

SOAH DOCKET NO. 582-23-15496
TCEQ DOCKET NO. 2022-1553-WDW

APPLICATION BY § BEFORE THE STATE OFFICE
URANIUM ENERGY CORP. § OF
FOR PERMITS WDW423 & WDW424 § ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S MOTION TO RESCHEDULE PRELIMINARY HEARING

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

The Executive Director of the Texas Commission on Environmental Quality (TCEQ) files this Motion to Reschedule Preliminary Hearing on the application by Uranium Energy Corp. for a renewal and amendment of injection well Permits WDW423 and WDW424.

The TCEQ Office of the Chief Clerk (OCC) filed a request to docket the above referenced application with the State Office of Administrative Hearings (SOAH), coordinated with SOAH to determine a time and place for the hearing, and issued public notice of the hearing required by 30 TAC § 39.651(f).¹ SOAH acquired jurisdiction over the above reference application upon OCC filing a request to docket the case.²

The Executive Director was informed that the notice of hearing was defective because it contained a typographical error in the access code for SOAH's Zoom meeting. According to OCC staff, participants would not be able to access the Zoom meeting using this incorrect access code, and no one would be able to participate in the preliminary hearing that is scheduled for May 30 at 10:00 a.m. To cure the notice defect, a revised notice of hearing must be issued and mailed by OCC and published by the applicant. The date of the preliminary hearing must be rescheduled to allow adequate time for the applicant to publish revised notice of hearing, with a working Zoom meeting access code once each week during the three weeks preceding the hearing in compliance with 30 Tex. Admin. Code § 39.651(f)(2)(C). The known parties to this contested case hearing are the TCEQ Office of Public Interest Counsel, the applicant, Uranium Energy Corp., the TCEQ Executive Director, and the Goliad County Groundwater Conservation District.³

¹ Title 30 Tex. Admin. Code § 80.6(b)(1) - (3).

² Title 1 Tex. Admin. Code § 155.51(a).

³ Interim Order in TCEQ Docket No. 2022-1553-WDW, signed December 20, 2022.

The Executive Director requests that SOAH reschedule the preliminary hearing by coordinating a new date and time with OCC and issuing instructions regarding the preliminary hearing Zoom meeting to enable OCC to issue a revised notice of hearing.

The Executive Director requests this relief in the interest of justice and not to prejudice any party to this proceeding.

Respectfully Submitted,

Texas Commission on Environmental Quality

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REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that, on May 11, 2023, the “Executive Director’s Motion to Reschedule Preliminary Hearing” on the application by Uranium Energy Corp. for a renewal and amendment of injection well Permits WDW423 and WDW424. was filed with the TCEQ’s Office of the Chief Clerk and that a complete copy was served to all persons listed on the attached mailing list via the methods indicated.



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SOAH Docket No. 582-23-15496
TCEQ Docket No. 2022-1553-WDW; TCEQ Permit Nos. WDW423 and WDW424

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FOR THE STATE OFFICE OF
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The Honorable Administrative Law
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