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**To:** [CHIEFCLK](#)  
**Cc:** [Save Burnet; Fermin Ortiz Double O](#)  
**Subject:** Addendum to MTO permit number 176835 Burnet Texas  
**Date:** Friday, March 7, 2025 12:52:23 PM  
**Attachments:** [Ltr TCEQ MTO ADDENDUM.pdf](#)

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Mr. Patterson,

With the assistance of Public Interest Counsel and much time trying to understand the TCEQ website and filing system, I was able to locate Dr. Mitchell's report stamped "Received" December 10th. Therefore, it important to correct the record as to when the report was furnished to TCEQ. This addendum attempts to do so. Please file it along with the other documents.

Also after a struggle I found where my MTO was filed. However not all attachments are visible. It was perhaps the file size of the video's that make them inaccessible. Can you please check that?

Thanks

Larry

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March 7, 2025

Commissioners  
Texas Commission on Environmental Quality  
Austin, Texas  
VIA Email: Chiefclk@TCEQ.Texas.gov

Reference: Addendum to Motion to Overturn; Permit Application 176835 Asphalt Inc. LLC, Burnet County, Texas

Dear Gentlemen and Ladies,

I write on behalf of Randy Printz and Nan Manning of Camp Longhorn (established 1939) both “affected neighbors” as well as the other 4,200 Texas citizens working together as SaveBurnet.com, a Texas non-profit corporation. This shall serve as an addendum to the Motion to Overturn filed by me on March 3, 2025.

Further searching in the TCEQ data base has revealed that TCEQ did indeed have a copy of the Dr. David Mitchell’s report on February 10<sup>th</sup> before the Public Meeting commenced. It was attached to an intake form completed by Justin Shrader, a participant at the Public Meeting. It can be found in the comments data base under Mr. Shrader’s name and file stamped “Received”. Still complicating this matter further is that this copy was not the copy handed to the moderator. That copy of the report had 10-15 Power Point slides that Mr. Shrader intended to present before he was told he would only have 2 minutes to speak.

The Power Point slides supported and explained in layman’s terms the report so the report is the best evidence of Dr. Mitchell’s actual opinions, analysis and calculations. Therefore, TCEQ personnel had two copies of the report and all the evidence is that no one read the report, analyzed same, or commented on it either internally or in the ED’s response. Certainly, this report required analysis and a technical response. But there is nothing; not even a footnote. The evidence remains that ED’s staff failed in their task to present the ED and the public at large with an informed, thoughtful, and accurate accounting and analysis of all of the public’s comments; in particular Dr. Mitchell’s report.

Sincerely,

