State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

February 15, 2024

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RE: SOAH Docket Number 582-23-21878; Texas Commission on Environmental Quality Docket No. 2023-0385-MWD; Application by HK Real Estate Development, LLC for TPDES Permit No. WQ0016150001

Dear Parties:

The undersigned Administrative Law Judges issued a proposal for decision on summary disposition in this matter on January 12, 2024. HK Real Estate Development, LLC (Applicant) and Protestant Freasier, LLC (Protestant) thereafter filed exceptions, and the Applicant and the Commission's Executive Director (ED) filed replies, all of which were timely. After considering the

exceptions and the replies, the ALJs make the following revision requested by the Applicant (and confirmed by the ED) and otherwise decline to make changes.

The Applicant requested a revision to Finding of Fact No. 19. The request has merit, and the finding is revised as requested:

19. The Notice of Application and Preliminary Decision was published on September 21, 2022, in the Wilson County News, in English; and on September 15, 2022, in El Mundo, in Spanish.

Although the Protestant makes several arguments in its exceptions, these matters were already considered and rejected. The ALJs decline to further amend the proposal for decision, which is ready for consideration.

ALJ Signature:

Katerina DeAngelo,

Presiding Administrative Law Judge

Shelly M. Doggett,

Co-Presiding Administrative Law Judge

CC: Service List