

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



Garrett T. Arthur, *Public Interest Counsel*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2025

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

RE: **IN THE MATTER OF THE APPLICATION BY DOW CHEMICAL
COMPANY FOR AIR PERMIT NOS. 914 & PSDTX1642
TCEQ DOCKET NO. 2025-0889-AIR**

Dear Ms. Gharis:

Enclosed for filing is the Office of Public Interest Counsel's Request for Remand in the above-entitled matter.

Sincerely,

A handwritten signature in black ink, reading "Garrett T. Arthur". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Garrett T. Arthur
Public Interest Counsel

cc: Mailing List

DOCKET NO. 2025-0889-AIR

APPLICATION BY	§	BEFORE THE
DOW CHEMICAL COMPANY	§	TEXAS COMMISSION ON
FOR AIR PERMIT NOS. 914 &	§	ENVIRONMENTAL QUALITY
PSDTX1642	§	

**OFFICE OF PUBLIC INTEREST COUNSEL'S
REQUEST TO REMAND**

To the Members of the Texas Commission on Environmental Quality:

The Office of Public Interest Counsel (OPIC) at the Texas Commission on Environmental Quality (TCEQ) files this request to remand the captioned matter to the TCEQ Executive Director (ED).

This matter is currently scheduled for Commission consideration at the July 23, 2025 Agenda. By letter dated July 6, 2025, Terry Stelly, President of Southeast Texas Clean Air & Water, Inc. (CAW), states that their use of “public hearing” was misinterpreted to mean “contested case hearing.” Terry Stelly also acknowledges the confusion caused by using “hearing” instead of “meeting.” Finally, Terry Stelly states, “Nowhere in CAW’s comments is there a request for a ‘Contested Case Hearing’ as referenced by TCEQ.”

OPIC believes that CAW, through Terry Stelly, has now clarified its desire to seek a public meeting, not request a contested case hearing. Given that CAW was the only requestor and is now indicating that it does not wish to pursue a contested case hearing request, OPIC finds this matter may be appropriately viewed as uncontested.

Therefore, pursuant to 30 TAC § 10.4(d), OPIC respectfully requests this matter be remanded from the Commission's Agenda to the ED.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Garrett T. Arthur", written over a horizontal line.

Garrett T. Arthur
Public Interest Counsel
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CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2025, this document was filed with the TCEQ Chief Clerk and a copy was served to all persons on the attached mailing list via electronic mail or by deposit in the U.S. Mail.

A handwritten signature in black ink, appearing to read "Garrett T. Arthur", written over a horizontal line.

Garrett T. Arthur

MAILING LIST
THE DOW CHEMICAL COMPANY
TCEQ DOCKET NO. 2025-0889-AIR

FOR THE APPLICANT

via electronic mail:

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FOR THE EXECUTIVE DIRECTOR

via electronic mail:

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FOR ALTERNATIVE DISPUTE

RESOLUTION

via electronic mail:

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FOR THE CHIEF CLERK

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REQUESTER

via electronic mail:

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