

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 Elby's Future, LLC, SOAH Docket No. 582-26-02158, TCEQ Docket No. 2025-1341-AIR, was mailed on October 8, 2025.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 8th day of October 2025.

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

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

Brooke T. Paup, *Chairwoman*
Catarina R. Gonzales, *Commissioner*
Tonya R. Miller, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 6, 2025

Via Electronic Mail

Katelyn Ding, Staff Attorney
Amanda Kraynok, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

Via Electronic Mail

Huy Pham, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711

RE: Revised Notice of Hearing Package
Applicant Name: Elby's Future, LLC
Facility Location: Harris County, Texas
Permit Numbers: 71793
Type of Authorization: Renewal

Dear Ms. Ding, Ms. Kraynok, and Mr. Pham,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – November 17, 2025

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at (512) 239-3300.

Sincerely,



Laurie Gharis
Chief Clerk

LG/erg

Enclosures

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



REVISED

**NOTICE OF HEARING
Elby's Future, LLC
SOAH Docket No. 582-26-02158
TCEQ Docket No. 2025-1341-AIR
Permit No. 71793**

This notice has been revised to correct the hearing date in the Spanish notice.

APPLICATION.

Elby's Future, LLC, applied to the Texas Commission on Environmental Quality (TCEQ) for the renewal of Air Quality Permit Number 71793, which would authorize continued operation of a Pet Crematory located at 7012 Belgold Street, Suite C, Houston, Harris County, Texas, 77066. The existing facility is authorized to emit the following air contaminants: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide.

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. – November 17, 2025

To join the Zoom meeting via computer:

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

Meeting ID: 160 706 6338

Password: TCE658

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 706 6338

Password: 226911

For questions regarding the preliminary hearing, visit the SOAH website at:

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

or call SOAH at (512) 475-4993.

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will be conducted in accordance with the following provisions: Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code, including § 382.055(g), related to permit renewals; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 116, Subchapters A, B, and D, including 30 TAC 116.314(c); and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

RELIEF SOUGHT. The TCEQ requests that the Applicant show in a contested case hearing proceeding why the permit should not expire immediately as a result of deficiencies in the air quality permit renewal application listed in the Factual Allegations portion of this notice.

FACTUAL ALLEGATIONS.

Specifically, Applicant has failed to meet requirements for renewing this permit.

If a party to whom a notice of hearing is served or provided fails to appear at the hearing, the judge may proceed in that party's absence to grant by default the relief sought in the notice. In the proposal for decision, the factual allegations listed in the notice of hearing will be deemed admitted. A default by the applicant may result in the permit expiring immediately.

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information regarding the TCEQ can be found at www.tceq.texas.gov.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: October 6, 2025



Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



REVISADO

AVISO DE AUDIENCIA
Elby's Future, LLC
Expediente SOAH N.º 582-26- 02158
Expediente TCEQ N.º 2025-1341-AIR
Permiso N.º 71793

Este aviso ha sido revisado para corregir la fecha de la audiencia en el aviso en Español.

APLICACIÓN.

Elby's Future, LLC, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ, por su siglas en inglés) la renovación del permiso de calidad del aire número 71793, que autorizaría la continuación del funcionamiento de Crematorio de Mascotas situado en 7012 Belgold Street, Suite C, Houston, Harris Condado, Texas 77066. La instalación existente está autorizada a emitir los siguientes contaminantes atmosféricos: compuestos orgánicos, óxidos de nitrógeno, monóxido de carbon, dióxido de azufre y materia particulada, incluyendo partículas con diámetros de 10 micras o menos y 2,5 micras o menos.

AUDIENCIA DE CASO IMPUGNADO.

La Oficina Estatal de Audiencias Administrativas (SOAH, por sus siglas en inglés) llevará a cabo una audiencia preliminar a través de una videoconferencia de Zoom. Una reunión de Zoom es una reunión segura y gratuita que se celebra a través de Internet y que permite realizar videoconferencias de audio/audio.

10:00 a.m. – 17 de noviembre de 2025

Para unirse a la reunión de Zoom a través de la computadora:

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

ID de la reunión: 160 706 6338

Contraseña: TCE658

o

Para unirse a la reunión de Zoom por teléfono:

(669) 254-5252 o (646) 828-7666

ID de reunión: 160 706 6338

Contraseña: 226911

Si tiene preguntas sobre la audiencia preliminar, visite el sitio web de SOAH en: <http://www.soah.texas.gov/>

o llame a SOAH al (512) 475-4993.

La audiencia del caso impugnado será un procedimiento legal similar a un juicio civil en un tribunal de distrito estatal. La audiencia se llevará a cabo de acuerdo con las siguientes disposiciones: Capítulo 2001, Código de Gobierno de Texas; Capítulo 382, Código de Salud y Seguridad de Texas, incluido § 382.055 (g), relacionado con las renovaciones de permisos; Reglas de la TCEQ, incluido el Capítulo 116 del Código Administrativo de Texas (TAC) 30, Subcapítulos A, B y D, incluido 30 TAC 116.314 (c); y las normas de procedimiento de la TCEQ y SOAH, incluidos el capítulo 80 del 30 del TAC y el capítulo 155 del 1 del TAC.

ALIVIO BUSCADO. La TCEQ solicita que el Solicitante demuestre en un procedimiento de audiencia de caso impugnado por qué el permiso no debe expirar inmediatamente como resultado de deficiencias en la solicitud de renovación del permiso de calidad del aire enumerada en la parte de Alegaciones de Hecho de este aviso.

ALEGACIONES FÁCTICAS.

Específicamente, el solicitante no ha cumplido con los requisitos para renovar este permiso.

Si una parte a la que se le entrega o proporciona un aviso de audiencia no comparece a la audiencia, el juez puede proceder en ausencia de esa parte a otorgar por defecto la reparación solicitada en el aviso. En la propuesta de decisión, las alegaciones de hecho enumeradas en el aviso de audiencia se considerarán admitidas. Un incumplimiento por parte del solicitante puede resultar en que el permiso expire inmediatamente.

INFORMACIÓN.

Si necesita más información sobre el proceso de audiencia para esta solicitud, llame al Programa de Educación Pública, sin cargo, al (800) 6874040. Puede encontrar información general sobre la TCEQ en nuestro sitio web en www.tceq.texas.gov.

Las personas con discapacidades que necesiten adaptaciones especiales en la audiencia deben llamar al Departamento de Expedientes de SOAH al (512) 475-4993, al menos una semana antes de la audiencia.

Emitido: 6 de octubre de 2025



Laurie Gharis, Secretaria Principal
Comisión de Calidad Ambiental de Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



INSTRUCTIONS FOR PUBLIC NOTICE For Air Quality New Source Review Permit

NOTICE OF HEARING

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

Please Review Notice

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing (Attachment A) at your expense, in the public notice section of a newspaper that is of general circulation in the municipality in which the facility is located or proposed to be located or in the municipality nearest to the location or proposed location of the facility.

Proof of Publication

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.
- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of each notice.
- The **publisher's affidavit** and **proof of publication of each published notice** may be filed with the Chief Clerk electronically at www.tceq.texas.gov/goto/efilings or mailed to:

TCEQ
Office of the Chief Clerk, MC 105
Attn: SOAH Docket Clerk
P.O. Box 13087
Austin, Texas 78711-3087
- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.
- You must furnish a copy of the notices and affidavits to the EPA regional administrator in Dallas, all local air pollution control agencies with jurisdiction in the county in which the construction is to occur; and the air pollution control agency of any nearby state in which air quality may be adversely affected by the emissions from the new or modified facility.

Failure to Publish and Submit Proof of Publication

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication *on time***, the TCEQ may suspend further processing of your application or take other actions.

General Information

When contacting the Commission regarding this application, please refer to the permit number and the TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Applicant Name: Elby's Future, LLC
TCEQ Docket Number: 2025-1341-AIR
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: _____ §

Before me, the undersigned authority, on this day personally appeared _____, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that said newspaper is
(name of newspaper)

regularly published or generally circulated in _____
(county/counties)

County/Counties, Texas; that the attached notice was published in said newspaper on the
following date(s): _____
(date(s))

Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,
20 _____, to certify which witness my hand and seal of office.

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____ 00011

MAILING LIST/LISTA DE CORREO
Elby's Future, LLC
TCEQ Docket No./TCEQ Expediente N.º 2025-1341-AIR
SOAH Docket No./ SOAH Expediente N.º 582-26-02158
Permit No./Permiso N.º 71793

FOR THE APPLICANT/PARA EL SOLICITANTE:

via Certified and First Class mail/vía Correo certificado y de primera clase:

Britt Schroeter, President
Elby's Future, LLC
P.O. Box 37131
Houston, Texas 77237

INTERESTED PERSONS:

See attached list./Ver lista adjunta.

FOR THE EXECUTIVE DIRECTOR/PARA EL DIRECTOR EJECUTIVO

via electronic mail/vía correo electrónico:

Katelyn Ding, Staff Attorney
Amanda Kraynok, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

Huy Pham, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711

Ryan Vise, Deputy Director
Texas Commission on Environmental Quality
External Relations Division
Public Education Program, MC-108
P.O. Box 13087
Austin, Texas 78711

FOR PUBLIC INTEREST COUNSEL/PARA ABOGADOS DE INTERÉS PÚBLICO

via electronic mail/vía correo electrónico:

Sheldon P. Wayne, Attorney
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711

FOR THE CHIEF CLERK/ PARA EL SECRETARIO OFICIAL

via eFilings/vía eFilings:

Docket Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711
www.tceq.texas.gov/goto/efilings

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TEXAS STATE CAPITOL
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myriam.saldivar@house.texas.gov;

THE HONORABLE SENFRONIA THOMPSON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT 141 ROOM 3S.06

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Milda.Mora@house.texas.gov

THE HONORABLE HAROLD V DUTTON JR
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DISTRICT 142 ROOM 3N.5

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HOUSTON TX 77058-2604

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HARRIS COUNTY FLOOD CONTROL DI
9900 NORTHWEST FWY
HOUSTON TX 77092-8601

ENVIRONMENTAL AFFAI
PORT OF HOUSTON
PO BOX 2562
HOUSTON TX 77252-2562

US ARMY CORPS OF ENGINEERS
2000 FORT POINT RD
GALVESTON TX 77550-3211

MICHAEL TURCO GENERAL M
HARRIS-GALVESTON COASTAL SUBSI
1660 W BAY AREA BLVD
FRIENDSWOOD TX 77546-2640

TERESA LENOIR LEGISLATIVE AIDE
STATE REP DR ALMA ALLEN
PO BOX 12910
AUSTIN TX 78711-2910

DEVIN D BENSON
BARTON BENSON JONES PLLC
STE 840
1803 BROADWAY ST
SAN ANTONIO TX 78215-1255

CAROLINE R CROW
LONE STAR LEGAL AID
1415 FANNIN ST
HOUSTON TX 77002-7632

DIRECTOR
HARRIS CO PUB HLTH & ENVIRO &
STE H
101 S RICHEY ST
PASADENA TX 77506

HARRIS COUNTY JUDGE
7901 EL RIO ST
HOUSTON TX 77054-4138

SAN JACINTO RIVER AUTHORITY
1577 DAM SITE RD
CONROE TX 77304-4107

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
17629 EL CAMINO REAL STE 211
HOUSTON TX 77058-3051

LAURALEE VALLON GENERAL
BRAZOS RIVER AUTHORITY
4600 COBBS DR
PO BOX 7555
WACO TX 76714-7555

CALEB AVILA
EL PERICO SPANISH NEWSPAPER
PO BOX 276
PORT NECHES TX 77651-0276

MICHAEL J BOOTH
BOOTH & ASSOCIATES PC
BLDG A130-404
5701 W SLAUGHTER LN
AUSTIN TX 78749-6527

CAROLINE R CROW
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PO BOX 398
HOUSTON TX 77001-0398

HARRIS COUNTY ATTORNEY
FLOOR 15
1019 CONGRESS ST FL 15
HOUSTON TX 77002-1799

PUBLIC HEALTH & ENV
HARRIS COUNTY MOSQUITO CONTROL
BLDG D
3330 OLD SPANISH TRL STE D
HOUSTON TX 77021-2269

PUBLIC HEALTH REGIO
TEXAS DEPARTMENT OF STATE HEAL
STE 420
5425 POLK ST
HOUSTON TX 77023-1444

LATRICE BABIN ENVIRO PU
HARRIS COUNTY PUB HLTH & ENVIR
STE H
101 S RICHEY
PASADENA TX 77506

ESPERANZA BECERRA
LA PRENSA DE HOUSTON
STE 217
7100 REGENCY SQUARE BLVD
HOUSTON TX 77036-3202

JOSE E CASTRO
22435 HIGH POINT PINES DR
SPRING TX 77373-8051

CAROLINE R CROW
LONE STAR LEGAL AID
1415 FANNIN ST
HOUSTON TX 77002-7632

MR ISAAC H DESOUZA
HOUSTON DEPT OF HEALTH & HUMAN
ROOM 216C
7411 PARK PLACE BLVD
HOUSTON TX 77087-4441

SANDRA GARCIA PUEBLO SPANISH
1203 GLENMORE DR
PASADENA TX 77503-2701

WENDY GUTIERREZ
EL OBSERVADOR NEWS
TRLR 301
4701 ANDERSON RD
HOUSTON TX 77053-2271

WENDY GUTIERREZ
EL OBSERVADOR NEWS
1027 EVERGREEN ST
FRESNO TX 77545-8172

CORY R JUBY
826 LINGER LN
AUSTIN TX 78721-3650

SAL SOLIS
PO BOX 398
HOUSTON TX 77001-0398

SAL GIOVANNI SOLIS
PO BOX 920648
HOUSTON TX 77292-0648

SAL GIOVANNI SOLIS
17726 SCARLETT FALLS LN
RICHMOND TX 77407-2155

7004 1350 0000 4760 8164

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OFFICIAL USE

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total F		
Sent To	BRITT SCHROETER	
Street, Apt or PO Box	ELBY'S FUTURE LLC	
City, State, Zip	PO BOX 37131	
	HOUSTON TX 77237	

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 Elby's Future, LLC, SOAH Docket No. 582-26-02158, TCEQ Docket No. 2025-1341-AIR, was mailed on October 3, 2025.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 3rd day of October 2025.

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

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 3, 2025

Via Electronic Mail

Katelyn Ding, Staff Attorney
Amanda Kraynok, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

Via Electronic Mail

Huy Pham, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711

RE: Notice of Hearing Package
Applicant Name: Elby's Future, LLC
Facility Location: Harris County, Texas
Permit Numbers: 71793
Type of Authorization: Renewal

Dear Ms. Ding, Ms. Kraynok, and Mr. Pham,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – November 17, 2025

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at (512) 239-3300.

Sincerely,



Laurie Gharis
Chief Clerk

LG/erg

Enclosures

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING
Elby's Future, LLC
SOAH Docket No. 582-26-02158
TCEQ Docket No. 2025-1341-AIR
Permit No. 71793

APPLICATION.

Elby's Future, LLC, applied to the Texas Commission on Environmental Quality (TCEQ) for the renewal of Air Quality Permit Number 71793, which would authorize continued operation of a Pet Crematory located at 7012 Belgold Street, Suite C, Houston, Harris County, Texas, 77066. The existing facility is authorized to emit the following air contaminants: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide.

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. – November 17, 2025

To join the Zoom meeting via computer:

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

Meeting ID: 160 706 6338

Password: TCE658

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 706 6338

Password: 226911

For questions regarding the preliminary hearing, visit the SOAH website at:

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

or call SOAH at (512) 475-4993.

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will be conducted in accordance with the following provisions: Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code, including § 382.055(g), related to permit renewals; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 116, Subchapters A, B, and D, including 30

TAC 116.314(c); and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

RELIEF SOUGHT. The TCEQ requests that the Applicant show in a contested case hearing proceeding why the permit should not expire immediately as a result of deficiencies in the air quality permit renewal application listed in the Factual Allegations portion of this notice.

FACTUAL ALLEGATIONS.

Specifically, Applicant has failed to meet requirements for renewing this permit.

If a party to whom a notice of hearing is served or provided fails to appear at the hearing, the judge may proceed in that party's absence to grant by default the relief sought in the notice. In the proposal for decision, the factual allegations listed in the notice of hearing will be deemed admitted. A default by the applicant may result in the permit expiring immediately.

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information regarding the TCEQ can be found at www.tceq.texas.gov.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: October 3, 2025



Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS



AVISO DE AUDIENCIA
Elby's Future, LLC
Expediente SOAH N.º 582-26- 02158
Expediente TCEQ N.º 2025-1341-AIR
Permiso N.º 71793

APLICACIÓN.

Elby's Future, LLC, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) la renovación del permiso de calidad del aire número 71793, que autorizaría la continuación del funcionamiento de Crematorio de Mascotas situado en 7012 Belgold Street, Suite C, Houston, Harris Condado, Texas 77066. La instalación existente está autorizada a emitir los siguientes contaminantes atmosféricos: compuestos orgánicos, óxidos de nitrógeno, monóxido de carbono, dióxido de azufre y materia particulada, incluyendo partículas con diámetros de 10 micras o menos y 2,5 micras o menos.

AUDIENCIA DE CASO IMPUGNADO.

La Oficina Estatal de Audiencias Administrativas (SOAH, por sus siglas en inglés) llevará a cabo una audiencia preliminar a través de una videoconferencia de Zoom. Una reunión de Zoom es una reunión segura y gratuita que se celebra a través de Internet y que permite realizar videoconferencias de audio/visual.

10:00 a.m. – 15 de noviembre de 2025

Para unirse a la reunión de Zoom a través de la computadora:

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

ID de la reunión: 160 706 6338

Contraseña: TCE658

o

Para unirse a la reunión de Zoom por teléfono:

(669) 254-5252 o (646) 828-7666

ID de reunión: 160 706 6338

Contraseña: 226911

Si tiene preguntas sobre la audiencia preliminar, visite el sitio web de SOAH en: <http://www.soah.texas.gov/> o llame a SOAH al (512) 475-4993.

La audiencia del caso impugnado será un procedimiento legal similar a un juicio civil en un tribunal de distrito estatal. La audiencia se llevará a cabo de acuerdo con las siguientes disposiciones: Capítulo 2001, Código de Gobierno de Texas; Capítulo 382,

Código de Salud y Seguridad de Texas, incluido § 382.055 (g), relacionado con las renovaciones de permisos; Reglas de la TCEQ, incluido el Capítulo 116 del Código Administrativo de Texas (TAC) 30, Subcapítulos A, B y D, incluido 30 TAC 116.314 (c); y las normas de procedimiento de la TCEQ y SOAH, incluidos el capítulo 80 del 30 del TAC y el capítulo 155 del 1 del TAC.

ALIVIO BUSCADO. La TCEQ solicita que el Solicitante demuestre en un procedimiento de audiencia de caso impugnado por qué el permiso no debe expirar inmediatamente como resultado de deficiencias en la solicitud de renovación del permiso de calidad del aire enumerada en la parte de Alegaciones de Hecho de este aviso.

ALEGACIONES FÁCTICAS.

Específicamente, el solicitante no ha cumplido con los requisitos para renovar este permiso.


Si una parte a la que se le entrega o proporciona un aviso de audiencia no comparece a la audiencia, el juez puede proceder en ausencia de esa parte a otorgar por defecto la reparación solicitada en el aviso. En la propuesta de decisión, las alegaciones de hecho enumeradas en el aviso de audiencia se considerarán admitidas. Un incumplimiento por parte del solicitante puede resultar en que el permiso expire inmediatamente.

INFORMACIÓN.

Si necesita más información sobre el proceso de audiencia para esta solicitud, llame al Programa de Educación Pública, sin cargo, al (800) 6874040. Puede encontrar información general sobre la TCEQ en nuestro sitio web en www.tceq.texas.gov.

Las personas con discapacidades que necesiten adaptaciones especiales en la audiencia deben llamar al Departamento de Expedientes de SOAH al (512) 475-4993, al menos una semana antes de la audiencia.

Emitido: 3 de octubre de 2025



Laurie Gharis, Secretaria Principal
Comisión de Calidad Ambiental de Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



INSTRUCTIONS FOR PUBLIC NOTICE For Air Quality New Source Review Permit

NOTICE OF HEARING

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

Please Review Notice

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing (Attachment A) at your expense, in the public notice section of a newspaper that is of general circulation in the municipality in which the facility is located or proposed to be located or in the municipality nearest to the location or proposed location of the facility.

Proof of Publication

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper and must show the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.
- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of each publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of each notice.
- The **publisher's affidavit** and **proof of publication of each published notice** may be filed with the Chief Clerk electronically at www.tceq.texas.gov/goto/efilings or mailed to:

TCEQ
Office of the Chief Clerk, MC 105
Attn: SOAH Docket Clerk
P.O. Box 13087
Austin, Texas 78711-3087
- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.
- You must furnish a copy of the notices and affidavits to the EPA regional administrator in Dallas, all local air pollution control agencies with jurisdiction in the county in which the construction is to occur; and the air pollution control agency of any nearby state in which air quality may be adversely affected by the emissions from the new or modified facility.

Failure to Publish and Submit Proof of Publication

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication *on time***, the TCEQ may suspend further processing of your application or take other actions.

General Information

When contacting the Commission regarding this application, please refer to the permit number and the TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Applicant Name: Elby's Future, LLC
TCEQ Docket Number: 2025-1341-AIR
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: _____ §

Before me, the undersigned authority, on this day personally appeared _____, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that said newspaper is
(name of newspaper)

regularly published or generally circulated in _____
(county/counties)

County/Counties, Texas; that the attached notice was published in said newspaper on the
following date(s): _____
(date(s))

Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,
20 _____, to certify which witness my hand and seal of office.

(Seal)

Notary Public in and for the State of Texas

Print or type Name of Notary Public

My Commission Expires _____ 00028

MAILING LIST/LISTA DE CORREO
Elby's Future, LLC
TCEQ Docket No./TCEQ Expediente N.º 2025-1341-AIR
SOAH Docket No./ SOAH Expediente N.º 582-26-02158
Permit No./Permiso N.º 71793

FOR THE APPLICANT/PARA EL SOLICITANTE:

via Certified and First Class mail/vía Correo certificado y de primera clase:

Britt Schroeter, President
Elby's Future, LLC
P.O. Box 37131
Houston, Texas 77237

INTERESTED PERSONS:

See attached list./Ver lista adjunta.

FOR THE EXECUTIVE DIRECTOR/PARA EL DIRECTOR EJECUTIVO

via electronic mail/vía correo electrónico:

Katelyn Ding, Staff Attorney
Amanda Kraynok, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

Huy Pham, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711

Ryan Vise, Deputy Director
Texas Commission on Environmental Quality
External Relations Division
Public Education Program, MC-108
P.O. Box 13087
Austin, Texas 78711

FOR PUBLIC INTEREST COUNSEL/PARA ABOGADOS DE INTERÉS PÚBLICO

via electronic mail/vía correo electrónico:

Sheldon P. Wayne, Attorney
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711

FOR THE CHIEF CLERK/ PARA EL SECRETARIO OFICIAL

via eFilings/vía eFilings:

Docket Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711
www.tceq.texas.gov/goto/efilings

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myriam.saldivar@house.texas.gov;

THE HONORABLE SENFRONIA THOMPSON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT 141 ROOM 3S.06

Senfronia.thompson@house.texas.gov;
Milda.Mora@house.texas.gov

THE HONORABLE HAROLD V DUTTON JR
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT 142 ROOM 3N.5

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MAIL CODE 6WQ
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rosborough.evelyn@epa.gov

STAFF LEGAL COUNSEL
GULF COAST WASTE DISPOSAL AUTH
910 BAY AREA BLVD
HOUSTON TX 77058-2604

ENVIRONMENTAL DEP
HARRIS COUNTY FLOOD CONTROL DI
9900 NORTHWEST FWY
HOUSTON TX 77092-8601

ENVIRONMENTAL AFFAI
PORT OF HOUSTON
PO BOX 2562
HOUSTON TX 77252-2562

US ARMY CORPS OF ENGINEERS
2000 FORT POINT RD
GALVESTON TX 77550-3211

MICHAEL TURCO GENERAL M
HARRIS-GALVESTON COASTAL SUBSI
1660 W BAY AREA BLVD
FRIENDSWOOD TX 77546-2640

TERESA LENOIR LEGISLATIVE AIDE
STATE REP DR ALMA ALLEN
PO BOX 12910
AUSTIN TX 78711-2910

DEVIN D BENSON
BARTON BENSON JONES PLLC
STE 840
1803 BROADWAY ST
SAN ANTONIO TX 78215-1255

CAROLINE R CROW
LONE STAR LEGAL AID
1415 FANNIN ST
HOUSTON TX 77002-7632

DIRECTOR
HARRIS CO PUB HLTH & ENVIRO &
STE H
101 S RICHEY ST
PASADENA TX 77506

HARRIS COUNTY JUDGE
7901 EL RIO ST
HOUSTON TX 77054-4138

SAN JACINTO RIVER AUTHORITY
1577 DAM SITE RD
CONROE TX 77304-4107

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
17629 EL CAMINO REAL STE 211
HOUSTON TX 77058-3051

LAURALEE VALLON GENERAL
BRAZOS RIVER AUTHORITY
4600 COBBS DR
PO BOX 7555
WACO TX 76714-7555

CALEB AVILA
EL PERICO SPANISH NEWSPAPER
PO BOX 276
PORT NECHES TX 77651-0276

MICHAEL J BOOTH
BOOTH & ASSOCIATES PC
BLDG A130-404
5701 W SLAUGHTER LN
AUSTIN TX 78749-6527

CAROLINE R CROW
LONE STAR LEGAL AID
PO BOX 398
HOUSTON TX 77001-0398

HARRIS COUNTY ATTORNEY
FLOOR 15
1019 CONGRESS ST FL 15
HOUSTON TX 77002-1799

PUBLIC HEALTH & ENV
HARRIS COUNTY MOSQUITO CONTROL
BLDG D
3330 OLD SPANISH TRL STE D
HOUSTON TX 77021-2269

PUBLIC HEALTH REGIO
TEXAS DEPARTMENT OF STATE HEAL
STE 420
5425 POLK ST
HOUSTON TX 77023-1444

LATRICE BABIN ENVIRO PU
HARRIS COUNTY PUB HLTH & ENVIR
STE H
101 S RICHEY
PASADENA TX 77506

ESPERANZA BECERRA
LA PRENSA DE HOUSTON
STE 217
7100 REGENCY SQUARE BLVD
HOUSTON TX 77036-3202

JOSE E CASTRO
22435 HIGH POINT PINES DR
SPRING TX 77373-8051

CAROLINE R CROW
LONE STAR LEGAL AID
1415 FANNIN ST
HOUSTON TX 77002-7632

MR ISAAC H DESOUZA
HOUSTON DEPT OF HEALTH & HUMAN
ROOM 216C
7411 PARK PLACE BLVD
HOUSTON TX 77087-4441

SANDRA GARCIA PUEBLO SPANISH
1203 GLENMORE DR
PASADENA TX 77503-2701

WENDY GUTIERREZ
EL OBSERVADOR NEWS
TRLR 301
4701 ANDERSON RD
HOUSTON TX 77053-2271

WENDY GUTIERREZ
EL OBSERVADOR NEWS
1027 EVERGREEN ST
FRESNO TX 77545-8172

CORY R JUBY
826 LINGER LN
AUSTIN TX 78721-3650

SAL SOLIS
PO BOX 398
HOUSTON TX 77001-0398

SAL GIOVANNI SOLIS
PO BOX 920648
HOUSTON TX 77292-0648

SAL GIOVANNI SOLIS
17726 SCARLETT FALLS LN
RICHMOND TX 77407-2155

7004 1350 0000 4760 8157

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BRITT SCHROETER
ELBY'S FUTURE LLC
PO BOX 37131
HOUSTON TX 77237

Sent To

Street,
or PO I

City, St

PS Form 3800, June 2002

See Reverse for Instructions