SOAH DOCKET NO. 582-24-15646 TCEQ DOCKET NO. 2023-1587-DIS

PETITION FOR THE CREATION OF	§	BEFORE THE STATE OFFICE
WHITE OAKS	§	OF
MUNICIPAL UTILITY DISTRICT	8 §	Or
OF DENTON COUNTY	8	ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S RESPONSE TO THE PROPOSAL FOR DECISION

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE RACHELLE NICOLLETTE ROBLES:

COMES NOW, the Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) and submits her response regarding the Administrative Law Judge's (ALJ) Proposal for Decision (PFD) and proposed order in the abovecaptioned matter.

The Executive Director does not have exceptions to the ALJ's PFD issued on April 2, 2025, and supports the ALJ's findings, conclusions, and recommendation to issue the Draft Permit as stated in the PFD. The Executive Director reserves the right to file responses to exceptions filed by other parties on or before the May 2, 2025 deadline.

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

Fernando Salazar Martinez, Staff Attorney

Environmental Law Division State Bar No. 24136087 P.O. Box 13087, MC 173 Austin, Texas 78711-3087

Phone: (512) 239-3356

Email: Fernando.Martinez@tceq.texas.gov

REPRESENTING THE EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on April 22, 2025, a true and correct copy of the foregoing document was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, inter-agency mail, electronic submittal, or by deposit in the U.S. Mail.

Fernando Salazar Martinez, Staff Attorney Environmental Law Division State Bar No. 24136087

For the Applicant:

Natalie Scott, Kevin Bartz, Bryan Moore, and Mindy Koehne

COATS ROSE P.C.

Email: nscott@coatsrose.com
Email: html:nscott@coatsrose.com
Email: http://nscott@coatsrose.com
Email: nscott@coatsrose.com
Email: nscott@coatsrose.com
Email: http://nscott@coatsrose.com
Email: http://nscott@coatsrose.com
Email: nscott@coatsrose.com
Emailto: nscott@coatsrose.com
Emailto: nscott@coatsrose.com
E

For the Protestants:

Counsel for Kelly and Phillip Eggers; Darlene Freeman; Robert and Helen McGraw; Capital Properties 2017, LLC; BNR 2012 Holding Company, LLC; David and Bonnie Silva; and Nancy and John Tague:

William A. Faulk, III, and Maris M.

Chambers
SPENCER FANE LLP

Email: cfaulk@spencerfane.com
Email: mchambers@spencerfane.com

Counsel for Denton County Commissioners Court: Matt Shovlin

DENTON COUNTY CRIMINAL DISTRICT

ATTORNEY'S OFFICE

Email: matt.shovlin@dentoncounty.gov

Pro Se Protestants:

Anthony Scamardo, Jr.

Email: <u>tscamardo23@gmail.com</u> Joseph and Megan Schmidt

Email: megan@schmidtreining.com

Mark and Terry Atchison

Email: mark.atchison@quantmethods.com

Allen McCracken

Email: drwatermd@aol.com

Jason Pool

Email: jason.r.pool@gmail.com

Rowland Funk

Email: Rsfunktx@aol.com

For the Public Interest Counsel:

Jessica Anderson,

TCEQ, Office of Public Interest Counsel

MC-103

Email: Jessica.Anderson@tceq.texas.gov

For the Chief Clerk:

Docket Clerk TCEQ, Office of the Chief Clerk MC-105 P.O. Box 13087 Austin, Texas 78711-3087