

CAUSE NO. D-1-GN-17-006632

|                             |   |                                     |
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| ENVIRONMENTAL PROTECTION    | § | IN THE DISTRICT COURT               |
| IN THE INTEREST OF CALDWELL | § |                                     |
| COUNTY, JAMES ABSHIER,      | § |                                     |
| BYRON FRIEDRICH, AND TJFA,  | § |                                     |
| L.P.,                       | § |                                     |
| <i>Plaintiffs,</i>          | § | OF TRAVIS COUNTY, TEXAS             |
|                             | § |                                     |
| v.                          | § |                                     |
|                             | § |                                     |
| TEXAS COMMISSION ON         | § |                                     |
| ENVIRONMENTAL QUALITY,      | § | 459 <sup>TH</sup> JUDICIAL DISTRICT |
| <i>Defendant.</i>           | § |                                     |

NOTICE OF FILING OF ADMINISTRATIVE RECORD

The Texas Commission on Environmental Quality (“TCEQ”) hereby files this certified copy of the Administrative Record in the TCEQ’s Docket No. 2015-0069-MSW, *Application by 130 Environmental Park, LLC for Proposed Permit No. 2383*, the TCEQ proceeding under review in this cause. The Administrative Record consists of nine (9) boxes containing seventy-eight (78) binders of filings. An index for referencing and locating the documents contained in the Administrative Record is attached to this notice.

Respectfully submitted,

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Attorney General of Texas

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First Assistant Attorney General

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ATTORNEYS FOR THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

## **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was served on the parties listed below via e-service and/or email on September 18, 2018, in accordance with the Texas Rules of Civil Procedure.

Marisa Perales  
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### **ATTORNEYS FOR PLAINTIFFS**

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### **ATTORNEY FOR INTERVENOR**

/s/ Cynthia Woelk  
CYNTHIA WOELK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Environmental Protection in the  
Interest of Caldwell County, James  
Abshier, Byron Friedrich, and TJFA,  
L.P.

Plaintiffs,

v.

Texas Commission on  
Environmental Quality

Defendant.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

459<sup>th</sup> JUDICIAL DISTRICT

Cause No. D-1-GN-17-006632

**AFFIDAVIT CERTIFYING ADMINISTRATIVE RECORD**

BEFORE ME, the undersigned notary public on this day personally appeared Michael Chamberlain, known to me to be the person whose name is subscribed below and, who, being by me duly sworn, did depose as follows:

“My name is Michael Chamberlain. I am over 18 years of age, of sound mind and capable of making this Affidavit certifying the Administrative Record and I am personally acquainted with the facts herein stated.

I am the official custodian of files and records of the Texas Commission on Environmental Quality (TCEQ), and I hereby certify that the attached is a true and correct copy of the administrative record made before TCEQ in the matter styled *Environmental Protection in the Interest of Caldwell County, James Abshier, Byron Friedrich, and TJFA, L.P. v. Texas Commission on Environmental Quality*, in the 459<sup>th</sup> Judicial District Court of Travis County, Texas. The records attached hereto are the exact duplicates of the original.

These records are kept by the TCEQ in the regular course of business, and it was in the

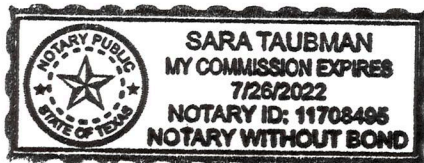
regular course of business for the TCEQ, or its predecessor agency, for an employee or representative of the TCEQ, with knowledge of the act, event, condition, opinion, or diagnosis recorded, to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are exact duplicates of the originals.

WITNESS MY HAND, and the Seal of the Texas Commission on Environmental Quality, this 17 day of September, 2018.”

  
\_\_\_\_\_  
Michael S. Chamberlain, Custodian of Records  
Texas Commission on Environmental Quality

SWORN TO AND SUBSCRIBED before me this the 17th day of September, 2018.

  
\_\_\_\_\_  
Notary Public, State of Texas



***Texas Commission on Environmental Quality***  
***Application for 130 Environmental Park***  
***Municipal Solid Waste Permit No. 2383***  
***TCEQ Docket No. 2015-0069-MSW***  
***SOAH Docket No. 582-15-2082***  
***Before the 459<sup>th</sup> Judicial District Court***  
***Of Travis County, Texas***

***Environmental Protection in the Interest of Caldwell County, James Abshier,  
Byron Friedrich, and TJFA, L.P***

***v.***

***Texas Commission on Environmental Quality***  
***Cause No. D-1-GN-17-006632***

## ADMINISTRATIVE RECORD

| SECTION 1                                  | DESCRIPTION  |           |
|--|--|-----------|
| ITEM NO.                                   | DOCUMENTS - VOLUMES 1 - 3, ITEM 1  |           |
| 1.   | Type 1 Permit Application - Land-Use Only (Parts I and II); K. Welch (Biggs and Mathews Environmental)   | 9/4/2013  |
| DOCUMENTS - VOLUME 3, ITEMS 1, cont'd - 16 |  |           |
| 2.   | Letter, re: submittal of Soil Boring Plan; M. Snyder (Biggs & Mathews Environmental)   | 9/4/2013  |
| 3.   | Letter, re: Proposed Site Investigation - Notice of Deficiency; A. Avakian (Texas Commission on Environmental Quality [TCEQ])                      | 9/13/2013 |
| 4.   | Email re: attached letter pertaining to the administrative deficiencies for the 130 Environmental Park, LLC permit application; K. McGruder (TCEQ) | 9/13/2013 |
| 5.   | Letter, re: response to notice of deficiency regarding soil boring plan; M. Snyder (Biggs & Mathews Environmental)                                 | 9/19/2013 |
| 6.   | Email re: draft portion of the Notice of Receipt of Application and Intent to Obtain a Permit (NORI); K. McGruder (TCEQ)                           | 9/23/2013 |
| 7.   | Transmittal re: Revised Page 2 of Soil Boring Plan dated 9-16-2013; M. Snyder (Biggs & Mathews Environmental)                                      | 9/23/2013 |
| 8.   | Letter, re: Revised Boring Plan for Permit Application; M. Snyder (Biggs & Mathews Environmental)  | 9/26/2013 |
| 9.   | E-mail re: Declaration of Administrative Completeness (Parts I and II); K. McGruder (TCEQ)   | 9/27/2013 |

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| 10.   | Letter, re: approval of soil boring plan; C. Bergren (TCEQ)   | 10/10/2013 |
| 11.   | Letter re: original publisher's affidavits and tear sheets in the Austin American-Statesman, Lockhart Post-Register, and El Mundo newspaper; B. Ryan (McElroy, Sullivan, Miller, Weber & Olmstead, L.L.P. [Attorney for 130 Environmental Park, LLC]) | 10/31/2013 |
| 12.   | Letter, re: publisher's affidavit and tear sheet for publication of Notice of Receipt of Application for Land Use Compatibility Determination in the Caldwell County Guardian; J. Matetzschk (McElroy, Sullivan, Miller, Weber & Olmstead, L.L.P.)    | 11/20/2013 |
| 13.   | Letter re: Land Compatibility Determination - Notice of Deficiency; S. Odil (TCEQ)  | 11/25/2013 |
| 14.   | Public Notice Verification Form; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 12/9/2013  |
| 15.   | Letter re: NOD Extension Request; K. Maroney (Biggs & Mathews Environmental)  | 1/6/2014   |
| 16.   | Letter re: Extension of Time to Respond to First NOD; C. Bergren (TCEQ)   | 2/3/2014   |
| <b>DOCUMENTS - VOLUMES 4 - 12, ITEM 17</b>  |   |            |
| 17.   | Response to First NOD for Land Use Compatibility Determination and Submittal of Complete Parts I, II, III, and IV Permit Application; K. Maroney (Biggs & Mathews Environmental)  | 2/18/2014  |
| <b>DOCUMENTS - VOLUME 13, ITEMS 18 - 30</b> |   |            |
| 18.   | Email re: draft public notice; K. McGruder (TCEQ)   | 2/26/2014  |
| 19.   | Letter re: Declaration of Administrative Completeness (Parts III and IV); K. McGruder (TCEQ)  | 2/28/2014  |
| 20.   | Transmittal, re: updated pages 1 and 10 of the Part I form; M. Snyder (Biggs & Mathews Environmental)   | 3/3/2014   |
| 21.   | Transmittal, re: replacement pages for Part II, Section 10 within Volume 1 of the Type I Permit Application; M. Snyder (Biggs & Mathews Environmental)  | 3/3/2014   |
| 22.   | Email re: suggested revisions to draft NORI; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 3/3/2014   |
| 23.   | TCEQ Interoffice Memorandum, re: Revised Notice of Receipt of Application and Intent to Obtain a Permit; from K. McGruder (TCEQ) to B. Bohac (TCEQ Chief Clerk)   | 3/6/2014   |

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| 24.  | Transmittal, re: redline pages that replace redline pages in Part II, Section 10 of the Type I Permit Application; M. Snyder (Biggs & Mathews Environmental)   | 3/14/2014  |
| 25.  | Email re: 130 Environmental Park, LLC has no additional comments on draft NORI; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 3/15/2014  |
| 26.  | Letter, re: publisher's affidavits and tear sheets for publication of NORI in the Austin American-Statesman, Lockhart Post-Register, Caldwell County Guardian and El Mundo; B. Ryan (Attorney for 130 Environmental Park, LLC) | 4/29/2014  |
| 27.  | Letter, re: Consolidated Permit Application - Second Notice of Deficiency (NOD); S. Odil (TCEQ)  | 5/6/2014   |
| 28.  | Letter, re: notification of agency review of application for a municipal solid waste facility; M. Udenenwu (TCEQ)  | 5/8/2014   |
| 29.  | Notice of Public Meeting Municipal Solid Waste Permit No. 2383   | 5/12/2014  |
| 30.  | Response to Second Notice of Deficiency; K. Maroney (Biggs & Mathews)  | 6/27/2014  |
| <b>DOCUMENTS - VOLUME 15, ITEMS 31 - 32</b>    |  |            |
| 31.  | Letter, re: Consolidated Permit Application - Notice of Deficiency (Third NOD); S. Odil (TCEQ)   | 8/1/2014   |
| <b>DOCUMENTS - VOLUME 16, ITEM 32, cont'd.</b> |  |            |
| 32.  | Response to August 1, 2014 Notice of Deficiency Letter; K. Maroney (Biggs & Mathews)   | 8/22/2014  |
| <b>DOCUMENTS - VOLUME 17, ITEMS 33 - 40</b>    |  |            |
| 33.  | Email re: remaining deficiencies prior to declaration of technical completeness; S. Odil (TCEQ)  | 9/24/2014  |
| 34.  | Letter, re: Response to September 24, 2014 Request for Clarification; K. Maroney (Biggs & Mathews Environmental)   | 9/29/2014  |
| 35.  | Email re: landfill application is technically complete and local floodplain development coordination will be addressed through Special Provision; S. Odil (TCEQ)   | 10/1/2014  |
| 36.  | Email re: draft permit and the technical summary for the landfill application; S. Odil (TCEQ)  | 10/10/2014 |
| 37.  | Letter, re: Supplemental Submittal - revisions to permit application; M. Snyder (Biggs & Mathew Environmental)   | 10/17/2014 |



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| 38.   | Letter re: Public Notice Verification Form (NORI); B. Ryan (Attorney for 130 Environmental Park, LLC)   | 10/28/2014 |
| 39.   | Letter re: technical review of the permit application has been completed and it has been determined that the application is technically complete; C. Goodin (TCEQ)  | 10/28/2014 |
| 40.   | TCEQ Interoffice Memo re: attached file for the application that is ready for final notice; from C. Goodin, (TCEQ) to B. Bohac (TCEQ Chief Clerk)   | 11/6/2014  |
| <b>DOCUMENTS - VOLUME 18, ITEMS 41 - 60</b> |   |            |
| 41.   | Letter re: executive director has completed the technical review of the application and has prepared a preliminary decision and draft permit (NAPD); B. Bohac (TCEQ Chief Clerk)  | 11/12/2014 |
| 42.   | Letter, re: original publishers' affidavits and tear sheets for publication of NAPD in the Lockhart Post-Register, the Caldwell County Guardian, and El Mundo newspapers; J. Matetzschk (McElroy, Sullivan, Miller, Weber & Olmstead, L.L.P.) | 12/19/2014 |
| 43.   | Letter re: publisher's affidavit and tear sheets for publication of the January 8, 2015 Notice of Public Meeting; J. Matetzschk (McElroy, Sullivan, Miller, Weber & Olmstead, L.L.P.)   | 1/8/2015   |
| 44.   | Letter re: Direct Referral of application to State Office of Administrative Hearings (SOAH); B. Ryan (Attorney for 130 Environmental Park, LLC)   | 1/13/2015  |
| 45.   | Email re: Request to Docket; from M. Schmidt (TCEQ) to SOAH Docketing   | 1/23/2015  |
| 46.   | Email re: Confirmation of Request to Docket, setting of hearing TBD; from M. Luna (SOAH) to M. Schmidt (TCEQ)   | 1/23/2015  |
| 47.   | Email re: Setting of hearing on 3/26/15; from M. Luna (SOAH) to M. Schmidt (TCEQ)   | 1/30/2015  |
| 48.   | Letter, re: Notice of Hearing Packet; B. Bohac (TCEQ Chief Clerk)   | 2/4/2015   |
| 49.   | Letter re: affidavit of mailed notice of hearing; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/24/2015  |
| 50.   | Letter re: original publishers' affidavits and tear sheets for the Notice of Hearing that was published in the Lockhart Post-Register and Caldwell County Guardian; J. Matetzschk (McElroy, Sullivan, Miller, Weber & Olmstead, L.L.P.)       | 2/26/2015  |
| 51.   | TCEQ Interoffice Memorandum re: Transmittal of Documents for Administrative Record; from D. Ingersoll (TCEQ) to Office of Chief Clerk (TCEQ)  | 3/11/2015  |

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| 52.   | TCEQ Memorandum, re: Transmittal of Administrative Record; from M. Schmidt (TCEQ) to SOAH Natural Resources Docket Clerk   | 3/13/2015 |
| 53.   | Letter, re: Supplemental Submission – minor revisions to application; K. Maroney (Biggs & Mathews Environmental)   | 3/17/2015 |
| 54.   | Executive Director’s Response to Comments; D. Ingersoll (TCEQ)   | 3/25/2015 |
| 55.   | TCEQ Memo re: certified copy of the executive director’s response to public comment; from M. Schmidt (TCEQ) to Natural Resources Docket Clerk (SOAH)   | 4/1/2015  |
| 56.   | Letter re: proposed procedural schedule and hearing setting; M. Perales (Frederick, Perales, Allmon & Rockwell, P.C. [Attorney for TJFA, L.P. & Environmental Protection in the Interest of Caldwell County])  | 4/3/2015  |
| 57.   | Letter re: parties that have agreed to align with EPICC are: Byron Friedrich, the King Family Trust, Ann & Troyce Collier, Claudia & Robert Brown, James Abshier, Frank Sughrue, Brenda Martin, and Bill & Pam Young; M. Perales (Attorney for TJFA, L.P. & Environmental Protection in the Interest of Caldwell County [EPICC]) | 4/7/2015  |
| 58.   | Executive Director’s Amended Response to Public Comment; D. Ingersoll (TCEQ)   | 4/9/2015  |
| 59.   | <b>Order No. 1</b> — Memorializing Preliminary Hearing; Adopting Procedural Schedule; Setting Hearing on the Merits and Discussing Prehearing and Hearing Procedures; C. Bell (SOAH)   | 4/14/2015 |
| 60.   | Letter re: both aligned protestants and TJFA, L.P. should be identified as parties in this matter; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 4/16/2015 |
| <b>DOCUMENTS – VOLUME 19, ITEMS 61 – 88</b> |  |           |
| 61.   | TCEQ Memorandum; re: supplement to the Administrative Record originally transmitted on March 13, 2015; from M. Taack (TCEQ) to Natural Resources Docket Clerk (SOAH) (memo only)   | 4/17/2015 |
| 62.   | <b>Order No. 2</b> — Adding a Party and Updating Alignment of Parties; C. Bell (SOAH)  | 4/20/2015 |
| 63.   | Executive Director’s Notice of Substitution of Counsel; D. Ingersoll (TCEQ)  | 5/25/2015 |
| 64.   | Plum Creek Conservation District’s (PCCD) List of Issues; R. Wilson (Jackson, Sjoberg, McCarthy & Townsend [Attorney for PCCD])  | 8/3/2015  |

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| 65. | Caldwell County, TJFA, L.P., Environmental Protection in the Interest of Caldwell County, Byron Friedrich, James Abshier, Frank Sughrue, the King Family Trust, Joe Colley, Brenda Martin, Anne & Troyce Collier, Bill & Pamela Young, and Claudia & Robert Brown's Joint Submission of Proposed List of Issues; M. Perales (Attorney for TJFA, L.P. & EPICC) and E. Magee (Allison, Bass & Magee, L.L.P [Attorney for Caldwell County]) | 8/3/2015   |
| 66. | Applicant Pintail Landfill, LLC's List of Hearing Issues; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 8/3/2015   |
| 67. | <b>Order No. 3</b> — Establishing Issues for Hearing on the Merits; C. Bell (SOAH)   | 8/26/2015  |
| 68. | Request for Subpoena of Cathy Moore Hunter; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 9/10/2015  |
| 69. | Letter re: please advise when the subpoena has been prepared; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 9/14/2015  |
| 70. | <b>Order No. 4</b> — Scheduling Telephonic Prehearing Conference; C. Bell (SOAH)   | 9/18/2015  |
| 71. | Letter re: please advise if a prehearing telephonic conference is still necessary; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 9/18/2015  |
| 72. | Subpoena (Cathy Moore Hunter); K. Qualtrough (SOAH)  | 9/23/2015  |
| 73. | Joint Motion to Modify Procedural Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 9/24/2015  |
| 74. | Amended Certificate of Conference for Joint Motion to Modify Procedural Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 9/25/2015  |
| 75. | <b>Order No. 5</b> — Denying Motion to Modify Procedural Schedule; C. Bell (SOAH)  | 9/30/2015  |
| 76. | Motion to Quash Deposition of Gregory W. Adams, P.E.; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 10/5/2015  |
| 77. | Joint Motion to Modify Procedural Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 10/7/2015  |
| 78. | Amended Certificate of Conference for Joint Motion to Modify Procedural Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 10/10/2015 |
| 79. | Motion to Quash Deposition of Russell Marusak; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 10/12/2015 |

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| 80.   | <b>Order No. 6</b> — Granting Motion to Modify Procedural Schedule, Scheduling Evidentiary Hearing, and Denying Motion to Quash as Moot; K. Qualtrough (SOAH)  | 10/12/2015 |
| 81.   | Withdrawal of Motion to Quash Deposition of Russell Marusak; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 10/12/2015 |
| 82.   | TJFA, LP's Motion to Clarify Party Status; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 10/20/2015 |
| 83.   | Applicant's Response to TJFA, L.P.'s Motion to Clarify Party Status; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 10/27/2015 |
| 84.   | <b>Order No. 7</b> — Granting Motion to Clarify Party Status; K. Qualtrough (SOAH)   | 10/29/2015 |
| 85.   | TJFA, LP & Environmental Protection in the Interest of Caldwell County's Motion to Compel Discovery Responses; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 11/4/2015  |
| 86.   | Applicant's Response to TJFA, L.P. and Environmental Protection in the Interest of Caldwell County's Motion to Compel Discovery Responses; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 11/9/2015  |
| 87.   | Protestant TJFA, LP's Motion to Compel Application to Produce Documents and Answer Interrogatories; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 11/12/2015 |
| 88.   | TJFA, LP's & Environmental Protection in the Interest of Caldwell County's Motion to Compel Access to Property or in the Alternative, Motion for Sanctions due to Spoliation of Evidence; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 11/16/2015 |
| <b>DOCUMENTS - VOLUME 20, ITEMS 89 - 92</b> |  |            |
| 89.   | <b>Order No. 8</b> — Denying Motion to Compel; K. Qualtrough (SOAH)  | 11/23/2015 |
| 90.   | Applicant's Preliminary Response to TJFA, L.P.'s and Environmental Protection in the Interest of Caldwell County's Motion to Compel Access to Property or in the Alternative, Motion for Sanctions due to Spoliation of Evidence; B. Ryan (Attorney for 130 Environmental Park, LLC) | 11/24/2015 |
| 91.   | Letter re: protestants intend to file a reply to applicant's response on or before December 4, 2015; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 12/1/2015  |

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| 92.  | Applicant's Response to Protestant TJFA, LP's Motion to Compel Applicant to Produce Documents and Answer Interrogatories; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 12/1/2015  |
| <b>DOCUMENTS - VOLUME 21, ITEMS 93 - 96</b>  |   |            |
| 93.  | TJFA, LP's & EPICC'S Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions Due to Spoliation of Evidence; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 12/4/2015  |
| 94.  | TJFA, LP's & Environmental Protection in the Interest of Caldwell County's Motion to Quash the Deposition of Bob Harden, P.E.; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 12/8/2015  |
| 95.  | Applicant's Response to TJFA, L.P.'s and Environmental Protection in the Interest of Caldwell County's Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions due to Spoliation of Evidence; B. Ryan (Attorney for 130 Environmental Park, LLC)              | 12/9/2015  |
| 96.  | Protestants TJFA, LP & EPICC's Motion to Extend the Deadlines for Discovery; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 12/10/2015 |
| <b>DOCUMENTS - VOLUME 22, ITEMS 97 - 113</b> |   |            |
| 97.  | <b>Order No. 9</b> — Scheduling Prehearing Conference; K. Qualtrough (SOAH)   | 12/11/2015 |
| 98.  | Applicant's Response to Protestants' (TJFA, LP & EPICC) Motion to Extend the Deadline for Discovery; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 12/15/2015 |
| 99.  | Applicant's Supplemental Response to TJFA, L.P.'s and Environmental Protection in the Interest of Caldwell County's Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions Due to Spoliation of Evidence; B. Ryan (Attorney for 130 Environmental Park, LLC) | 1/6/2016   |
| 100.   | <b>Order No. 10</b> - Dispositions on Motions and Rescheduling Hearing on the Merits; K. Qualtrough (SOAH)  | 1/8/2016   |
| 101.   | <b>Order No. 11</b> — Correcting Dates Hearing on the Merits; K. Qualtrough (SOAH)  | 1/14/2016  |
| 102.   | Applicant's Motion to Require Split Samples of Material to be Tested and Request for Expedited Consideration/Hearing; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 1/21/2016  |
| 103.   | Motion to Quash Deposition of Biggs & Mathews Environmental, Inc.; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 1/21/2016  |

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| 104.  | TJFA, LP's and EPICC'S Response to Applicant's Motion to Require Split Samples of Material to be Tested and Request for Expedited Consideration/Hearing; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 1/22/2016 |
| 105.  | TJFA, LP's and EPICC's Response to Applicant's Motion to Require Split Samples of Material to be Tested and Request for Expedited Consideration/Hearing; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 1/22/2016 |
| 106.  | Request for Subpoena of Cathy Moore Hunter; B. Rockwell (Frederick, Perales, Allmon & Rockwell, P.C. [Attorney for TJFA, L.P. & EPICC])   | 1/26/2016 |
| 107.  | <b>Order No. 12</b> — Granting Motion to Require Split Samples; K. Qualtrough (SOAH)  | 1/26/2016 |
| 108.  | Applicant's Response to Request for Subpoena of Cathy Moore Hunter, Request to Deny TJFA/EPICC'S Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions Due to Spoliation of Evidence, and Motion to Set Prehearing Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC) | 1/28/2016 |
| 109.  | Notice of Oral and Document Deposition of Ernest Kaufman; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 1/28/2016 |
| 110.  | Notice of Oral Deposition and Deposition Duces Tecum of Stefan Stamoulis; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 1/28/2016 |
| 111.  | Notice of Oral Deposition and Deposition Duces Tecum of H.C. Clark; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 1/29/2016 |
| 112.  | <b>Order No. 13</b> — Scheduling a Prehearing Conference and Granting Motion to Quash Deposition; K. Qualtrough (SOAH)  | 2/1/2016  |
| 113.  | Protestant, TJFA, LP's First Amended Motion to Compel Applicant to Produce documents and Answer Interrogatories; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 2/1/2016  |
| <b>DOCUMENTS - VOLUME 23, ITEMS 114 - 140</b> |   |           |
| 114.  | Applicant's Motion for Protective Order; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/1/2016  |
| 115.  | Motion to Quash Deposition of Ernest Kaufman; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/2/2016  |
| 116.  | Notice of Oral Deposition of Kenneth J. Welch and Subpoena Duces Tecum; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/2/2016  |

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| <b>117.</b> | Notice of Oral Deposition of Heath Parker and Subpoena Duces Tecum; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/2/2016 |
| <b>118.</b> | Notice of Oral Deposition of William F. "Bill" Hodges, P.E. and Subpoena Duces Tecum; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/2/2016 |
| <b>119.</b> | TJFA, LP's & EPICC'S Second Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions Due to Spoliation of Evidence and Request for a Hearing; M. Perales (Attorney for TJFA, L.P. & EPICC) | 2/3/2016 |
| <b>120.</b> | Applicant's Response to TJFA/EPICC'S Second Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions Due to Spoliation of Evidence; B. Ryan (Attorney for 130 Environmental Park, LLC)     | 2/3/2016 |
| <b>121.</b> | Motion to Quash Deposition of H.C. Clark; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/3/2016 |
| <b>122.</b> | Notice of Oral Deposition of John Michael Snyder, P.G. and Subpoena Duces Tecum; B. Rockwell (Attorney for TJFA, L.P. & EPICC)  | 2/5/2016 |
| <b>123.</b> | Notice of Oral Deposition of Kenneth J. Welch and Subpoena Duces Tecum; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/5/2016 |
| <b>124.</b> | Notice of Oral Deposition of Heath Parker and Subpoena Duces Tecum; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/5/2016 |
| <b>125.</b> | Motion to Quash Deposition of William F. "Bill" Hodges; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/5/2016 |
| <b>126.</b> | TJFA, LP & EPICC'S Reply to Applicant's Response to Request for Subpoena of Cathy Moore Hunter; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/5/2016 |
| <b>127.</b> | Motion to Quash Deposition of Kenneth Welch; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/5/2016 |
| <b>128.</b> | Motion to Quash Deposition of Heath Parker; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/5/2016 |
| <b>129.</b> | Cathy Moore Hunter's Response in Opposition to Protestants' Request for Second Deposition; D. Richards (Richards Rodriguez & Skeith LLP [Attorney for Cathy Hunter])  | 2/8/2016 |
| <b>130.</b> | TJFA, LP & EPICC'S Second Amended Motion to Compel Response to Applicant's Motion for Protective Order, and Objections to "Attachments" to Motion for Protective Order; M. Perales (Attorney for TJFA, L.P. & EPICC)      | 2/9/2016 |

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| 131.  | Applicant's Supplemental Response to TJFA/EPICC'S Second Amended Motion to Compel Access to Property or in the Alternative, Motion for Sanctions Due to Spoliation of Evidence; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/9/2016  |
| 132.  | Motion to Quash Deposition of John Michael Snyder, P.G.; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/10/2016 |
| 133.  | Amended Motion to Quash Deposition of John Michael Snyder, P.G.; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/10/2016 |
| 134.  | Applicant's Second Motion for Protective Order; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/11/2016 |
| 135.  | Motion to Quash Deposition of Kenneth Welch; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 2/11/2016 |
| 136.  | Motion to Quash Deposition of Heath Parker; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/11/2016 |
| 137.  | Motion to Quash Deposition of William F. "Bill" Hodges; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/11/2016 |
| 138.  | <b>Order No. 14</b> — Memorializing Prehearing Conference; Granting Motion to Compel Access; Denying Request for Subpoena; Ruling on Motion to Compel and Motion for Protective Order; Setting Hearing on Motions to Quash; and Setting Additional Procedural Requirements; K. Qualtrough (SOAH) | 2/12/2016 |
| 139.  | Letter re: two versions of 130 Environmental Park, LLC's proposed order regarding site access and hearing schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/12/2016 |
| 140.  | Protestants TJFA, LP & EPICC'S Response to Applicant 130 Environmental Park LLC's Motions to Quash Depositions of William F. "Bill" Hodges, Ernest Kaufman, Heath Parker, Kenneth Welch, and H.C. Clark; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 2/12/2016 |
| <b>DOCUMENTS - VOLUME 24, ITEMS 141 - 153</b> |  |           |
| 141.  | Letter re: proposed order addressing Protestants' Second Amended Motion to Compel Access to Property, including a proposed procedural schedule; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 2/12/2016 |
| 142.  | Protestants TJFA, LP & EPICC'S Response to Motion to Quash Deposition of John Michael Snyder, P.G.; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 2/12/2016 |



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| 143.  | TJFA, LP & EPICC'S Brief on the Timing for a Ruling on Applicant's Second Motion for Protective Order; B. Rockwell (Attorney for TJFA, L.P. & EPICC)  | 2/18/2016 |
| 144.  | Rule 11 Agreement Regarding Time and Location of Certain Depositions; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 2/19/2016 |
| 145.  | Rule 11 Agreement Regarding Splitting Samples; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 2/19/2016 |
| 146.  | Applicant's Objections to TJFA, L.P.'s and Environmental Protection in the Interest of Caldwell County's Proposed Order Granting Site Access and Adopting Procedural Schedule or, in the Alternative, Proffer of Competing Proposed Order; B. Ryan (Attorney for 130 Environmental Park, LLC) | 2/22/2016 |
| 147.  | Letter, re: Corrected Order Granting Protestants' Motion Compelling Site Access; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 2/22/2016 |
| 148.  | Letter, re: Request to Consider Objections to TJFA Request for Production; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/23/2016 |
| 149.  | <b>Order No. 15</b> — Scheduling Prehearing Conference and Adopting Procedural Schedule; K. Qualtrough (SOAH)   | 2/24/2016 |
| 150.  | Relevancy Brief on Documents Sought from Ernest C. Kaufman; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/26/2016 |
| 151.  | Notice of Appearance of Brad Rockwell; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 2/26/2016 |
| 152.  | TJFA, L.P. and Environmental Protection in the Interest of Caldwell County's Motion to Compel Ernest C. Kaufman to Answer Deposition Questions; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/26/2016 |
| 153.  | Supplemental Brief of TJFA and EPICC Relating to Hearing of Friday February 26, 2016; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 2/29/2016 |
| <b>DOCUMENTS - VOLUME 25, ITEMS 154 - 178</b> |   |           |
| 154.  | Applicant's Response to TJFA, L.P. and Environmental Park in the Interest of Caldwell County's Motion to Compel Ernest C. Kaufmann to Answer Deposition Questions; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 2/29/2016 |
| 155.  | <b>Order No. 16</b> — Ruling on Pending Objections and Discovery Motions and Canceling Prehearing Conference; K. Qualtrough (SOAH)  | 3/2/2016  |

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| 156. | Motion for Clarification of Order No. 12 Regarding Split Samples; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 3/17/2016 |
| 157. | Applicant's Motion to Compel TJFA, L.P. and Aligned Protestants to Comply with Order No. 12 Regarding Splitting of Samples, Responses to Interrogatories, and Production of Documents and Tangible Things; B. Ryan (Attorney for 130 Environmental Park, LLC)               | 3/17/2016 |
| 158. | Protestants' Responses, Objections, and Special Exceptions to Applicant's Motion to Compel TJFA, L.P. and Aligned Protestants to Comply with Order No. 12 Regarding Splitting of Samples and to Respond to Discovery Requests; M. Perales (Attorney for TJFA, L.P. & EPICC) | 3/24/2016 |
| 159. | Applicant's Amended Motion to Compel TJFA, L.P. and Aligned Protestants to Comply with Order No. 12 Regarding Splitting of Samples, Responses to Interrogatories, and Production of Documents and Tangible Things; B. Ryan (Attorney for 130 Environmental Park, LLC)       | 3/24/2016 |
| 160. | Applicant's Response to Motion for Clarification of Order No. 12 Regarding Split Samples; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 3/24/2016 |
| 161. | Motion to Reconsider TJFA, L.P. and Environmental Protection in the Interest of Caldwell County's Motion to Compel Ernest C. Kaufmann to Answer Deposition Questions; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   | 3/28/2016 |
| 162. | Protestants' Amended Motion for Clarification of Order No. 12 Regarding Split Samples; B. Rockwell (Attorney for TJFA, L.P. & EPICC)  | 3/29/2016 |
| 163. | Applicant's Request for Hearing on Pending Motions; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 3/29/2016 |
| 164. | Protestants' Response to Applicant's Request for Hearing on Pending Motions; B. Rockwell (Attorney for TJFA, L.P. & EPICC)  | 3/30/2016 |
| 165. | <b>Order No. 17</b> — Setting Prehearing Conference; K. Qualtrough (SOAH)   | 3/31/2016 |
| 166. | Applicant's Response to Motion to Reconsider TJFA, L.P. and Environmental Protection in the Interest of Caldwell County's Motion to Compel Ernest C. Kaufman to Answer Deposition Questions; B. Ryan (Attorney for 130 Environmental Park, LLC)                             | 4/4/2016  |

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| <b>167.</b>                                   | Protestants' Supplemental Response to Applicant's Motion to Compel TJFA, L.P. and Aligned Protestants to Respond to Discovery Requests; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 4/5/2016  |
| <b>168.</b>                                   | Applicant's Response to Protestants' Amended Motion for Clarification of Order No. 12 Regarding Split Samples; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 4/5/2016  |
| <b>169.</b>                                   | TJFA, L.P.'s & Environmental Protection in the Interest of Caldwell County's Motion to Quash the Deposition of Michael Rubinov; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 4/13/2016 |
| <b>170.</b>                                   | TJFA, L.P.'s & Environmental Protection in the Interest of Caldwell County's Motion to Quash the Deposition of Lauren Ross; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 4/13/2016 |
| <b>171.</b>                                   | TJFA, L.P.'s & Environmental Protection in the Interest of Caldwell County's Motion to Quash the Deposition of Bob Harden; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 4/13/2016 |
| <b>172.</b>                                   | TJFA, L.P.'s & Environmental Protection in the Interest of Caldwell County's Motion to Quash the Deposition of Scott Courtney; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 4/13/2016 |
| <b>173.</b>                                   | <b>Order No. 18</b> — Memorializing Prehearing Conference; K. Qualtrough (SOAH)  | 4/13/2016 |
| <b>174.</b>                                   | Applicant's Motion to Compel Production and for Modification of Procedural Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 4/14/2016 |
| <b>175.</b>                                   | Applicant's Request for Hearing; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 4/15/2016 |
| <b>176.</b>                                   | <b>Order No. 19</b> — Ruling on Motions; K. Qualtrough (SOAH)  | 4/20/2016 |
| <b>177.</b>                                   | Applicant's Motion to Compel Production of Geophysical Logging Data, Testifying Expert Materials, Answers to Deposition Questions, and for Sanctions or, Alternatively, Modification of Procedural Schedule (April 21, 2016); B. Ryan (Attorney for 130 Environmental Park, LLC) | 4/21/2016 |
| <b>178.</b>                                   | Protestants' Response to Applicant's Motion to Compel Production and for Modification of Procedural Schedule; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 4/22/2016 |
| <b>DOCUMENTS - VOLUME 26, ITEMS 179 - 203</b> |  |           |
| <b>179.</b>                                   | Protestants EPICC'S and TJFA'S Motion for Protective Order for Michael Miller and Response to Applicant's Motion to Compel   | 4/26/2016 |

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|             | Answers to Deposition Questions; B. Rockwell (Attorney for TJFA, L.P. & EPICC)   |           |
| <b>180.</b> | <b>Order No. 20</b> — Scheduling Hearing on Motions; K. Qualtrough (SOAH)  | 4/27/2016 |
| <b>181.</b> | Protestants' Response to Applicant's Motion to Compel Production of Geophysical Logging Data, Testifying Expert Materials, Answers to Deposition Questions, and for Sanctions, or Alternatively, Modification of Procedural Schedule; M. Perales (Attorney for TJFA, L.P. & EPICC) | 4/28/2016 |
| <b>182.</b> | Letter re: request for delay in issuing order regarding applicant's motion to compel production of protestants' soil samples for analysis; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 4/29/2016 |
| <b>183.</b> | <b>Order No. 21</b> — Ruling on Pending Motions; K. Qualtrough (SOAH)  | 4/29/2016 |
| <b>184.</b> | <b>Order No. 22</b> — Withdrawing Order No. 21 and Ruling on Pending Motions; K. Qualtrough (SOAH)   | 4/29/2016 |
| <b>185.</b> | Unopposed Motion to Modify Procedural Schedule; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 5/20/2016 |
| <b>186.</b> | <b>Order No. 23</b> — Granting Motion to Modify Procedural Schedule; K. Qualtrough (SOAH)  | 5/23/2016 |
| <b>187.</b> | Applicant 130 Environmental Park, LLC Exhibit List; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 5/23/2016 |
| <b>188.</b> | <b>Order No. 24</b> — Granting Motion to Modify Procedural Schedule; K. Qualtrough (SOAH)  | 6/16/2016 |
| <b>189.</b> | Motion to Quash Deposition of Wm. Feathergail Wilson, P.G.; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 6/21/2016 |
| <b>190.</b> | Amended Motion to Quash Deposition of Wm. Feathergail Wilson, P.G.; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 6/21/2016 |
| <b>191.</b> | Second Amended Motion to Quash Deposition of Wm. Feathergail Wilson, P.G.; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 6/21/2016 |
| <b>192.</b> | Motion to Quash Deposition of Wm. Feathergail Wilson, P.G. Pursuant to June 21, 2016 Amended Notice of Oral Deposition; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 6/21/2016 |
| <b>193.</b> | Letter re: request for immediate ruling on motion to quash deposition; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 6/22/2016 |

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| 194.  | Table of Contents for Prefiled Testimony of Protestants TJFA & EPICC (Vols. 60-64); M. Perales (Attorney for TJFA, L.P. & EPICC)  | 6/27/2016 |
| 195.  | Summary of Caldwell County's Prefiled Testimony and Exhibits (Vol. 58); E. Magee (Attorney for Caldwell County)   | 6/27/2016 |
| 196.  | Table of Contents for Prefiled Testimony of Johnie Halliburton for Plum Creek Conservation District (Vol. 60); R. Wilson (Attorney for PCCD)  | 6/27/2016 |
| 197.  | Protestants TJFA, LP & EPICC'S Response to Applicant 130 Environmental Park LLS'S Motion to Quash Deposition of Feathergail Wilson; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 6/29/2016 |
| 198.  | Table of Contents and Summary for Executive Director's Prefiled Testimony and Exhibits (Vol. 58); A. Tatu (TCEQ)  | 7/12/2016 |
| 199.  | Executive Director's Notice of Addition of Counsel; A. Vargas (TCEQ)  | 7/13/2016 |
| 200.  | Unopposed Motion to Modify Procedural Schedule; E. Magee (Attorney for Caldwell County)   | 7/15/2016 |
| 201.  | <b>Order No. 25</b> — Rescheduling Prehearing Conference; K. Qualtrough (SOAH)  | 7/22/2016 |
| 202.  | Joint Caldwell County, TJFA, LP and Environmental Protection in the Interest of Caldwell County Objections to, and Motion to Strike, Prefiled Testimony; M. Perales (Attorney for TJFA, L.P. & EPICC)                                     | 7/26/2016 |
| 203.  | Applicant 130 Environmental Park, LLC'S Objections to Prefiled Testimony and Exhibits of TJFA, L.P. and Environmental Park in the Interest of Caldwell County; B. Ryan (Attorney for 130 Environmental Park, LLC)                         | 7/26/2016 |
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| 205.  | Errata Sheet of Caldwell County, TJFA, L.P., and Environmental Protection in the Interest of Caldwell County Objection to Prefiled Testimony & Exhibits of Applicant and Executive Director; M. Perales (Attorney for TJFA, L.P. & EPICC) | 8/1/2016  |
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| 208.  | Executive Director's Response to Caldwell County, TJFA, L.P., and Environmental Protection in the Interest of Caldwell County's Objections to and Motion to Strike the Prefiled Testimony of TCEQ Expert Witnesses; A. Tatu (TCEQ)                              | 8/3/2016   |
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| 210.  | TJFA, L.P. & Environmental Protection in the Interest of Caldwell County's Request for Subpoena of Feathergail Wilson, P.G.; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 8/8/2016   |
| 211.  | Subpoena [Feathergail Wilson]; K. Qualtrough (SOAH)   | 8/11/2016  |
| 212.  | <b>Order No. 26</b> — Rulings on Objections and Motion to Strike; K. Qualtrough (SOAH)  | 8/11/2016  |
| 213.  | Subpoena [Jessica Neyman]; K. Qualtrough (SOAH)   | 8/17/2016  |
| 214.  | <b>Order No. 27</b> — Setting Briefing Schedule; C. Bell (SOAH)   | 8/29/2016  |
| 215.  | TJFA, L.P. and Environmental Protection in the Interest of Caldwell County's Unopposed Motion for Extension of Time to File Closing Arguments; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 10/17/2016 |
| 216.  | <b>Order No. 28</b> — Granting Motion for Extension of Time; C. Bell (SOAH)   | 10/18/2016 |
| 217.  | TJFA, LP's & Environmental Protection in the Interest of Caldwell County's (and Aligned Individual Protestants') Closing Arguments; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 10/24/2016 |
| 218.  | Caldwell County's Closing Arguments; E. Magee (Attorney for Caldwell County)  | 10/24/2016 |
| 219.  | Applicant's Written Closing Argument; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 10/24/2016 |

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| 220.  | Office of Public Interest Counsel's Closing Brief; A. Tucker (Office of Public Interest Counsel [OPIC])  | 10/24/2016 |
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| 221.  | Motion to Admit Into Evidence Invoices for Reporting and Transcription Costs; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 10/24/2016 |
| 222.  | Executive Director's Closing Arguments; A. Tatu (TCEQ)   | 10/24/2016 |
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| 225.  | <b>Order No. 30</b> — Granting Agreed Motion to Extend Time for Filing Responses to Closing Arguments; C. Bell (SOAH)  | 11/17/2016 |
| 226.  | Letter re: the Executive Director has no exceptions to the filings by the other parties and has determined that his original closing arguments are sufficient to address the issues that were raised during the contested case hearing; A. Tatu (TCEQ) | 11/22/2016 |
| 227.  | Plum Creek Conservation District's Response to Applicant's Closing Argument; R. Wilson (Attorney for PCCD)   | 11/28/2016 |
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| 229.  | Caldwell County's Response to Closing Brief of Applicant 130 Environmental Park L.L.C.; E. Magee (Attorney for Caldwell County)  | 11/28/2016 |
| 230.  | TJFA, LP's & Environmental Protection in the Interest of Caldwell County's (and Aligned Individual Protestants') Response to Closing Arguments; M. Perales (Attorney for TJFA, L.P. & EPICC)   | 11/28/2016 |
| 231.  | Applicant's Response to Closing Arguments; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 11/28/2016 |
| 232.  | Applicant's Response to TJFA/EPICC Motion to Reopen the Record for Admission of Affidavit of Patton Spencer King; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 12/5/2016  |
| 233.  | <b>Order No. 31</b> — Reply Briefs and Admission of Evidence; C. Bell (SOAH)   | 12/7/2016  |
| 234.  | Motion to Admit Affidavit of David Green; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 12/13/2016 |

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| 235.                                   | Letter re: Order No. 31, regarding a deadline to file reply briefs; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 12/14/2016 |
| 236.                                   | <b>Order No. 32</b> — Deadline for Reply Briefs and Admission of Evidence; C. Bell (SOAH)   | 12/15/2016 |
| 237.                                   | Applicant's Reply Brief; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 12/22/2016 |
| 238.                                   | TJFA, LP's & Environmental Protection in the Interest of Caldwell County's (and Aligned Individual Protestants' Reply to Responses to Closing Arguments); M. Perales (Attorney for TJFA, L.P. & EPICC)            | 12/22/2016 |
| 239.                                   | Motion to Strike Portions of Applicant's Response to Closing Arguments; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 12/22/2016 |
| 240.                                   | Caldwell County's Reply to Responses to Closing Arguments; E. Magee (Attorney for Caldwell County)  | 12/22/2016 |
| 241.                                   | Motion to Re-Open the Record to Admit Protestants' Exhibit P-47 & P-48; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 12/22/2016 |
| 242.                                   | Errata for TJFA, LP's & Environmental Protection in the Interest of Caldwell County's (and Aligned Individual Protestants') Reply to Responses to Closing Arguments; M. Perales (Attorney for TJFA, L.P. & EPICC) | 12/22/2016 |
| 243.                                   | Applicant's Response to TJFA/EPICC's Motion to Strike Portions of Applicant's Response to Closing Arguments; B. Ryan (Attorney for TJFA, L.P. & EPICC)  | 12/27/2016 |
| 244.                                   | Applicant's Response to TJFA/EPICC's Motion to Re-Open the Record to Admit Protestants' Exhibit P-47 & P-48; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 12/28/2016 |
| 245.                                   | TJFA, L.P. & EPICC's Reply to Applicant's Response to TJFA/EPICC's Motion to Strike Portions of Applicant's Response to Closing Arguments; M. Perales (Attorney for TJFA, L.P. & EPICC)                           | 1/4/2017   |
| 246.                                   | TJFA, L.P. & EPICC's Reply to Applicant's Response to TJFA/EPICC's Motion to Reopen the Record to Admit Protestants' Exhibits P-47 & P-48; M. Perales (Attorney for TJFA, L.P. & EPICC)                           | 1/5/2017   |
| 247.                                   | Letter re: change of address; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 2/1/2017   |
| 248.                                   | Proposal for Decision and Order; K. Qualtrough (SOAH)   | 2/17/2017  |



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| <b>249.</b>                                   | TJFA, L.P.'s & Environmental Protection in the Interest of Caldwell County's Unopposed Motion for Extension of Time to File Exceptions and Replies to Exceptions to the Proposal for Decision; M. Perales (Attorney for TJFA, L.P. & EPICC) | 3/7/2017  |
| <b>250.</b>                                   | Letter, re: extension of deadlines to file exceptions and replies; T. Royall (TCEQ General Counsel)   | 3/9/2017  |
| <b>251.</b>                                   | Executive Director's Exceptions to Proposal for Decision and Order; A. Tatu (TCEQ)  | 3/10/2017 |
| <b>252.</b>                                   | Office of Public Interest Counsel's Exceptions to Proposal for Decision; A. Tucker (OPIC)   | 3/13/2017 |
| <b>253.</b>                                   | TJFA, L.P.'s & Environmental Protection in the Interest of Caldwell County's Exceptions to the Proposal for Decision; M. Perales (Attorney for TJFA, L.P. & EPICC)  | 3/13/2017 |
| <b>254.</b>                                   | Caldwell County's Exceptions to the Proposal for Decision; E. Magee (Attorney for Caldwell County)  | 3/13/2017 |
| <b>DOCUMENTS - VOLUME 32, ITEMS 255 - 259</b> |   |           |
| <b>255.</b>                                   | 130 Environmental Park, LLC's Exceptions to the Administrative Law Judges' Proposal for Decision; B. Ryan (Attorney for 130 Environmental Park, LLC)  | 3/13/2017 |
| <b>256.</b>                                   | TJFA, LP's & Environmental Protection in the Interest of Caldwell County's (and Aligned Individual Protestants') Reply to Exceptions to the Proposal for Decision; M. Perales (Attorney for TJFA, L.P. & EPICC)                             | 3/23/2017 |
| <b>257.</b>                                   | Caldwell County's Responses to Exceptions to the Proposal for Decision; E. Magee (Attorney for Caldwell County)   | 3/23/2017 |
| <b>258.</b>                                   | Applicant's Replies to Exceptions; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 3/23/2017 |
| <b>259.</b>                                   | Letter, re: Exceptions to Proposal for Decision; C. Bell (SOAH)   | 5/10/2017 |
| <b>DOCUMENTS - VOLUME 33, ITEMS 260 - 269</b> |   |           |
| <b>260.</b>                                   | Letter, re: notification of unavailability of counsel; E. Allmon (Attorney for TJFA, L.P. & EPICC)  | 5/25/2017 |
| <b>261.</b>                                   | Letter, re: vacation notice; E. Magee (Attorney for Caldwell County)  | 7/3/2017  |
| <b>262.</b>                                   | Letter, re: agenda setting letter; B. Bohac (TCEQ Chief Clerk)  | 7/14/2017 |

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| 263. | TCEQ Interoffice Memorandum, re: updated contact information for applicant; from C. Goodin (TCEQ) to B. Bohac (TCEQ Chief Clerk)  | 9/13/2017  |
| 264. | <b>TCEQ Order</b> – Granting the Application by 130 Environmental Park, LLC, for a new Type I Municipal Solid Waste Landfill in Caldwell County, Texas; B. Shaw, Ph.D., P.E., Chairman (TCEQ) | 9/18/2017  |
| 265. | Letter, re: notification of decision of the commission on application; B. Bohac (TCEQ Chief Clerk)  | 9/20/2017  |
| 266. | TJFA's LP, EPICC's, and Aligned Individual Protestants' Motion for Rehearing of the Commission's Order Granting Issuance of MSW Permit No. 2383; M. Perales (Attorney for TJFA, L.P. & EPICC) | 10/13/2017 |
| 267. | Applicant's Reply to Motion for Rehearing; B. Ryan (Attorney for 130 Environmental Park, LLC)   | 10/30/2017 |
| 268. | Letter, re: Motion for Rehearing was overruled by operation of law; T. Royall (TCEQ General Counsel)  | 11/20/2017 |
| 269. | Letter, re: enclosed is a signed copy of the permit; B. Bohac (TCEQ Chief Clerk)  | 12/12/2017 |

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| Section 2   | ADDITIONAL DOCUMENTS/GUIDANCE DOCUMENTS   |  |
| ADDITIONAL DOCUMENTS/GUIDANCE DOCUMENTS – VOLUMES 34 – 36, ITEM 270 |   |  |
| 270.  | Technically Complete Application, Volume 1  |  |
| ADDITIONAL DOCUMENTS/GUIDANCE DOCUMENTS – VOLUMES 37 – 38, ITEM 271 |   |  |
| 271.  | Technically Complete Application, Volume 2  |  |
| ADDITIONAL DOCUMENTS/GUIDANCE DOCUMENTS – VOLUMES 39 – 40, ITEM 272 |   |  |
| 272.  | Technically Complete Application, Volume 3  |  |
| ADDITIONAL DOCUMENTS/GUIDANCE DOCUMENTS – VOLUME 41, ITEM 273       |   |  |
| 273.  | Technically Complete Application, Volume 4  |  |
| ADDITIONAL DOCUMENTS/GUIDANCE DOCUMENTS – VOLUMES 42, ITEM 274      |   |  |
| 274.  | Technically Complete Application, Volume 5  |  |
| Section 3   | EXHIBITS  |  |
| EXHIBITS – VOLUME 43, ITEMS APPLICANT EX. 1 – ED-D                  |   |  |
| Preliminary Hearing   |   |  |
| Applicant’s Exhibits  |   |  |
| Applicant Ex. 1   | Affidavit of Mailed Notice of Hearing   |  |
| Applicant Ex. 2   | Affidavit of Publication for Municipal Solid Waste Permit Application   |  |
| Applicant Ex. 3   | Notice of Hearing   |  |
| Applicant Ex. 4   | Affidavit of Publication for Municipal Solid Waste Permit Application   |  |
| Applicant Ex. 5   | Notice of Hearing   |  |
| Applicant Ex. 6   | Notice of Application and Opportunity to Request a Public Meeting for a New Municipal Solid Waste Facility Registration Application No. 40269 |  |
| Applicant Ex. 7   | Registration for MSW Management Site  |  |
| Caldwell County’s Exhibits  |   |  |
| Caldwell Ex. 1  | Order to Adopt Ordinance Prohibiting Solid Waste Disposal in Caldwell County  |  |
| Caldwell Ex. 2  | Notice of Meeting Commissioners Court of Caldwell County, Texas   |  |

| <b>Executive Director's Exhibits</b>                          |   |  |
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| <b>ED-A</b>   | Attached mailing list provides the persons to whom the notice of the public hearing for 130 Environmental Park, LLC was mailed February 4, 2015 |  |
| <b>ED-B</b>   | Affidavit of Publication for Municipal Solid Waste Permit Application   |  |
| <b>ED-C</b>   | Affidavit of Publication for Municipal Solid Waste Permit Application   |  |
| <b>ED-D</b>   | Affidavit of Mailed Notice of Hearing   |  |
| <b>HEARING ON THE MERITS</b>                                  |   |  |
| <b>Applicant's Exhibits</b>                                   |   |  |
| <b>EXHIBITS - VOLUMES 44 - 46, ITEMS 130EP-1 - 130EP-2</b>    |   |  |
| <b>130EP-1</b>  | TCEQ Permit Application No. MSW 2383; Volume 1 of 5 (with Revisions made)   |  |
| <b>EXHIBITS - VOLUME 47, ITEMS 130EP-2, cont'd. - 130EP-3</b> |   |  |
| <b>130EP-2</b>  | TCEQ Permit Application No. MSW 2383; Volume 2 of 5 (with Revisions made)   |  |
| <b>EXHIBITS - VOLUME 48, ITEM 130EP-3, cont'd.</b>            |   |  |
| <b>130EP-3</b>  | TCEQ Permit Application No. MSW 2383; Volume 3 of 5   |  |
| <b>EXHIBITS - VOLUME 49, ITEM 130EP-4</b>                     |   |  |
| <b>130EP-4</b>  | TCEQ Permit Application No. MSW 2383; Volume 4 of 5; October 28, 2014   |  |
| <b>EXHIBITS - VOLUME 50, ITEMS 130EP-5 - 130EP-6</b>          |   |  |
| <b>130EP-5</b>  | TCEQ Permit Application No. MSW 2383; Volume 5 of 5   |  |
| <b>130EP-6</b>  | Supplemental Submittal - March 2015   |  |
| <b>EXHIBITS - VOLUME 51, 130EP-7 - 130EP-14</b>               |   |  |
| <b>130EP-7</b>  | Supplemental Submittal - May, 2016  |  |
| <b>130EP-8</b>  | Registration for MSW Management Site Transfer Station<br>Registration No. 40269   |  |
| <b>130EP-9</b>  | Affidavit of William Johnson; Dallas Aerial Surveys, Inc.   |  |
| <b>130EP-10</b>   | Affidavit of Thomas D. Baker, P.E.; LandTec Engineers, LLC  |  |
| <b>130EP-11</b>   | Affidavit of Thomas D. Baker, P.E.; LandTec Engineers, LLC  |  |
| <b>130EP-12</b>   | Affidavit of Jon Hodde, R.P.L.S.; Hodde & Hodde Land Surveying, Inc.  |  |
| <b>130EP-13</b>   | Release of Right-of-Way XX  |  |
| <b>130EP-14</b>   | Releases of Easements; May 12, 2016   |  |
| <b>EXHIBITS - VOLUME 52, 130EP-15 - 130EP-39</b>              |   |  |
| <b>130EP-15</b>   | Standard Permit; Certification and General Operating Permit Application   |  |
| <b>130EP-16</b>   | Standard Permit Registration Number: 135020   |  |
| <b>130EP-17</b>   | General Operating Permit Authorization to Operate   |  |
| <b>130EP-18</b>   | Declaration and Memorandum of Option Agreement for the Sale and Purchase of Real Estate   |  |

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| 130EP-19   | Non-Material Correction Affidavit under Sec. 5.028, Texas Property Code   |  |
| 130EP-20   | Regional Solid Waste Management Plan Capital Area Council of Governments  |  |
| 130EP-21   | Capital Area Council of Governments CAPCOG Conformance Review   |  |
| 130EP-22   | Biggs & Mathews Environmental Preliminary Site Investigation  |  |
| 130EP-23   | Email Chance Goodin to Beth Floyd   |  |
| 130EP-24   | Biggs & Mathews Environmental Existing Conditions Floodplain Workmap  |  |
| 130EP-25   | Biggs & Mathews, Inc. 100-year Floodplain   |  |
| 130EP-26   | Protestants' Exhibit 5-Y Proposed Drainage Structure Plan and 100-year Floodplain                                 |  |
| 130EP-27   | Protestants' Exhibit 5-AG Facility Site Plan and 100-year Floodplain  |  |
| 130EP-28   | FEMA Flood Insurance Rate Map 1999  |  |
| 130EP-29   | FEMA Flood Insurance Rate Map 1999 Partial - Enlarged   |  |
| 130EP-30   | Exhibit 130EP-1, Page 130 Applicant's FEMA Floodplain - Partial Enlarged Landfill Footprint and Limits of Grading |  |
| 130EP-31   | Applicant's FEMA Floodplain-Partial Enlarged Landfill Footprint and Limits of Grading                             |  |
| 130EP-32   | Google Earth 2013-1   |  |
| 130EP-33   | Google Earth 2013-2   |  |
| 130EP-34   | Google Earth 2016-1   |  |
| 130EP-35   | Google Earth 2016-2   |  |
| 130EP-36   | Google Earth 2016-3   |  |
| 130EP-37   | Glenrose Engineering, Inc., Letter to Wedo and Featherston  |  |
| 130EP-38   | URS Corporation Letter to Ross  |  |
| 130EP-39   | City of Jacksboro, IESI, TX Landfill, LP and TCEQ v. Two Bush Community Action Group, Ct. App., Austin, 2012      |  |
| <b>EXHIBITS - VOLUME 53, ITEMS 130EP-40 - WORRALL 11</b> |   |  |
| 130EP-40   | Rubinov 000620 - 000662 Map and Notes   |  |
| 130EP-41   | TR-55 Chapter 5   |  |
| 130EP-42   | TR-55 Appendix B  |  |
| 130EP-43   | TR-55 Appendix F  |  |
| 130EP-44   | Protestants' Exhibit 6-D Mark-up by Rubinov   |  |
| 130EP-45   | Email from Courtney to Miller, Courtney Deposition Exhibit 8  |  |
| 130EP-46   | Courtney Map of Locations, Courtney Deposition Exhibit 10   |  |
| 130EP-47   | Bowman Consulting - Bratton Letter to Caldwell County Commissioners Court   |  |
| 130EP-48   | Polonia Water Supply Corporation Letter to Green Group Holdings   |  |
| 130EP-49   | Biggs & Mathews, Inc. 100 YR Flood Plain Exhibit 5 to Bratton Deposition  |  |

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| <b>130EP-50</b>   | Biggs & Mathews, Inc. 100 YR Flood Plain Exhibit 4 to Bratton Deposition            |  |
| <b>130EP-51</b>   | 130 EP 2013 Borings Features Noted on Logs  |  |
| <b>130EP-52</b>   | 130 EP Piezometer Depths  |  |
| <b>130EP-53</b>   | "State of the Art: Limit Equilibrium and Finite-Element Analysis of Slopes", Duncan |  |
| <b>130EP-54</b>   | Railroad Commission of Texas Forms W-1 and W-3                                      |  |
| <b>130EP-55</b>   | Photographs, BME 43 U11B, BME 7A U17 30'-32'  |  |
| <b>130EP-56</b>   | State of Texas Well Report, P-4   |  |
| <b>130EP-57</b>   | State of Texas Well Report, P-7   |  |
| <b>130EP-58</b>   | State of Texas Well Report, P-9   |  |
| <b>130EP-59</b>   | State of Texas Well Report, P-16  |  |
| <b>130EP-60</b>   | Kennedy Reporting Service Invoices pages 1-10                                       |  |
| <b>130EP-61</b>   | Affidavit of David Green  |  |
| <b>Worrall 1</b>  | Direct Testimony - John A. Worrall  |  |
| <b>Worrall 2</b>  | John A. Worrall - Resume  |  |
| <b>Worrall 3</b>  | Updated Land Use Analysis   |  |
| <b>Worrall 4</b>  | Northbound Car Tour Video (could not burn DVD)                                      |  |
| <b>Worrall 5</b>  | Northbound Car Tour Narration Transcript  |  |
| <b>Worrall 6</b>  | Northbound Car Tour Map (could not burn DVD)  |  |
| <b>Worrall 7</b>  | Southbound Car Tour Video   |  |
| <b>Worrall 8</b>  | Southbound Car Tour Narration Transcript  |  |
| <b>Worrall 9</b>  | Southbound Car Tour Map   |  |
| <b>Worrall 10</b>   | Landscape Screening Plan  |  |
| <b>Worrall 11</b>   | Visual Simulations  |  |
| <b>EXHIBITS - VOLUME 54, ITEMS HALLIBURTON 1 - SNYDER 3</b> |   |  |
| <b>Halliburton 1</b>  | Oral Deposition of Johnie Halliburton   |  |
| <b>Halliburton 2</b>  | Exhibit 1 to Halliburton Deposition   |  |
| <b>Halliburton 3</b>  | Exhibit 2 to Halliburton Deposition   |  |
| <b>Halliburton 4</b>  | Exhibit 3 to Halliburton Deposition   |  |
| <b>Halliburton 5</b>  | Exhibit 4 to Halliburton Deposition   |  |
| <b>Halliburton 6</b>  | Exhibit 5 to Halliburton Deposition   |  |
| <b>Halliburton 7</b>  | Exhibit 6 to Halliburton Deposition   |  |
| <b>Halliburton 8</b>  | Exhibit 7 to Halliburton Deposition   |  |

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| <b>Halliburton 9</b>                                   | Exhibit 8 to Halliburton Deposition   |  |
| <b>Halliburton 10</b>                                  | Exhibit 9 to Halliburton Deposition   |  |
| <b>Halliburton 11</b>                                  | Exhibit 10 to Halliburton Deposition  |  |
| <b>Halliburton 12</b>                                  | Exhibit 11 to Halliburton Deposition  |  |
| <b>Welch 1</b>   | Direct Testimony of Kenneth J. Welch, P.E.  |  |
| <b>Welch 2</b>   | Kenneth J. Welch, P.E. - Resume   |  |
| <b>Maroney 1</b>                                       | Direct Testimony of Kerry D. Maroney, P.E., R.P.L.S.  |  |
| <b>Maroney 2</b>                                       | Kerry D. Maroney, P.E., R.P.L.S. - Resume   |  |
| <b>Maroney 3</b>                                       | Application Replaced Pages  |  |
| <b>Snyder 1</b>  | Direct Testimony of John Michael Snyder, P.G.   |  |
| <b>Snyder 2</b>  | John Michael Snyder, P.G. - Resume  |  |
| <b>Snyder 3</b>  | Geology and Ground-Water Resources of Caldwell County, Texas<br>May 1947 Ground-Water Resources of Caldwell County, Texas<br>January 1966 |  |
| <b>EXHIBITS - VOLUME 55, ITEMS SNYDER 4 - SNYDER 7</b> |   |  |
| <b>Snyder 4</b>  | Ground-Water Resources of Caldwell County, Texas January 1966   |  |
| <b>Snyder 5</b>  | Hydrogeology of Heterogeneous Alluvium in the Leona Aquifer, Caldwell County, Texas   |  |
| <b>Snyder 6</b>  | Photos BME -37 A-4 4' - 6';<br>BME-37 U8 10' - 12';<br>BME-37 U33 60'-62'   |  |
| <b>Snyder 7</b>  | Photos BME-37 U-16<br>26'-28'   |  |
| <b>EXHIBITS - VOLUME 56, ITEMS ADAMS 1 - TRAW 2</b>    |   |  |
| <b>Adams 1</b>   | Direct Testimony of Gregory W. Adams, P.E.  |  |
| <b>Adams 2</b>   | Gregory W. Adams, P.E. - Resume   |  |
| <b>Adams 3</b>   | General Site Plan   |  |
| <b>Adams 4</b>   | Landfill Completion Plan  |  |
| <b>Adams 5</b>   | Plasticity Chart  |  |
| <b>Parker 1</b>  | Direct Testimony of J. Heath Parker, P.E.   |  |
| <b>Parker 2</b>  | J. Heath Parker - Resume  |  |
| <b>Parker 3</b>  | Revised Traffic Impact Analysis Transmittal   |  |
| <b>Parker 4</b>  | Revised 130 Environmental Park Traffic Impact Analysis  |  |
| <b>Parker 5</b>  | Permit [Application] to Construct Access Driveway Facilities on Highway Right of Way  |  |
| <b>Parker 6</b>  | Permit to Construct Access Driveway Facilities on Highway Right of Way  |  |
| <b>Traw 1</b>  | Direct Testimony of Tyson L. Traw, P.E.   |  |
| <b>Traw 2</b>  | Tyson L. Traw - Resume  |  |

| <b>EXHIBITS - VOLUME 57, ITEMS MARUSAK 1 - HOBBY 5</b> |   |  |
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| <b>Marusak 1</b>                                       | Direct Testimony of Russell Marusak   |  |
| <b>Marusak 2</b>                                       | Russell Marusak - Resume  |  |
| <b>Marusak 3</b>                                       | Correspondence with USACE   |  |
| <b>Marusak 4</b>                                       | Nationwide Permit (NWP) Pre-Construction Notification (PCN)   |  |
| <b>Skinner 1</b>                                       | Direct Testimony of S. Alan Skinner, PhD  |  |
| <b>Skinner 2</b>                                       | S. Alan Skinner, PhD - Resume   |  |
| <b>O'Brien 1</b>                                       | Direct Testimony of Martha A. O'Brien   |  |
| <b>O'Brien 2</b>                                       | Martha A. O'Brien - Resume  |  |
| <b>Hobby 1</b>   | Direct Testimony of B. Jeffery Hobby, P.E.  |  |
| <b>Hobby 2</b>   | B. Jeffrey Hobby, P.E. - Resume   |  |
| <b>Hobby 3</b>   | Municipal Solid Waste in Texas: A Year in Review, Fiscal Year 2011 Data Summary and Analysis                            |  |
| <b>Hobby 4</b>   | Municipal Solid Waste in Texas: A Year in Review, Fiscal Year 2012 Data Summary and Analysis                            |  |
| <b>Hobby 5</b>   | Municipal Solid Waste in Texas: A Year in Review, Fiscal Year 2013 Data Summary and Analysis                            |  |
| <b>EXHIBITS - VOLUME 58, ITEMS HOBBY 6 - ED-SO-6</b>   |   |  |
| <b>Hobby 6</b>   | Municipal Solid Waste in Texas: A Year in Review, Fiscal Year 2014 Data Summary and Analysis                            |  |
| <b>Denholm 1</b>                                       | Direct Testimony of John P. Denholm, P.E., PTOE   |  |
| <b>Denholm 2</b>                                       | John P. Denholm - Resume  |  |
| <b>Caldwell County's Exhibits</b>                      |   |  |
| <b>Caldwell-1</b>                                      | Direct Prefiled Testimony and Exhibits of Tracy Bratton   |  |
| <b>Caldwell-2</b>                                      | Resolution in Opposition to the Application by 130 Environmental Park for Municipal Solid Waste Landfill Permit NO.2383 |  |
| <b>Caldwell-3</b>                                      | Order to Adopt Ordinance Prohibiting Solid Waste Disposal in Caldwell County  |  |
| <b>Caldwell-4</b>                                      | Notice of Meeting, Commissioners Court of Caldwell County, Texas and Minutes from March 16, 2015                        |  |
| <b>Caldwell-5</b>                                      | Texas Motor Vehicle Crash Statistics Report, Intersection US 183/SH 130   |  |
| <b>Caldwell-6</b>                                      | Drainage Area Calculations (C1-B-23) (130EP-2, p. 106)  |  |
| <b>Caldwell-7</b>                                      | Existing Condition Offsite Drainage Map (C1-B-6) (130EP-2, p.88)  |  |
| <b>Caldwell-8</b>                                      | Drainage Area Calculations (Preliminary Plat)   |  |
| <b>Caldwell-9</b>                                      | Drainage Areas, Preliminary Engineering Plan  |  |
| <b>Executive Director's Exhibits</b>                   |   |  |
| <b>ED-SO-1</b>   | Steve Odil's Prefiled Testimony   |  |
| <b>ED-SO-2</b>   | Steve Odil's Resume   |  |
| <b>ED-SO-3</b>   | Notice of Deficiency  |  |
| <b>ED-SO-4</b>   | Notice of Deficiency  |  |
| <b>ED-SO-5</b>   | Notice of Deficiency  |  |



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| ED-SO-6   | Notice of Deficiency  |  |
| <b>EXHIBITS - VOLUME 59, ITEMS ED-SO-7 - ED-AA-6</b>          |   |  |
| ED-SO-7   | Administrative/Technical Review Checklists  |  |
| ED-SO-8   | OCC Package   |  |
| ED-SO-9   | ED's Amended Response to Comments   |  |
| ED-AA-1   | Arten Avakian's Prefiled Testimony  |  |
| ED-AA-2   | Arten Avakian's Resume  |  |
| ED-AA-3   | Water Well Drillers and Water Well Pump Installers Rules in Title 16 TAC 76.104   |  |
| ED-AA-4   | Water Well Drillers and Water Well Pump Installers Rules in Title 16 TAC 76.104   |  |
| ED-AA-5   | Soil Boring Plan Review Procedures  |  |
| ED-AA-6   | Texas Water Development Board Report 345  |  |
| <b>Plum Creek Conservation District's Exhibits</b>            |   |  |
| <b>EXHIBITS - VOLUME 60, ITEMS PCCD 1.0 - PROTESTANTS 2-B</b> |   |  |
| PCCD 1.0  | Prefiled Testimony of Johnie Halliburton  |  |
| PCCD 1.1  | PCCD Easements for Site 21 in Caldwell County   |  |
| PCCD 1.2  | Original 1960 Plum Creek Watershed Work Plan  |  |
| PCCD 1.3  | Initial 1960 NRCS & Plum Creek Conservation District Local Sponsor Agreement Pertaining to Site 21                                    |  |
| PCCD 1.4  | Three sheets of the "as built" Site 21 structure drawings showing elevations  |  |
| PCCD 1.5  | 2014 Dam Inspection Report for Site 21  |  |
| PCCD 1.6  | Excerpts from recent Final Report on Rehabilitation of Site 21  |  |
| PCCD 7  | Map   |  |
| PCCD 8  | Photos of Damage to Spillway at Site 21, June 30, 2016 (Re-marked as Protestants Exhibit No. 44)                                      |  |
| <b>Protestants' [TJFA, L.P. &amp; EPICC] Exhibits</b>         |   |  |
| Protestants 1   | Prefiled Testimony of Patton King   |  |
| Protestants 1-A   | Photographs of flooded well and flooded Lazy K Ranch  |  |
| Protestants 1-B   | Texas Board of Water Engineers, Geology and Ground-Water Resources of Caldwell County, Texas well list and description                |  |
| Protestants 1-C   | Texas Water Development Board Report 12, Ground-Water Resources of Caldwell County, excerpts identifying King wells and water quality |  |
| Protestants 1-D   | FEMA Floodplain map with the proposed landfill site boundaries  |  |
| Protestants 1-E   | Fault line with proposed landfill site boundaries   |  |

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| <b>Protestants<br/>1-F</b>  | 1948 and 1949 fault line maps  |  |
| <b>Protestants<br/>1-G</b>  | 3D visual with elevations, showing visibility of proposed landfill site  |  |
| <b>Protestants<br/>1-H</b>  | Photographs of sunset from Lazy K Ranch  |  |
| <b>Protestants<br/>1-I</b>  | Wild critters near proposed landfill site and on Lazy K Ranch  |  |
| <b>Protestants<br/>1-J</b>  | Feral hog hunt and hog run near proposed landfill site and on Lazy K Ranch   |  |
| <b>Protestants<br/>2</b>  | Prefiled Testimony of Byron Friedrich  |  |
| <b>Protestants<br/>2-A</b>  | Photographs depicting flooding in Caldwell County  |  |
| <b>Protestants<br/>2-B</b>  | Traffic Photographs  |  |
| <b>EXHIBITS - VOLUME 61, ITEMS PROTESTANTS 3 - PROTESTANTS 4-A</b>  |  |  |
| <b>Protestants<br/>3</b>  | Prefiled Testimony of Jessica Neyman   |  |
| <b>Protestants<br/>3-A</b>  | Image showing distance of landfill to school   |  |
| <b>Protestants<br/>3-B</b>  | Review of Demographic Information  |  |
| <b>Protestants<br/>3-C</b>  | LISD Elementary Enrollment and Capacity  |  |
| <b>Protestants<br/>3-D</b>  | Site Acquisition Report  |  |
| <b>Protestants<br/>3-E</b>  | KXAN News Article  |  |
| <b>Protestants<br/>3-F</b>  | Site Layout Plan for Alms Brewer Strawn Elementary   |  |
| <b>Protestants<br/>3-G</b>  | 2017 State Water Plan (Texas Water Development Board)  |  |
| <b>Protestants<br/>4</b>  | Prefiled Testimony of Leslie Holder  |  |
| <b>Protestants<br/>4-A</b>  | Email dated April 6, 2016 (with attachments)   |  |
| <b>EXHIBITS - VOLUME 62, ITEMS PROTESTANTS 5 - PROTESTANTS 5-AG</b> |  |  |
| <b>Protestants<br/>5</b>  | Prefiled Testimony of Dr. Lauren Ross, P.E.  |  |
| <b>Protestants<br/>5-A</b>  | Resume of Dr. Lauren Ross  |  |
| <b>Protestants<br/>5-B</b>  | Texas Engineering Practice Act and Rules Concerning the Practice of Engineering and Professional Engineering Licensure |  |

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| <b>Protestants<br/>5-C</b> | Texas Administrative Code Title 22 Part 39 §851.106<br>“Responsibility to the Regulation of the Geoscience Profession<br>and Public Protection”  |  |
| <b>Protestants<br/>5-D</b> | ASTM D3740-12a “Standard Practice for Minimum<br>Requirements for Agencies Engaged in Testing and/or<br>Inspection of Soil and Rock as Used in Engineering design and<br>Construction” |  |
| <b>Protestants<br/>5-E</b> | ASTM D5434-12 “Standard Guide for Field Logging of<br>Subsurface Explorations of Soil and Rock”  |  |
| <b>Protestants<br/>5-F</b> | Oral and Videotaped Deposition of Gregory W. Adams<br>(condensed)  |  |
| <b>Protestants<br/>5-G</b> | Oral and Videotaped Deposition of Tyson Traw, P.E. (condensed)   |  |
| <b>Protestants<br/>5-H</b> | Oral and Videotaped Deposition of John Michael Snyder<br>(condensed)   |  |
| <b>Protestants<br/>5-I</b> | Proposed 130 Environmental Park Landfill Mapped Geology  |  |
| <b>Protestants<br/>5-J</b> | Plum Creek Reservoir 21 Plan and Profile Sheets 1 through 3  |  |
| <b>Protestants<br/>5-K</b> | Table of Application Wetland Determination Sampling Points<br>Indicating Cobble in the Subsurface and Map  |  |
| <b>Protestants<br/>5-L</b> | Summary of Archeological Shovel Test Descriptions and Map  |  |
| <b>Protestants<br/>5-M</b> | Ross Photographs of Surface Gravel and Map   |  |
| <b>Protestants<br/>5-N</b> | Photographs Illustrating Lithologic Discontinuities Not<br>Represented in the October 2014 Technically Complete Permit<br>Applicationl   |  |
| <b>Protestants<br/>5-O</b> | Summary of Laboratory Test Results for Protestants’ Borings  |  |
| <b>Protestants<br/>5-P</b> | Summary of Fractures and Fissures Observed in Protestants’<br>and Applicant’s Supplementary Boreholes  |  |
| <b>Protestants<br/>5-Q</b> | Protestants’ 2016 Field Investigation (map)  |  |
| <b>Protestants<br/>5-R</b> | Protestants’ 2016 Field Investigation (report)   |  |
| <b>Protestants<br/>5-S</b> | Applicant’s 2013 Borings BME-07, BME-26, BME-27 and BME-32<br>Compared to Protestants’ Geotechnical Results in Nearby<br>Borings   |  |
| <b>Protestants<br/>5-T</b> | Wells in the Vicinity of the Proposed 130 Environmental Park<br>Landfill   |  |
| <b>Protestants<br/>5-U</b> | Table of Borings in Close Proximity with<br>Weathered/Unweathered<br>Contact Elevations Differences  |  |

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| <b>Protestants<br/>5-V</b>  | Oral and Videotaped Deposition of Stefan Stamoulis (condensed)  |  |
| <b>Protestants<br/>5-W</b>  | Map of Piezometer Bottom Elevations   |  |
| <b>Protestants<br/>5-X</b>  | Plum Creek Watershed Floodwater Retarding Structure No. 21 Dam Assessment Report  |  |
| <b>Protestants<br/>5-Y</b>  | Proposed Drainage Structure Plan and 100-year Floodplain  |  |
| <b>Protestants<br/>5-Z</b>  | Comparison of Detention Pond Berm Elevations and Adjacent 100-Year Flood Water Elevations   |  |
| <b>Protestants<br/>5-AA</b>                                       | Comparison of Effective Flood Insurance Rate Map and Adjusted Base Flood Elevation Map for Location near Hays and Caldwell County Lines |  |
| <b>Protestants<br/>5-AB</b>                                       | Applicant's Photograph of Surface Gravel  |  |
| <b>Protestants<br/>5-AC</b>                                       | Measurement in Medicine: the Analysis of Method Comparison Studies  |  |
| <b>Protestants<br/>5-AD</b>                                       | Major Aquifer Outcrop in the Vicinity of the Proposed 130 Environmental Park LLC Landfill   |  |
| <b>Protestants<br/>5-AE</b>                                       | Landfill Excavation Cross Sections and Historical High Groundwater Level Measured in Applicant's Piezometers                            |  |
| <b>Protestants<br/>5-AF</b>                                       | Federal Insurance and Mitigation Administration Policy  |  |
| <b>Protestants<br/>5-AG</b>                                       | Facility Site Plan and 100-year Floodplain  |  |
| <b>EXHIBITS - VOLUME 63, ITEMS PROTESTANTS 6 - PROTESTANTS 11</b> |   |  |
| <b>Protestants<br/>6</b>  | Prefiled Testimony of Michael Rubinov, P.G.   |  |
| <b>Protestants<br/>6-A</b>  | Resume of Michael Rubinov, P.G.   |  |
| <b>Protestants<br/>6-B</b>  | Map of boring locations   |  |
| <b>Protestants<br/>6-C</b>  | Summary of Soil Samples   |  |
| <b>Protestants<br/>6-D</b>  | Boring Logs by Mike Rubinov   |  |
| <b>Protestants<br/>6-E</b>  | Lab Test Results with Chart   |  |
| <b>Protestants<br/>6-F</b>  | Photos of soil samples  |  |
| <b>Protestants<br/>6-G</b>  | Depth to Top of Unweathered Contact in Proximal Borings   |  |
| <b>Protestants<br/>7</b>  | Prefiled Testimony of Craig Scott Courtney, P.G.  |  |

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| <b>Protestants<br/>7-A</b>   | Resume of Craig Scott Courtney  |  |
| <b>Protestants<br/>7-B</b>   | ASTM D1587 Standard Practice for Thin-Walled Tube Sampling of Fine-Grained Soils for Geotechnical Purposes. |  |
| <b>Protestants<br/>7-C</b>   | ASTM 1586 Standard Test Method for Standard Penetration Test (SPT) and Split-Barrel Sampling of Soils       |  |
| <b>Protestants<br/>7-D</b>   | ASTM 5434 Standard Guide for Field Logging of Subsurface Explorations of Soil and Rock                      |  |
| <b>Protestants<br/>8</b>   | Deposition of William Feathergail Wilson  |  |
| <b>Protestants<br/>9</b>   | Prefiled Testimony of Robert W. Harden  |  |
| <b>Protestants<br/>9-A</b>   | Resume of Robert W. Harden  |  |
| <b>Protestants<br/>9-B</b>   | Unit Hydrograph   |  |
| <b>Protestants<br/>9-C</b>   | Natural Resources Conservation Service, "Urban Hydrology for Small Watersheds", TR-55, excerpt              |  |
| <b>Protestants<br/>9-D</b>   | General Topographic Map (Drawing IA.3, p. 60 of Applicant's Ex. 130EP-1)                                    |  |
| <b>Protestants<br/>9-E</b>   | FEMA Floodplain Map (Drawing C2-A-1, p. 258 of Applicant's Ex. 130EP-2)                                     |  |
| <b>Protestants<br/>9-F</b>   | General Site Plan (Drawing IA.6, p. 63 of Applicant's Ex. 130EP-1)  |  |
| <b>Protestants<br/>10</b>  | Deposition of David Green   |  |
| <b>Protestants<br/>11</b>  | Deposition of Ernest Kaufmann Vol. 1 and Vol. 2   |  |
| <b>EXHIBITS - VOLUME 64, ITEMS PROTESTANTS 12 - PROTESTANTS 36</b> |   |  |
| <b>Protestants<br/>12</b>  | Withdrawn   |  |
| <b>Protestants<br/>13</b>  | Withdrawn   |  |
| <b>Protestants<br/>14</b>  | Withdrawn   |  |
| <b>Protestants<br/>15</b>  | Withdrawn   |  |
| <b>Protestants<br/>16</b>  | Certification of Kenneth Benion   |  |
| <b>Protestants<br/>17</b>  | Document entitled, "Deported Nazi Scientist Still Has Many Supporters"                                      |  |
| <b>Protestants<br/>18</b>  | July 26, 2016, correspondence to Mr. De Los Santos  |  |

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| <b>Protestants<br/>19</b>  | Soil Survey Map (Parker Depo Ex. 4)   |  |
| <b>Protestants<br/>20</b>  | Landfill Completion Plan  |  |
| <b>Protestants<br/>21</b>  | BME Response to NOD dated February 14, 2014                                     |  |
| <b>Protestants<br/>22</b>  | BME Response to NOD Dated June 27, 2014   |  |
| <b>Protestants<br/>23</b>  | BME Response to NOD Dated August 1, 2014  |  |
| <b>Protestants<br/>24</b>  | BME Response to NOD Dated September 24, 2014                                    |  |
| <b>Protestants<br/>25</b>  | October 17, 2014, correspondence to Mr. Odil from Biggs & Mathews Environmental |  |
| <b>Protestants<br/>26</b>  | March 17, 2015 correspondence to Mr. Odil from Biggs & Mathews Environmental    |  |
| <b>Protestants<br/>27</b>  | AR Consultants Field Notes by Molly Hall  |  |
| <b>Protestants<br/>28</b>  | AR Consultants Field Notes by Nick Coleman                                      |  |
| <b>Protestants<br/>29</b>  | Highway Capacity Manual (Denholm Depo. Ex. 2)                                   |  |
| <b>Protestants<br/>30</b>  | Draft Permit (also ED-SO-8)   |  |
| <b>Protestants<br/>31</b>  | Affidavit of John Michael Snyder (Pintail Landfill)                             |  |
| <b>Protestants<br/>32</b>  | Letter to Ernest Kaufman from Earl Lott dated October 5, 2015                   |  |
| <b>Protestants<br/>33</b>  | BME Boring Plan Submittal dated August 30, 2013                                 |  |
| <b>Protestants<br/>34</b>  | BME Boring Plan Submittal dated September 16, 2013                              |  |
| <b>Protestants<br/>35</b>  | Letter from TCEQ to Ernest Kaufman 10/10/2013                                   |  |
| <b>Protestants<br/>36</b>  | Letter to Ernest Kaufman from Marisa Perales dated March 20, 2014               |  |
| <b>EXHIBITS - VOLUME 65, ITEMS PROTESTANTS 37 - PROTESTANTS 46</b> |   |  |
| <b>Protestants<br/>37</b>  | Selected Boring Logs from Pintail Landfill                                      |  |
| <b>Protestants<br/>38</b>  | Selected Drillers' Logs from Pintail Landfill                                   |  |
| <b>Protestants<br/>39</b>  | Amended Proposal for Decision for IESI TX Landfill                              |  |

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| Protestants<br>40                            | TCEQ General TPDES Permit  |  |
| Protestants<br>41                            | U.S. Climatology   |  |
| Protestants<br>42                            | Demonstrative Site Slope Stability and Failure Drawing (Oversized)                   |  |
| Protestants<br>43                            | Excerpt of Regional Supplement to the Corps  |  |
| Protestants<br>44                            | Photos of Damage to Spillway at Site 21, June 30, 2016 (Previously Plum Creek Ex. 8) |  |
| Protestants<br>45                            | General Site Plan (New Boston Landfill)  |  |
| Protestants<br>46                            | Affidavit of Patton Spencer King   |  |
| Section 4                                    | TRANSCRIPTS  |  |
| TRANSCRIPTS – VOLUME 66, ITEMS Tr. A – Tr. 1 |  |  |
| Tr. A  | Prehearing Conference, March 26, 2015  |  |
| Tr. 1  | Hearing on the Merits, August 15 – 26, 2016, Volume 1                                |  |
| TRANSCRIPTS – VOLUME 67, ITEM Tr. 2          |  |  |
| Tr. 2  | Hearing on the Merits, August 15 – 26, 2016, Volume 2                                |  |
| TRANSCRIPTS – VOLUME 68, ITEM Tr. 3          |  |  |
| Tr. 3  | Hearing on the Merits, August 15 – 26, 2016, Volume 3                                |  |
| TRANSCRIPTS – VOLUME 69, ITEM Tr. 4          |  |  |
| Tr. 4  | Hearing on the Merits, August 15 – 26, 2016, Volume 4                                |  |
| TRANSCRIPTS – VOLUME 70, ITEM Tr. 5          |  |  |
| Tr. 5  | Hearing on the Merits, August 15 – 26, 2016, Volume 5                                |  |
| TRANSCRIPTS – VOLUME 71, ITEM Tr. 6          |  |  |
| Tr. 6  | Hearing on the Merits, August 15 – 26, 2016, Volume 6                                |  |
| TRANSCRIPTS – VOLUME 72, ITEM Tr. 7          |  |  |
| Tr. 7  | Hearing on the Merits, August 15 – 26, 2016, Volume 7                                |  |
| TRANSCRIPTS – VOLUME 73, ITEM Tr. 8          |  |  |
| Tr. 8  | Hearing on the Merits, August 15 – 26, 2016, Volume 8                                |  |
| TRANSCRIPTS – VOLUME 74, ITEM Tr. 9          |  |  |
| Tr. 9  | Hearing on the Merits, August 15 – 26, 2016, Volume 9                                |  |
| TRANSCRIPTS – VOLUME 75, ITEM Tr. 10         |  |  |
| Tr. 10                                       | Hearing on the Merits, August 15 – 26, 2016, Volume 10                               |  |
| Section 5                                    | CDs  |  |

| CDs – VOLUME 76, ITEMS CD-1 – CD-3       |  |                          |
|--|--|--------------------------|
| CD-1                                     | Public Meeting <i>[Note: this item contains two discs]</i><br>a) Informal<br>b) Formal | 6/12/2014                |
| CD-2                                     | Public Meeting <i>[Note: this item contains two discs]</i><br>a) Informal<br>b) Formal | 1/8/2015                 |
| CD-3                                     | Commission Agenda  | 9/6/2017                 |
| Section 6                                | PUBLIC COMMENT LETTERS   |                          |
| PUBLIC COMMENT LETTERS – VOLUMES 77 – 78 |  |                          |
|  | Public Comment Letters & Hearing Requests  | 10/8/2013 –<br>12/7/2017 |