

**SOAH DOCKET NO. 582-25-10508 TCEQ
DOCKET NO. 2024-1582-MWD**

**APPLICATION OF CLEAR UTILITIES,
LLC FOR NEW TEXAS POLLUTION
DISCHARGE ELIMINATION SYSTEM
PERMIT NO. WQ0016273001**

§
§
§
§
§

BEFORE THE STATE OFFICE OF

ADMINISTRATIVE HEARINGS

PROTESTANT DAVID MILLER'S

EXCEPTIONS TO THE

PROPOSAL FOR DECISION

September 15, 2025

**SOAH DOCKET NO. 582-25-10508 TCEQ
DOCKET NO. 2024-1582-MWD**

APPLICATION OF CLEAR UTILITIES, LLC FOR NEW TEXAS POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0016273001	§ § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
---	-----------------------	--

TABLE OF CONTENTS

- I. The Commission needs to Withdraw the Standards or Require their Application.
- II. The Way the Commission Staff Avoids Having to Apply the Standards
- III. The Majority of the Standards have deliberately been ignored by the Commission staff.
- IV. The Commission has an obligation to either (A) apply the Standards in their entirety, or (B) let the public know that the Standards are not being followed as intended to protect surface water in Texas, including the protection of existing uses in the receiving waters, aquatic life, animal life, and the requestor's and their families' health in accordance with those Standards.
 - A. The Commission staff completely ignores 3 of the 4 required criteria in Section 307.4(h) relating to aquatic life uses and dissolved oxygen and only concerns itself with "presumed" aquatic life.
 - B. The Commission staff completely ignores the effect of the proposed discharge on terrestrial life as required by Section 307.1; in fact, it considers any examination of the effect on terrestrial life to be "out of scope".
 - C. The Commission staff completely ignores the effect of the proposed discharge on the vegetative or physical components of the aquatic environment as required by Section 307.4(i); in fact, no analysis was even done.
 - D. The Commission staff concluded there was no impact on endangered species based on a 1998 agreement with the EPA, but it did so without any actual investigation and in spite of US Fish and Wildlife's conclusion that the area is home to 8 endangered species.
 - E. The Commission staff is understaffed and inundated with permit applications which prevents the Standards from being properly applied.
- V. Conclusion

**SOAH DOCKET NO. 582-25-10508 TCEQ
DOCKET NO. 2024-1582-MWD**

APPLICATION OF CLEAR UTILITIES, LLC FOR NEW TEXAS POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0016273001	§ § § § §	BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
---	-----------------------	--

**PROTESTANT DAVID A. MILLER'S
EXCEPTIONS TO THE PROPOSAL FOR DECISION**

TO THE HONORABLE COMMISSIONERS:

Protestant David A. Miller, pro se, (“Protestant”) submits these Exceptions to the Proposal for Decision and urges a denial of the draft permit and Application for New Texas Pollutant Discharge Elimination System (“TPDES”) Permit No. WQ0016273001, because there not only has not been an adequate showing that the Standards adopted by the Commission have been met, but even more importantly there has been a showing, under oath, that the Commission staff purposefully does not follow, and does not care about even trying to follow, the Texas Surface Water Quality Standards. Protestant respectfully offers the following:

I. The TCEQ Needs to Withdraw the Standards or Require their Application

With all due respect, the Commission needs to either withdraw the Texas Surface Water Quality Standards (often referred to as “TSWQS” or the “Standards”), as set forth in 30 Tex. Admin. Code, Sections 307.1 – 307.10 or require the Commission staff to start applying them. The Commission staff admits that it used only one of the Standards and completely ignored the other 8 applicable Standards because they did not have time nor the inclination to actually apply them. In fact, they flatly stated under oath - it’s in the record - that some of the Standards were either “pie in the sky” or that they did not even have any operating procedure for utilizing them. Those sworn statements were even pointed out in the PFD but dismissed by the ALJ as essentially

meaningless. My neighbors and I invested time and money in this process thinking that your Standards were actually that: standards protecting the quality of surface water in Texas, on our land and the lands of others, and by which this Application would be judged. Little did we know that the Commission staff (and as used herein, that also means the Executive Director) take the position, under oath, that they do not have the time nor inclination to investigate the proposed draft permit and Application's effect on surface waters utilizing the Standards that the Commission represents to the public it has adopted to protect those waters.

II. The Way the Commission Staff Avoids Having to Follow the Standards

Apparently, according to the Proposal for Decision, it is perfectly fine for the Commission staff to not even physically look at the land and the streams, the aquatic and terrestrial life that will be affected, but to only rely on Google maps and esoteric calculations that assume that streams and ponds exist which do not. (The only testimony by anyone with on-the-ground personal knowledge about the "second tributary" was that there was no "tributary"; the water, if the Application is approved, would actually just flow across her existing hayfield.) Apparently, it is also acceptable to play like there are not wetlands and there are no endangered species affected by approving this Application, even in the face of USFWS maps which Commission staff admitted, under oath, show both wetlands and endangered species and that their own maps even showed wetlands. And in the face of the Commission's Wetlands Protections Programs, they testified that they did nothing to protect them. They didn't even go look at them. And, apparently, it is fine to recognize, as the Commission staff admitted, under oath, that the flow of the effluent will completely change the characteristics of the stream (from intermittent with pools to constant flow) with potentially dire effects on the terrestrial and aquatic life as it now exists, and dire effects on these wetlands, but then to say, under oath, that the staff doesn't have time to investigate the facts implicated by those Standards, so they have no idea what aquatic life or terrestrial life really exists

in the affected areas. In fact, the Commission staff referred to your Standards, under oath, as “pie in the sky”. It is much easier, as one of the Commission experts testified under oath, to just make the assumption that best fits the computer program used, rather than to apply the real facts (“stream” width and depth, where there is no stream) because they would then have to go to a lot of trouble to make different inputs to the program. How can they get away with this, you ask? By utilizing the “burden of proof” argument that, according to the PFD and Commission staff, excuses them from doing anything close to following the Standards. It is so ingrained in the process, that the ALJ can even admit to the truth of these issues in the PFD, and then say “but, gotcha” because of the “burden of proof” argument that Commission staff and the ALJ believe essentially excuses the staff from following the Standards. The ALJ in the PFD at page 5 sets out how this process supposedly works: “However, section 2003.047(i-1) states that the prima facie demonstration is established upon “the filing with [SOAH] of the application, the draft permit . . . and other sufficient supporting documentation in the administrative record of the permit application.” And then she concludes at page 39 by saying that even if the Commission staff did not follow the Standards, did not even look at all of the applicable Standards, that the prima facia presumption that all applicable legal and technical requirements have been met still trumps the Protestants’ position. In fact, the ALJ says, after admitting the evidence showed that the Standards had not been followed, “Protestants’ general concerns with the cursory nature of the technical review are not sufficient to rebut the prima facie demonstration.” Let me respond to that, but after I do, please read the rest of these Exceptions, noting the degree to which the Standards have been intentionally ignored by the Commission staff. That will bring us back to the first quoted language above, which says that the prima facie demonstration is only established when “other sufficient supporting documentation” is provided. After looking at the evidence of what was not done, looking at the fact that 90% of the applicable Standards were intentionally ignored – they were, under oath and

in the record, referred to as even more “pie in the sky” than the one Standard that was utilized - can anyone in good faith say that “other sufficient supporting documentation” was provided. What “supporting documentation” could be more important than reports that the proposed draft permit and Application had been tested against the Standards and found compliant (or not)? If it was not, and clearly from below you can see that it was not, then the prima facie presumption does not arise and the Executive Director, the Commission staff and the Applicant have not produced a record that this Application is protective of the surface waters of Texas and should be granted. Either your Standards mean something, or they don’t. That is what you have to decide.

III. The Majority of the Standards have deliberately been ignored by the Commission staff.

Dr. Mary Anne Wallace had the responsibility to conduct the water quality standards review of TPDES permits.¹ While Dr. Wallace initially contended in her prefiled testimony that the Standards in Sections 307.1 to 307.10 were followed,² upon further questioning it became apparent that most of the Standards were not only ignored in connection with this draft permit and Application, but are ignored in general. For instance, and as set forth more specifically below, Dr. Wallace admits the Commission staff is required by Section 307.1 to evaluate “propagation of aquatic and terrestrial life,” but she says they have no standard operating procedure for investigation of those issues and that such issues are not within the scope of the review that they perform.³ In other words, no one at the Commission even looks at it, has looked at it, or will look at it, unless you tell them they have to.

Dr. Wallace testified that once it was determined that Brushy Creek was an intermittent stream with pools, then she simply applied the “presumed use” which is “limited aquatic life”; in other words,

¹ ED’s Prefiled Testimony – M.A. Wallace p. 2: 23-26

² Tr at p.107: 15-19

³ Tr p. 109:24-25; 110:1-6

as she said, it may not be good for bass but rather may be a habitat for salamanders and frogs.⁴ She also admitted this was the only attempt to determine what aquatic or terrestrial life existed along the portion of Brushy Creek that is affected by this discharge.⁵ She testified, under oath, that the staff did not rely on any evidence of the effect of the proposed discharge on existing animal life, aquatic or terrestrial, in approving the draft permit and Application.⁶ In other words, no one even looked at it. And they do not intend to start looking at any of that unless you deny this Application and tell them they have to.

The first two issues referred to the SOAH are “whether the draft permit is protective of water quality, including the protection of existing uses in the receiving waters, aquatic life, animal life and the requester’s and their families’ health, in accordance with the Texas Surface Water Quality Standards” and “whether the draft permit complies with applicable antidegradation requirements”. It is impossible to determine the answers to these requisite issues by ignoring the Standards, but that is exactly what the Commission staff testified under oath that they did in this Application and that they normally do.

IV. The Commission has an obligation to either (A) apply the Standards in their entirety, or (B) let the public know that the Standards are not being followed to protect surface water quality, including the protection of existing uses in the receiving waters, aquatic life, animal life, and the requestor’s and their families’ health in accordance with those Standards.

A. The Commission staff testified that they completely ignore 3 of the 4 required criteria in Section 307.4(h) relating to aquatic life uses and dissolved oxygen and only concern themselves with “presumed” aquatic life.

Section 307.4(h) dictates that “Dissolved oxygen concentrations must be sufficient to support

⁴ Tr p. 110:25; 111:1-2,7-10

⁵ Tr p. 111:11-16; 112: 8-13; 113:11-13

⁶ Tr p. 115: 1-6

[1] existing, [2] designated, [3] presumed, and [4] attainable aquatic life uses.” [numbers and underlining added for emphasis]. However, Dr. Wallace testified that she only considered “presumed” aquatic life uses.⁷ Of course, a consideration of “presumed” use is the easiest way to analyze the effect of the proposed discharge and the draft permit; it can all be done from one’s office.

The determination of “existing” life uses would generally require a visit to the affected area. None of the TCEQ staff visited the area that would be affected by the discharge. Staff visited only (for less than an hour just prior to the public hearing) the site at the proposed plant where the discharge would be initiated and an area .14 mile from there, which does not include either the second “tributary” (the hayfield) or the portion of Brushy Creek that will be affected by the discharge.⁸ Similarly, the other persons testifying as experts had, at most, visited the same plant site and had no actual knowledge of any aquatic or terrestrial life in the hayfield/ second “tributary” or along Brushy Creek.⁹

In discussing the other three criteria mandated by this Section, Dr. Wallace testified as to her opinion that determining “attainable” life uses was even more “pie in the sky” than “presumed” life uses.¹⁰ It is blatantly apparent that the TCEQ staff not only does not follow this Section, they hold it in some disdain for requiring efforts to obtain and analyze information about what is actually at the affected site, and also for requiring some analysis about what aquatic and terrestrial life the affected site might be able to support (the “attainable” life uses) in the absence of the proposed discharge and how that might be affected by the discharge contemplated in the draft permit. For instance, with respect to this permit application, there was no consideration given to the effect on animal life or aquatic life caused by the change from an intermittent stream with perennial pools to a perennial stream with up to 250,000 gallons a day of water. This is a dramatic change in habitat. Dr. Wallace admitted that, for

⁷ Tr p. 118:19-25

⁸ Tr p. 79: 18-25; 80: 1-17; 89: 1-25; 90:1-23;

⁹ Applicant’s expert: p. 49: 1-4; p. 52: 5-6; Dr. To: p. 54: 23-25; p. 55: 1-3; p. 60: 4-6; Dr Lu: p 80: 16-17

¹⁰ Tr p. 119: 5-7

example, amphibians needed the vernal pools next to intermittent streams in order for their egg masses to be laid and be able to hatch.¹¹ But nothing was done to determine if these existing, or even attainable, life uses were going to be adversely affected by the approval of the draft permit.

B. The Commission staff completely ignores the effect of the proposed discharge on terrestrial life as required by Section 307.1; in fact, it considers any examination of the effect on terrestrial life to be “out of scope”.

Section 307.1 states, in pertinent part, and unequivocally, that it is the policy of this state and the purpose of this chapter to maintain the quality of water in the state consistent with public health and enjoyment, and the propagation and protection of terrestrial and aquatic life. While Dr. Wallace agreed that intermittent streams and perennial pools provided a necessary habitat for amphibians and salamanders, for instance, she did not examine or concern herself in addressing how that life would be impacted by the proposed change of the habitat to a perennial stream with constant flow.¹² In fact, she testified, under oath, that nothing, absolutely nothing, had been done to measure the effect on terrestrial life by the proposed discharge,¹³ that it was “out of scope”¹⁴ and that she has not done any analysis of the impact of the proposed discharge on terrestrial life.¹⁵ Under these circumstances, it cannot be determined that the draft permit is protective of water quality, including the protection of existing uses in the receiving waters, aquatic life, and animal life. In other words, the Commission staff testified, under oath, that they do not follow, and are not going to follow, the majority of the Standards the Commission adopted. And the PFD ratifies this position: the Standards do not have to be followed - they are meaningless statements that are supposed to make it sound like the Commission actually is protecting our surface water in Texas.

¹¹ Tr p. 108: 20-25; 109: 1-7

¹² Tr p. 108:13-25; 109:1-7

¹³ Tr p. 119:17-25

¹⁴ Tr p 119:17-20

¹⁵ Tr p. 120: 14-19

C. The Commission staff completely ignores the effect of the proposed discharge on the vegetative or physical components of the aquatic environment as required by Section 307.4(i); in fact, no analysis was even done.

Section 307.4(i) requires that the vegetative and physical components of the aquatic environment must be maintained or mitigated to protect aquatic life uses. Dr. Wallace admitted, under oath, she had not done any analysis of these issues.¹⁶ She also testified that there was nothing in the proposed permit that addresses any limitation or effect on the vegetative or physical components of the aquatic environment in order to protect aquatic life uses.¹⁷ Notwithstanding the importance of those issues, Dr. Wallace agrees that the change from intermittent to perennial flow in Brushy Creek could change the aquatic environment.¹⁸

Of course, an important aspect of these issues is the protection of what is now generally recognized as a unique contributor to clean surface water: wetlands. The Commission has published its “Wetlands Protection Programs”, in which the Commission states:

Wetlands are waters in the state and as such are protected from degradation by the TSWQS [which are the very Sections we are discussing]. The TSWQS general policy, general criteria, antidegradation policy, and site-specific uses and criteria are particularly relevant to wetlands protection. . . .¹⁹ Wetlands are significant natural resources providing important functions, including: nutrient and toxicant removal, transformation, and retention; sediment retention; groundwater recharge; . . . and food chain production and habitat for wetland-dependent species. . . .²⁰ One of the TCEQ’s goals is to assure that there is ‘no net loss’ of the functions of the state’s existing wetlands.²¹

Dr. Wallace admitted under oath the Commission was aware of wetlands along the affected stretch of Brushy Creek from its review of maps.²² And she admitted that wetlands along Brushy Creek were

¹⁶ Tr p. 120:22-25

¹⁷ Tr p. 131:21-25

¹⁸ Tr p 135:16-18

¹⁹ Wetlands Protection Programs p. 12-3

²⁰ Wetlands Protection Programs p 12-3

²¹ Wetlands Protection Programs p 12-10

²² Tr p. 115:18

shown on the US Fish & Wildlife Service map as discussed below.²³ However, she said that the wetlands were presumably taken into account through the “presumed aquatic life” process, but that she had no actual knowledge of the effect on the wetlands by the proposed discharge, since that was also “not in the scope of the permitting process”.²⁴ Even though the requirements of Section 307.4(i) and the Commission’s Wetland Protection Programs are quite clear, they are just as clearly not followed. Therefore, the draft permit cannot be found to be “protective of water quality, existing uses in the receiving waters, aquatic life, animal life and the requester’s and their families health in accordance with applicable regulations including the Texas Surface Water Quality Standards”. All that can be said is “we did not find any potential violations of the Standards because we did not even look to see if there might be some.” The draft permit does not address these issues.

D. The Commission staff concluded there was no impact on endangered species based on a 1998 agreement with the EPA, but it did so without any actual investigation and in spite of US Fish and Wildlife’s conclusion that the area was home to 8 endangered species.

The Commission staff in approving the draft permit and Application concluded there was no potential impact on endangered or threatened species of animals, and it relied on the 27 year old MOA with the EPA in doing so.²⁵ However, Dr. Wallace testified she was familiar with - and sometimes used - the U.S. Fish & Wildlife Service Information for Planning and Consultation website maps, that she recognized the copy of the map for the Brushy Creek area involved, and that it showed 8 different endangered species.²⁶ Terrestrial animals that may be adversely affected by the proposed discharge are supposedly afforded protection under the Standards and their survival may impact the survival of another endangered or threatened species. In fact, in the Commission’s Wetlands Protections Programs

²³ Tr p. 122: 4-16

²⁴ Tr p. 116:5-10

²⁵ Tr p. 121:1-4

²⁶ Tr p. 121: 14-18; 122:13-24

quoted above, the Commission emphasizes:

The state of Texas encompasses a wide variety of habitat types. Sensitive wetland systems can be found in every region of the state; many provide crucial habitat for the 98 species listed by the USFWS as candidate, threatened, or endangered species.²⁷

Once again, with respect to the permit review at issue, these were concerns the Commission staff did not consider in the manner contemplated by the Standards. Without any investigation whatsoever, the Commission could not have determined whether the draft permit was protective of these important forms of animal life. The draft permit does not address these issues.

E. The Commission staff is understaffed and inundated with permit applications which prevents the Standards from being utilized.

It would be unfair to say the Commission staff lacked the expertise or the conscientiousness to properly understand and apply the Standards. Everyone understands how fast the Texas population is growing. In fact, that is a primary factor in why the Standards to protect the quality of surface water are so important. Continued population growth will undoubtedly increase the potential for damage to our surface water and the myriad of terrestrial and aquatic animals that rely on that surface water. The Standards were designed to deal with the conflicts that will arise. But proudly proclaiming the existence of high standards while at the same time not even trying to apply those standards is not the answer.

Dr. Wallace testified that in the last 10 years she has done 1000 to 1500 of these reviews of discharge applications.²⁸ Assuming the normal 260 or so work days per year, that means she has been completing a review every one to two days, without even taking any vacations. Obviously, the scrutiny described in the Standards cannot be maintained at that pace. When asked, Dr. Wallace agreed that

²⁷ Wetlands Protection Programs p. 12-8

²⁸ Tr p. 123:23-25; 124:1-2

this area of the TCEQ is understaffed.²⁹ The options for the TCEQ are clear: (1) recognize that the Standards adopted by the Commission to protect the surface water in Texas cannot be followed and change them to reflect the much lower standards, and the complete absence of standards, that are currently being utilized, or (2) recognize how important it is to the future of our state to keep our surface water from degrading any further and (a) allocate additional resources to the process or (b) slow the process down so that adequate attention can be provided to assure compliance with the Standards. Would we suggest that building inspectors not check whether a bridge being inspected is constructed properly because there are just too many bridges being built for the inspectors to check all of the criteria to determine that it will be safe for traffic? Is the solution just checking one of the 10 or 12 criteria for a safe bridge and then opening it up for traffic? Would we approve the use of the bridge because the contractor made a “prima facie” showing that one criteria had been met? Is it any different to approve a draft permit to discharge wastewater without insuring that it is adequately protecting water quality, existing uses, aquatic life, animal life and the health of the families affected? It is unfair to the citizens of Texas to advertise high standards and knowingly and intentionally ignore them. With respect to this draft permit and Application, the requirements of the Standards have not been shown to have been met and the Commission should not simply look the other way and “rubber stamp” them.

V. Conclusion

This contested case was referred to the SOAH to determine, among other matters, “whether the draft permit is protective of water quality, including the protection of existing uses in the receiving waters, aquatic life, animal life,” and “whether the draft permit complies with applicable antidegradation requirements.” As was shown by evidence at the hearing, and discussed above, the requirements for protecting existing uses, aquatic life, and animal life set forth in the in the clear and

²⁹ Tr p. 124:11-14

unambiguous Standards were intentionally not investigated and those Standards were not utilized, as admitted by the Commission staff under oath, and consequently findings that it meets the Standards could not have been incorporated into the draft permit.

The Proposal for Decision relies on the “prima facie demonstration” methodology to excuse the intentional decision by Commission staff to ignore the Standards and to instead make the unsubstantiated and false claim, at page 40, that “the Draft Permit is protective of water quality in accordance with applicable regulations including the [Standards]³⁰”. The “prima facie demonstration” has no application because the prerequisite of “other sufficient supporting documentation” was not only not provided, the evidence unequivocally showed that the Standards were not used, so it could not have been provided. It is disingenuous or worse, given the sworn admissions by Commission staff that the Standards were not used, for the PFD to recite that the Draft Permit is protective of water quality in accordance with applicable regulations “including the Standards”. The evidence just plainly contradicts the validity or truth of any such statement. The Commission staff admitted under oath that they did not use the Standards to evaluate the Draft Permit. The most significant and necessary of any potential “sufficient supporting documentation” necessary to apply this “prima facie demonstration” test has to be certification of real compliance with the Standards. There is not, and cannot be, documentation that the Standards were met, since the evidence shows they were not. The “prima facie” demonstration that is used to allow approval of the Draft Permit and Application without actually meeting the requirements of the Standards cannot be invoked without that documentation.

³⁰ Is this an intellectually honest statement? Can it really be a finding in your Order? The unequivocal evidence under oath is that that only one of the Standards was followed. So can anyone say with a straight face that the Draft Permit is “in accordance with applicable regulations including the Standards”? I understand that the “prima facie” trick shot may allow the Draft Permit to be approved even though there is no showing that it complies with the Standards, and, in fact there is an affirmative showing that it does not, assuming you agree that a showing of compliance with the Standards is not important enough to be a necessary part of “sufficient supporting documentation”. But are you really going to say that it “complies with all of the Standards” when we know that the evidence showed that it does not?

On top of that, there is unrefuted evidence in the record by the Commission staff's own testimony that (1) threatened and endangered species will be affected, (2) aquatic and terrestrial life will be adversely affected and (3) vegetative and animal life, including wetlands, would be substantially affected by the actions contemplated by the draft permit and Application, and neither the permit nor the Application have plans or provisions for protecting or minimizing the damage to those very interests that are emphasized in your Standards. This is from the Commission staff's own testimony, and I guess they would know. Notwithstanding the "prima facie" doctrine that the Commission staff and ED rely upon to get by with ignoring the Standards, there is evidence of these failures to meet the Standards in the record, as described above, that justifies and requires denying the draft permit and Application if the Standards are to have any meaning at all.

The nonsensical result, that intentionally ignoring and not applying the Standards, which is evident from the record, is what is protected, rather than the quality of our surface water, should not be allowed to stand. The Commission needs to decide if it really wants to protect the surface water in Texas – not just adopt fine sounding Standards that its own staff, and applicants, can, and as they testified under oath, do ignore. It is wrong to tell us that the Standards are applicable, and then to not apply them. Protestant respectfully requests that (1) the PFD be denied and that an order be entered denying the draft permit and Application, or (2) that all of the Standards, except the one being used, be withdrawn so the citizens of Texas are not mislead.

Respectfully submitted,



By _____

David A. Miller, Protestant
dmiller@milmen.com
100 North Main Street
P.O. Box 130
Palmer, Texas 75152
Telephone: (214)244-4172
Facsimile: (214) 764-6676

CERTIFICATE OF SERVICE

I hereby certify by my signature below that on this 15th day of September, 2025, a true and correct copy of the above and foregoing document was forwarded to the parties listed below via electronic mail.

For the Applicant:

Peter T. Gregg
Gregg Law, PC
910 West Avenue, Suite 3
Austin, Texas 78701
pgregg@gregglawpc.com

For the Executive Director:

Michael T. Parr, II
Maricela Zertuche
Staff Attorneys
TCEQ Environmental Law Division
P.O. Box 13087, MC-173
Austin, Texas 78711-3087
michael.parr@tceq.texas.gov
maricela.zertuche@tceq.texas.gov

Ellis County:

Emily W. Rogers
Stefanie P. Albright
Sara Labashosky
Bickerstaff Heath Delgado Acosta LLP
Two Barton Skyway
1601 S. MoPac Expy., Suite C400
Austin, Texas 78746
erogers@bickerstaff.com
salbright@bickerstaff.com
slabashosky@bickerstaff.com

Public Interest Counsel:

Josiah T. Mercer
TCEQ Office of Public Interest Counsel
P.O. Box 13087, MC-103
Austin, Texas 78711-3087
josiah.mercer@tceq.texas.gov

Citizens for Responsible County

Development and Glenda Williams: Vic
McWherter
Eric Allmon Allyssa
Turgeon Gwyneth
Longeron
Perales, Allmon & Ice, P.C. 1206 San
Antonio St.
Austin, TX 78701
vmcwherter@txenvirolaw.com
eallmon@txenvirolaw.com
alyssa@txenvirolaw.com
gwyneth@txenvirolaw.com



David A Miller, Protestant