

SOAH DOCKET NO. 582-24-14115
TCEQ DOCKET NO. 2023-0574-IWD

APPLICATION BY	§	BEFORE THE STATE OFFICE
LYONDELL CHEMICAL COMPANY	§	
FOR TPDES PERMIT NO.	§	OF
WQ0002927000	§	ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S
PROPOSAL FOR DECISION

COMES NOW, the Executive Director ("ED") of the Texas Commission on Environmental Quality ("TCEQ" or "Commission") and files these exceptions in the above-referenced matter.

Overview

The ED supports the Administrative Law Judge's (ALJ's) conclusions that Lyondell Chemical Company (Applicant) has met its burden of proof regarding all the referred issues in this case and that the Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002927000 should be issued without changes. The ED files these exceptions to clarify typographical errors in the PFD.

Recommended Changes to PFD

Findings of Facts

The ED recommends revising the following Findings of Facts in the PFD.

Finding of Fact 6

The dates the application was declared administratively and technically complete are incorrect. The correct date the ED declared the Application administratively complete was March 5, 2021. The correct date the ED completed the technical review of the Application was September 20, 2021.

Conclusion

The Executive Director supports the ALJ's finding that the Applicant met its burden of proof on all referred issues and their recommendation to issue the Executive Director's proposed permit. Therefore, the ED respectfully requests that the

Commission adopt the ALJ's proposed order with the ED's recommended changes presented herein and issue the proposed permit.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel,
Executive Director

Phillip Ledbetter, Director
Office of Legal Services

Charmaine Backens, Deputy Director
Environmental Law Division



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CERTIFICATE OF SERVICE

I certify that on September 4, 2025, a true and correct copy of the foregoing document was served to all persons listed on the attached mailing list via electronic mail.

A handwritten signature in cursive script, reading "Harrison Cole Malley".

Harrison Cole Malley, *Staff Attorney*
Environmental Law Division
State Bar No. 24116710

Service List

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