

State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

January 11, 2024

Mary Smith
General Counsel
Texas Commission on Environmental Quality
12100 Park 35 Circle, Bldg. F, Room 4225
Austin Texas 78753

VIA EFILE TEXAS

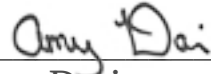
RE: Docket Number 582-23-14975.TCEQ; Texas Commission on Environmental Quality No. 2023-0203-AIR; Application of Valero Refining-Texas, LP for Modification to Air Quality Permit Nos. 38754 and PSDTX324M15

Dear Ms. Smith:

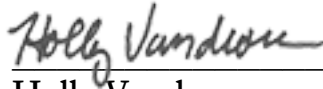
On November 20, 2023, the undersigned Administrative Law Judges (ALJs) issued the Proposal for Decision (PFD) in this case. Exceptions to the PFD were filed on December 11, 2023, by the Executive Director (ED) of the Texas Commission of Environmental Quality (TCEQ) and Valero Refining-Texas, L.P. Replies to Exceptions were filed on December 20, 2023, by Citizens for Environmental Justice (CFEJ).

The Exceptions raise arguments that were fully considered by the ALJs and discussed in the PFD and are not addressed again here. In the PFD, the ALJs determined that the record evidence was insufficient to support a BACT emission limit for NO_x of 37 ppm. Because of the insufficiency of the record on this issue, the ALJs were also unable to propose an alternate limit within the PFD. The PFD is ready for consideration.

Exceptions Letter
January 10, 2024
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Amy Davis
Administrative Law Judge



Holly Vandrovec
Administrative Law Judge

CC: Service List via eFile Texas