

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for Kirk Washington, SOAH Docket No. 582-24-06946, TCEQ Docket No. 2023-1612-LIC, was mailed on January 9, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 9th day of January 2024.

A handwritten signature in black ink that reads "Laurie Gharis".

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
KIRK WASHINGTON
SOAH Docket No. 582-24-06946
TCEQ Docket No. 2023-1612-LIC**

APPLICATION.

Kirk Washington, 31739 Summit Springs Lane, Spring, Texas 77386, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Water Operator D License. The Executive Director denied Mr. Washington's application for cause. Mr. Washington has requested a formal hearing on the Executive Director's decision. During the review of Mr. Washington's application, the Executive Director discovered that Mr. Washington received an Unclassified Felony in 1990. The Executive Director denied Mr. Washington's application because he has been convicted of an offense that directly relates to the license that is also a violent offense as referenced in Texas Occupations Code § 53.021(a)(1) and (2).

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – February 8, 2024

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone:

(669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

Visit the SOAH website for registration at:

<http://www.soah.texas.gov/>

or call SOAH at 512-475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, provide an opportunity for settlement discussions, and address other matters as determined by the administrative law judge. The preliminary hearing will be held unless all timely hearing requests are withdrawn or the parties agree to waive the preliminary hearing.

The evidentiary phase of the contested case hearing, to be held at a later date, will be a legal proceeding similar to a civil trial in state district court to determine whether Mr. Washington should be issued a Water Operator D License. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **If Mr. Washington fails to appear at the preliminary hearing or evidentiary hearing, the Executive Director will request that the hearing be canceled, and that appeal of the Executive Director's decision be dismissed.**

Legal Authority: Texas Water Code Chapters 5 and 37; Texas Occupations Code Chapter 53; Texas Government Code, Chapter 2001; 30 Texas Administrative Code (TAC) Chapter 30, and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapters 70 and 80 and 1 TAC Chapter 155.

INFORMATION.

For information concerning the hearing process, please contact the TCEQ Office of Public Interest Counsel, MC 103, P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-6363. Further information regarding this hearing may be obtained by contacting Alicia Ramirez, Staff Attorney, TCEQ, Environmental Law Division, MC 173, P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-0133. General information about the TCEQ can be found at our web site at www.tceq.texas.gov. General information about SOAH can be found on its website at www.soah.texas.gov, or by calling (512) 475-4993.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week prior to the hearing.

Issued: January 9, 2024

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST
Kirk Washington
TCEQ Docket No. 2023-1612-LIC; SOAH Docket No. 582-24-06946

FOR THE APPLICANT

via Certified and First-Class Mail:

Kirk Washington
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Spring, Texas 77386

FOR THE EXECUTIVE DIRECTOR

via electronic mail:

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FOR PUBLIC INTEREST COUNSEL

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FOR THE CHIEF CLERK:

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