

Brooke Paup, *Chairwoman*  
Bobby Janecka, *Commissioner*  
Catarina Gonzalez, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 17, 2025

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC 105  
Austin, Texas 78711-3087

**Re: Application by Quadvest, LP for New TPDES Permit No. WQ0016143001;  
TCEQ Docket No. 2024-1977-MWD**

Dear Ms. Gharis,

I have enclosed for filing the "Executive Director's Response to Hearing Requests."  
Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Fernando Salazar Martinez".

Fernando Salazar Martinez  
Staff Attorney  
Environmental Law Division

Enclosure

CC: Mailing List

**TCEQ DOCKET NO. 2024-1977-MWD**

**APPLICATION BY QUADVEST LP  
FOR NEW TPDES PERMIT  
NO. WQ0016146001**

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**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

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**EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS**

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**I.     INTRODUCTION**

The Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Hearing Requests on the Application by Quadvest, LP (Applicant) for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016143001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 500,000 gallons per day.

The Office of the Chief Clerk received a timely request for a contested case hearing request from Mark Merrell on behalf of Robert Humphrey.

The Executive Director recommends the Commission find that Robert Humphrey is not an affected person, deny his hearing request, find that the Draft Permit satisfies all relevant statutory and regulatory requirements, and issue the Draft Permit. Attached for the Commission's consideration is a satellite map of the area showing the locations of the facility and requestor.

**II.    FACILITY DESCRIPTION**

Quadvest, L.P (Applicant) submitted an application to the Commission for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016143001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 500,000 gallons per day. TCEQ received this application on April 7, 2022.

The Westhaven Wastewater Treatment Facility will consist of a membrane bioreactor (MBR) treatment system, which combines conventional biological activated sludge processes with membrane filtration. Treatment units in the Interim I phase will include a fine screen, an anoxic basin, an aerobic basin, a MBR basin, and a chlorine contact chamber. Treatment units in the Interim II phase will include a fine screen, two anoxic basins, two aerobic basins, two MBR basins, and a chlorine contact chamber. Treatment units in the Final phase will include a fine screen, three anoxic basins, three

aerobic basins, three MBR basins, and two chlorine contact chambers. The facility has not been constructed.

The facility will be located approximately 3,000 feet southeast of the intersection of Farm-to-Market Road 362 and Mayer Road, in Harris County, Texas 77484. If this draft permit is issued, the treated effluent will be discharged to a series of detention ponds, then to an unnamed tributary, then to Japhet Lake, then to an unnamed channel, then to an unnamed pond, then to an unnamed channel, then to the unclassified portion of Spring Creek, then to Spring Creek in Segment No. 1008 of the San Jacinto River Basin.

The unclassified receiving water uses are minimal aquatic life use for detention pond C, the unnamed tributary, and the unnamed channel; limited aquatic life use for detention ponds A and B; and high aquatic life use for Japhet Lake. The designated uses for Segment No. 1008 are primary contact recreation, public water supply, and high aquatic life use.

In accordance with 30 Texas Administrative Code (30 TAC)§ 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Japhet Lake and Lynch Lake, which have been identified as having high aquatic life use. Existing uses will be maintained and protected.

The effluent limitations in all phases of the Draft Permit, based on a 30-day average, are 10 mg/L Five-Day Carbonaceous Biochemical Oxygen Demand (CBOD<sub>5</sub>), 15 mg/L Total Suspended Solids (TSS), 3 mg/L Ammonia-Nitrogen (NH<sub>3</sub>-N), 0.5 mg/L Total Phosphorus (TP), 63 colony forming units (CFU) or most probable number (MPN) of *Escherichia coli* (*E. coli*) per 100 mL, and 4.0 mg/L minimum Dissolved Oxygen (DO). The effluent shall contain a total chlorine residual of at least 1.0 mg/L and shall not exceed a total chlorine residual of 4.0 mg/L after a detention time of at least 20 minutes based on peak flow. The permittee shall dechlorinate the chlorinated effluent for the Final Phase to less than 0.1 mg/L total chlorine residual.

### **III. PROCEDURAL BACKGROUND**

The permit application was received on April 7, 2022, and declared administratively complete on August 30, 2023. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published in English on January 24, 2023, in the *Houston Business Journal* and in Spanish on February 8, 2023, in the *Houston Chronicle dba La Voz*. A Combined NORI and Notice of Application and Preliminary Decision (NAPD) was published in English on March 29, 2024, in the *Houston Business Journal* and in Spanish on April 10, 2024, in the *Houston Chronicle dba La Voz*.

The public comment period ended on May 10, 2024, and the Executive Director's Response to Public Comment (RTC) was filed on October 11, 2024. The time for filing Requests for a Hearing or a Request for Reconsideration (RFR) ended on November 14, 2024.

This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55. This application is subject to those changes in the law.

### **IV. EVALUATION OF HEARING REQUESTS**

HB 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests. SB 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests. The evaluation process for hearing requests is discussed below.

#### **A. Response to Requests**

The Executive Director, the Public Interest Counsel, and the Applicant may each submit written responses to a hearing request.<sup>1</sup>

Responses to hearing requests must specifically address:

- (1) whether the requestor is an affected person;
- (2) whether issues raised in the hearing request are disputed;

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<sup>1</sup> 30 TEX. ADMIN. CODE § 55.209(d).

- (3) whether the dispute involves questions of fact or law;
- (4) whether the issues were raised during the public comment period;
- (5) whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter by filing a written withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment;
- (6) whether the issues are relevant and material to the decision on the application; and
- (7) a maximum expected duration for the contested case hearing.<sup>2</sup>

## **B. Hearing Request Requirements**

For the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements:

A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided . . ., based only on the requester's timely comments, and not based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment.<sup>3</sup>

A hearing request must substantially comply with the following:

- (1) give the name, address, telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who is responsible for receiving all official communications and documents for the group;
- (2) identify the person's justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the facility or activity in a manner not common to members of the general public;
- (3) request a contested case hearing;
- (4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the

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<sup>2</sup> 30 TEX. ADMIN. CODE § 55.209(e).

<sup>3</sup> 30 TEX. ADMIN. CODE § 55.201(c).

basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and

- (5) provide any other information specified in the public notice of application.<sup>4</sup>

### **C. Requirement that Requestor be an Affected Person**

To grant a contested case hearing, the Commission must determine that a requestor is an "affected person" by conducting the following analysis:

- (a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the public does not qualify as a personal justiciable interest.
- (b) Governmental entities, including local governments and public agencies with authority under state law over issues raised by the application, may be considered affected persons.
- (c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
  - (1) whether the interest claimed is one protected by the law under which the application will be considered;
  - (2) distance restrictions or other limitations imposed by law on the affected interest;
  - (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
  - (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
  - (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and
  - (6) whether the requester timely submitted comments on the application which were not withdrawn; and
  - (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

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<sup>4</sup> 30 TEX. ADMIN. CODE § 55.201(d).

(d) In making this determination, the commission may also consider, to the extent consistent with case law:

- (1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
- (2) the analysis and opinions of the ED; and
- (3) any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requestor.<sup>5</sup>

Under 30 TAC § 55.205(a), a group or association may request a contested case hearing only if the group or association meets the following requirements:

- (1) one or more members of the group or association would otherwise have standing to request a hearing in their own right;
- (2) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (3) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.<sup>6</sup>

Additionally, for applications filed on or after September 1, 2015, a hearing request by a group or association for a contested case may not be granted unless all of the following requirements are met:

- (1) comments on the application are timely submitted by the group or association;
- (2) the request identifies, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right;
- (3) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (4) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.<sup>7</sup>

#### **D. Referral to the State Office of Administrative Hearings**

When the Commission grants a request for a contested case hearing, the Commission shall issue an order specifying the number and scope of the issues to be referred to State Office of Administrative Hearing (SOAH) for a hearing.<sup>8</sup> The

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<sup>5</sup> 30 TEX. ADMIN. CODE § 55.203(a)-(d).

<sup>6</sup> 30 TEX. ADMIN. CODE § 55.205(a)(1)-(3)

<sup>7</sup> 30 TEX. ADMIN. CODE § 55.205(b)(1)-(4).

<sup>8</sup> 30 TEX. ADMIN. CODE § 50.115(b).

Commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- (1) involves a disputed question of fact or a mixed question of law and fact;
- (2) was raised during the public comment period by an affected person; and
- (3) is relevant and material to the decision on the application.<sup>9</sup>

## **V. ANALYSIS OF THE HEARING REQUESTS**

For this permit application, the public comment period ended on May 10, 2024, and the time for filing Requests for a Hearing or a Request for Reconsideration (RFR) ended on November 14, 2024. The Commission received one hearing request from Mark Merrell, on behalf of Robert Humphrey, on October 7, 2022. The Executive Director's analyses determined whether the Request followed TCEQ rules, if the requestor qualifies as an affected person, what issues may be referred for a possible hearing, and the length of that hearing.

### **A. Whether the Request Complied with 30 TAC §§ 55.201(c) and (d)**

On October 7, 2022, Mark Merrell with McFarland PLLC submitted timely comments and a request for a contested case hearing (Request) on behalf of his client, Robert Humphrey (Requestor).

Although the Request contained the contact information and address of the Requestor's attorney, it did not contain the requisite contact information of the Requestor as required by 30 TAC § 55.201(d)(1). Specifically, the Request did not contain the address of the Requestor.<sup>10</sup> The Request states that the Requestor is the owner of "approximately 500 acres in northwest Harris County near the intersection of Mayer Road and FM 362 in Waller, Texas." According to the Request, the Requestor's property is "directly across Mayer Road from the planned development known as Westhaven Manor."

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<sup>9</sup> 30 TEX. ADMIN. CODE § 55.203(d).

<sup>10</sup> Upon review of the mailing list maintained by OCC, Mr. Humphrey's address is 32902 Mayer Road, Waller TX 77484-7045. This address was used to evaluate Mr. Humphrey's location relative to the locations of the proposed WWTF and outfall.



The Executive Director concludes that the hearing request of Robert Humphrey does not substantially comply with the requirements of 30 TAC §§ 55.201(d)(1) because it did not contain the address of the Requestor.

**B. Whether the Requestor meets the Affected Person Requirements**

**1. Robert Humphrey**

The Request states that the Requestor is the owner of “approximately 500 acres in northwest Harris County near the intersection of Mayer Road and FM 362 in Waller, Texas.” According to the Request, the Requestor’s property is “directly across Mayer Road from the planned development known as Westhaven Manor.” Mr. Humphrey was provided notice of the proposed permit by letter on or about September 28, 2022. The Request states that Japhet Lake is located wholly on the Requester’s property. The Request also contends that the proposed discharge route as stated in the Draft Permit is incorrect. The Request claims that the discharge will not flow from Japhet Lake to Lynch Lake. The Request claims that it will flow north from Japhet Lake onto the Lazy W Ranch and then to Spring Creek, thereby bypassing Lynch Lake.

Based on the information provided in the Requests, the location of the Requester’s property<sup>11</sup> relative to the proposed facility and outfall is shown on the attached satellite map prepared by the Executive Director’s staff. According to the map, the Requestor’s property is 0.99 miles from the proposed facility and 0.42 miles from the proposed outfall.

The Request only raised one concern relevant to the Application, specifically the accuracy of description of the proposed discharge route, which the Requestor contends is incorrect. The Request claims that the proposed discharge will flow north from Japhet Lake onto the Lazy W Ranch and then to Spring Creek, thereby bypassing Lynch Lake. The Requestor also states that Japhet Lake is contained wholly within the Requestor’s property, which is one of the proposed receiving waters of the discharge from the proposed facility. However, the Request did not contain the address of the Requestor, Mr. Humphrey. Although Mr. Humphrey has provided his address in his individual comments he submitted on this Application, the Request contains vague

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<sup>11</sup> The Request did not provide specific information regarding the boundaries of the Requester’s property. During the preparation of the attached map, the GIS staff informed ELD that the location of the Requester’s address (from the OCC mailing list) according to the TCEQ Location Mapper is in the middle of Japhet Lake.

references to the general location of Mr. Humphrey's property. Also, the Request does not articulate how the concern regarding the proposed discharge route is related, or would affect, his property or any other personal interest in a way not common to members of the general public.

The request did not contain the address of the requestor, the Request does not substantially comply with 30 Tex. Admin. Code § 55.201(d)(1). Also, the Request does not adequately articulate how the Requestor would be adversely affected by the proposed facility and discharge as required by 30 Tex. Admin. Code § 55.203(c). Therefore, the Executive Director recommends the Commission find that the Request did not substantially comply with the requirements of 30 Tex. Admin. Code § 55.201(d)(1), Robert Humphrey is not an affected persons under 30 Tex. Admin. Code § 55.203, and to deny his request.

**C. Whether the Issues the Requestor Raised are Referable to the State Office of Administrative Hearings (SOAH).**

The Executive Director has analyzed the issues raised in accordance with the regulatory criteria. The following issues were raised during the public comment period and addressed in the Executive Director's Response to Comments, which was filed on October 10, 2024. None of the issues were withdrawn. For applications submitted on or after September 1, 2015, only those issues raised in a timely comment by a requester whose request is granted may be referred.<sup>12</sup> The issues raised for this application and the Executive Director's analysis and recommendations are discussed below.

**Issue 1. Whether the proposed discharge route is adequately characterized in accordance with the applicable laws and regulations. (RTC Comment 1).**

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If the Commission finds that Robert Humphrey is an affected person and grants his hearing request, the Executive Director recommends the Commission refers the issue to SOAH for a contested case hearing.

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<sup>12</sup> TEX. GOVT. CODE § 2003.047(e-1); 30 TEX. ADMIN. CODE § 55.211(c)(2)(A)(ii).

## VI. EXECUTIVE DIRECTOR'S RECOMMENDATION

The Executive Director recommends the following actions by the Commission:

1. Find that the Request did not substantially comply with the requirements of 30 Tex. Admin. Code § 55.201(d)(1).
2. Find that Robert Humphrey is not an affected person, and deny his hearing request.
3. Find that the Draft Permit for New TPDES Permit No. WQ0016143001 satisfies all relevant statutory and regulatory requirements, and issue the Draft Permit.
4. Should the Commission decide to refer this case to SOAH:
  - a. refer the case to Alternative Dispute Resolution for a reasonable time; and
  - b. refer the identified issue above in Section V.C.1 to SOAH for a contested case hearing.

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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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](mailto:Fernando.martinez@tceq.texas.gov)

REPRESENTING THE EXECUTIVE DIRECTOR  
OF THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

**VII. CERTIFICATE OF SERVICE**

I certify that on January 17, 2025, the Executive Director's Response to Hearing Requests for TPDES Permit No. WQ0016143001 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, electronic delivery, inter-agency mail, or by deposit in the U.S. Mail.

A handwritten signature in black ink, appearing to read 'Fernando Salazar Martinez', with a long horizontal flourish extending to the right.

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Fernando Salazar Martinez, Staff Attorney  
State Bar No. 24136087

MAILING LIST  
Quadvest, L.P.  
TCEQ Docket No./TCEQ Expediente N.º 2024-1977-MWD;  
TPDES Permit No./TPDES Permiso N.º WQ0016143001

FOR THE APPLICANT/PARA EL SOLICITANTE

Mark Urback, P.E.  
Managing Engineer  
Quadvest, LP.  
26926 Farm-to-Market Road 2978  
Magnolia, Texas 77354

Jeff Goebel  
Goebel Environmental, LLC  
32002 Pattys Landing  
Magnolia, Texas 77354

REQUESTER(S)/SOLICITANTE(S)

Mark Merrell  
McFarland PLLC  
811 Louisiana Street, Suite 2520  
Houston, Texas 77002  
cmcfarland@mcfarlandpllc.com

INTERESTED PERSON(S)/PERSONA(S) INTERESADA(S)

Robert Humphrey  
32902 Mayer Road  
Waller, Texas 77484

Mr. Robert Humphrey Sr.  
32902 Mayer Road  
Waller, Texas 77484

Anita Spencer  
3400 Burke Road  
Pasadena, Texas 77504

FOR THE EXECUTIVE DIRECTOR/PARA EL DIRECTOR EJECUTIVO

via electronic mail/vía correo electrónico:

Fernando Salazar Martinez, Staff Attorney  
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FOR PUBLIC INTEREST COUNSEL/PARA ABOGADOS DE INTERÉS PÚBLICO

via electronic mail/vía correo electrónico:

Garrett T. Arthur, Attorney  
Texas Commission on Environmental Quality  
Public Interest Counsel, MC-103  
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Austin, Texas 78711

FOR ALTERNATIVE DISPUTE RESOLUTION/PARA LA RESOLUCIÓN ALTERNATIVA DE DISPUTAS

via electronic mail/vía correo electrónico:

Kyle Lucas  
Texas Commission on Environmental Quality  
Alternative Dispute Resolution, MC-222  
P.O. Box 13087  
Austin, Texas 78711

FOR THE CHIEF CLERK/PARA EL SECRETARIO OFICIAL

via eFilings:

Docket Clerk  
Texas Commission on Environmental Quality  
Office of Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711

<https://www.tceq.texas.gov/goto/efilings>

**Attachment A**



# Quadvest, LP - Westhaven WWTP

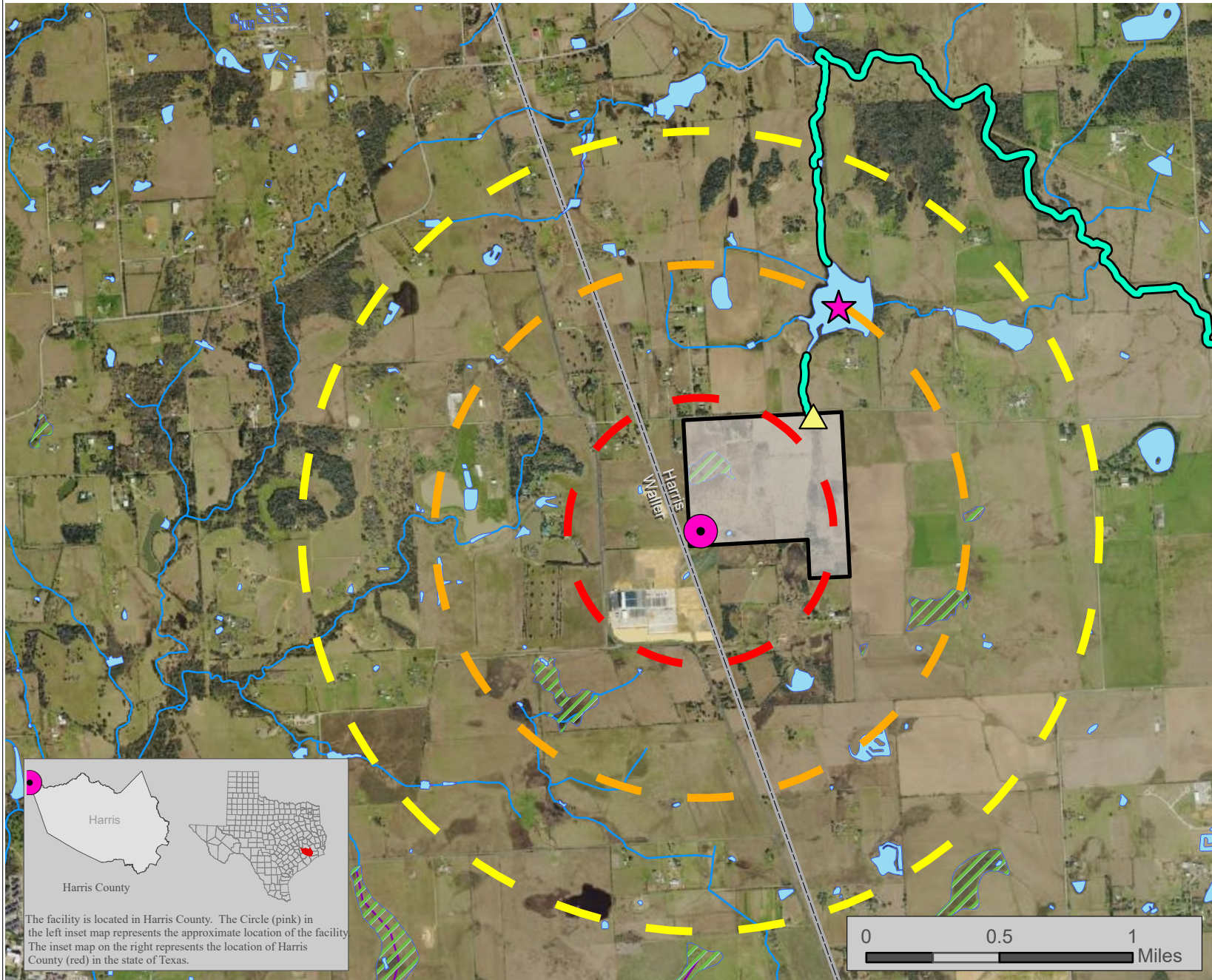
## New TPDES Permit No. WQ0016143001

Map Requested by TCEQ Office of Legal Services  
for Commissioners' Agenda



*Protecting Texas by  
Reducing and  
Preventing Pollution*

Texas Commission on Environmental Quality  
GIS Team (Mail Code 197)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Date: 12/20/2024  
CRF 0115541  
Cartographer: RKukushk



- ★ Requestor
- Proposed Facility
- ▲ Proposed Outfall
- Discharge Route
- ▭ Facility Property Boundary
- 1.5 miles
- 1 mile
- 0.5 miles
- Lake/Pond
- ▨ Reservoir
- ▨ Swamp/Marsh
- Stream/River
- Artificial Path
- ▭ County Boundary

The requestor (Robert Humphrey) is 0.99 miles from the proposed facility and 0.42 miles from the proposed outfall.

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

**From:** [matthew.gabino@tceq.texas.gov](mailto:matthew.gabino@tceq.texas.gov)  
**To:** [EFiling](#)  
**Subject:** Filing on Permit Number/Docket Number 2024-1977-MWD  
**Date:** Friday, January 17, 2025 2:02:15 PM  
**Attachments:** [ED RTH Quadvest LP WQ0016143001.pdf](#)

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**FILING CONFIRMATION NUMBER** 176505262025017

**REGULATED ENTY NAME** WESTHAVEN WWTP

**RN NUMBER:** RN111474318

**PERMIT NUMBER:** WQ0016143001

**DOCKET NUMBER:** 2024-1977-MWD

**COUNTY:** HARRIS

**PRINCIPAL NAME:** QUADVEST LP, CN602944746

**FROM**

**FILED BY:**

**FILED FOR NAME:** Fernando Salazar Martinez

**E-MAIL:** [matthew.gabino@tceq.texas.gov](mailto:matthew.gabino@tceq.texas.gov)

**PHONE:** 512-239-3356

**DOCUMENT NAME:** ED RTH Quadvest LP WQ0016143001.pdf

*Based on 30 TAC Section 1.10(h), the TCEQ General Counsel has waived the filing requirements of Section 1.10(c) to allow the filing of documents using this online system. The General Counsel also has waived the requirements of Section 1.10(e) so that the time of filing your documents is the time this online system receives your filings. Filings are considered timely if received by close of business (usually 5:00 p.m. CST) on the deadline date unless otherwise ordered. If your document is for Commission consideration at an open meeting, General Counsel has also waived the requirement of Section 1.10(d) to file paper copies with the Office of the Chief Clerk.*