

SOAH DOCKET NO. 582-24-21189  
TCEQ DOCKET NO. 2024-0878-LIC

EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY Petitioner V TONY MEWIS Respondent	§ § § § § § §	BEFORE THE STATE OFFICE   OF  ADMINISTRATIVE HEARINGS
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**EXECUTIVE DIRECTOR’S EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE’S  
PROPOSAL FOR DECISION**

**I. OVERVIEW**

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) submits her Exceptions to the Proposal for Decision. The Executive Director supports the Administrative Law Judge’s (ALJ’s) conclusion that Mr. Mewis’ application should be denied. The Executive Director is providing suggested changes to the Findings of Fact.

**II. EXCEPTIONS to the PROPOSAL for DECISION**

**A. Executive Director’s Recommended Changes to Findings of Fact**

The Executive Director recommends the following change to the ALJ’s Findings of Fact:

**1. Finding of Fact #4 (Correction/Clarification)**

Finding of Fact #4 states the ED referred the case to the State Office of Administrative Hearings (SOAH) on July 1, 2024. The Executive Director notes that the ED referred this case to SOAH on June 4, 2024.<sup>1</sup>

**2. Finding of Fact #9 (Correction/Clarification)**

Finding of Fact #9 states that on October 25, 2005, Mr. Mewis was convicted of forgery of a financial instrument. The ED notes that on October 24, 2005, Mr. Mewis was convicted of forgery of a financial instrument.<sup>2</sup>

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<sup>1</sup> ED-4, SOAH Referrral for Tony Mewis.

<sup>2</sup> ED-7, DPS Report, page 7.

### **3. Finding of Fact #13 (Correction/Clarification)**

Finding of Fact #13 states that on November 11, 2016, Mr. Mewis was convicted of tampering and fabricating physical evidence. The ED notes that on November 15, 2016, Mr. Mewis was convicted of tampering and fabricating physical evidence.<sup>3</sup>

### **III. Conclusion**

The Executive Director maintains her position that Mr. Mewis' application should be denied. The ED respectfully recommends the Commission adopt the ED's suggested corrections to the findings of fact noted above.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel  
Executive Director

Charmaine Backens, Deputy Director  
Environmental Law Division



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REPRESENTING THE EXECUTIVE DIRECTOR  
OF THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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<sup>3</sup> ED-7, DPS Report, page 11.

#### IV. CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following by U.S. Regular Mail, Certified Mail (return receipt requested), electronic mail, hand delivery and/or facsimile at the addresses listed below on this 27th day of May 2025.

**For the Respondent:**

Tony Mewis

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