Jelica Roland
M Trinaistica 1
Buzet, Croatia

Paola Catapano
61 Combe Walk
Devizes, United Kingdom

Lotte Larsson
Konge-Asen 116
Skaelskor, Denmark

Caroline Sevilla
4 Allee Marc Chagall
Champes-Sur-Marne,
France

Bertha Civeira
Punta Molas 1A
Cancun QR, Mexico

Jenni Laukkanen
Kisallikuia 1
Kontiolahti, Finland

Frankie Seymour
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Australia

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Ceri-McClellan
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Ground
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Amalia Lelo De La Larrea
Del Arbol No 29-1
Ciudad De Mexico

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Cristina Novelo
Rafael-Garcia Auly 64
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Hilda Williams
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Cooloongup Wa, Australia

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Ananthanarayana
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Attachment B: Hearing Requesters residing outside the State of Texas

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Richard Acosta
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Sandi Aden
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Allison Argo
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ED's Response to Hearing Requests
Max Midstream Texas LLC, Permit No. 162941
Attachment B

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Wendy Balder
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Baltimore, MD 21209

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Vernon Batty
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Bill Beaudin
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Nancy Beavers
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Woodlawn, TN 37191

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Boulder Creek, CA 95006

Todd Atkins
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ED's Response to Hearing Requests
 Max Midstream Texas LLC, Permit No. 162941
 Attachment B

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Jen Bentzel
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