

Control Number: 44211



Item Number: 8

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House Bill (HB) 1600 and Senate Bill (SB) 567 83rd Legislature, Regular Session, transferred the functions relating to the economic regulation of water and sewer utilities from the TCEQ to the PUC effective September 1, 2014

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PUBLIC OF ILITY COMMISSION FILING CLERK



AN ORDER affirming, with modification, an Emergency Order granted by the Executive Director regarding Michael Lantz O'Neill d/b/a Frontier Park Resort and Marina; TCEQ Docket No. 2013-1429-UCR-E.

On September 4, 2013, the Texas Commission on Environmental Quality ("TCEQ" or "Commission") considered whether to affirm, modify, or set aside an Emergency Order in the matter regarding Michael Lantz O'Neill d/b/a Frontier Park Resort and Marina ("Mr. O'Neill"). The Emergency Order was issued by the Executive Director without a hearing on August 1, 2013. The Emergency Order and the notice of the September 4, 2013, agenda hearing to affirm, modify, or set aside the Emergency Order were sent by certified mail return receipt requested, and sent by first class mail, postage prepaid to the last known address of Mr. O'Neill on August 6, 2013. The Emergency Order was also hand delivered to Mr. O'Neill on August 6, 2013. The Commission finds that the Executive Director appropriately issued the Emergency Order and that the requirements for an emergency order found in Chapters 5 and 13 of the Texas Water Code have been satisfied. However, the Commission modifies the Executive Director's Emergency Order in the manner recommended by the Executive Director in his filing of August 19, 2013.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY THAT:

The Emergency Order, attached hereto as Exhibit A and incorporated into this Order by reference, is affirmed, but modified to correct a typographical error in Ordering Provision No. 3 by replacing the date "January 17, 2014" with the date "January 28, 2014."

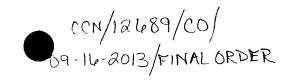
Issue date: SEP 1 2 2013

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Bryan W. Shaw, Ph.D., Chairman

Bryan W. Shaw, Ph.D, Chairman Toby Baker, Commissioner Zak Covar, Executive Director





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 16, 2013

TO: Persons on the attached list.

RE: Michael Lantz O'Neill d/b/a Frontier Park Resort and Marina

TCEQ Docket No. 2013-1429-UCR-E

Enclosed is a copy of an order issued by the Commission regarding the above-referenced matter.

Should you have any questions, please contact Melissa Schmidt of the Texas Commission on Environmental Quality's Office of the Chief Clerk (MC 105) at (512) 239-3317.

Sincerely,

Bridget C. Bohac

Budget C. Bohan

Chief Clerk

BCB/ms

Enclosure

RECEIVED NOV 0 6 2013

TCEQ CENTRAL FILE ROOM

MAILING LIST

for

Michael Lantz O'Neill d/b/a Frontier Park Resort and Marina TCEQ Docket No. 2013-1429-UCR-E

FOR THE RESPONDENT: (Via Certified and First Class Mail)

Michael Lantz O'Neill 360 Frontier Drive Hemphill, Texas 75948

FOR THE EXECUTIVE DIRECTOR via electronic mail:

Stephanie Frazee, Staff Attorney Texas Commission on Environmental Quality Litigation Division MC-175 P.O. Box 13087 Austin, Texas 78711-3087

Terence Webb, Receivership Coordinator Texas Commission on Environmental Quality Water Supply Division MC-153 P.O. Box 13087 Austin, Texas 78711-3087

Ronald Hebert, Water Section Manager Texas Commission on Environmental Quality Regional Office MC-R10 3870 Eastex Freeway Beaumont, Texas 77703

FOR PUBLIC INTEREST COUNSEL via electronic mail:

Blas J. Coy, Jr., Attorney Texas Commission on Environmental Quality Public Interest Counsel MC-103 P.O. Box 13087 Austin, Texas 78711-3087

FOR THE CHIEF CLERK via electronic mail:

Bridget C. Bohac, Chief Clerk Texas Commission on Environmental Quality Office of Chief Clerk MC-105 P.O. Box 13087 Austin, Texas 78711-3087

COURTESY COPY:

Sabine River Authority of Texas P.O. Box 579
Orange, Texas 77631

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