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February 23, 2015

Via Electronic Submission and Hand Delivery

Honorable Members of the Texas Commission on Environmental Quality
c/o Bridget C. Bohac, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

RE: TCEQ Docket No. 2014-1720-MWD; In the matter of the Application of the City of Liberty Hill for TPDES Permit No. WQ0014477001 before the Texas Commission on Environmental Quality

City of Leander's Response to the Executive Director's Response to Hearing Requests

To the Honorable Members of the Texas Commission on Environmental Quality:

On behalf of the City of Leander, I hereby submit this response to the Executive Director's Response to Hearing Requests.

In its requests for hearing filed on May 30 and November 6, 2014, Leander expressly raised the issue of whether Liberty Hill's proposed wastewater treatment plant is needed. A portion of the influent that Liberty Hill will seek to treat comes from areas located within Leander's extraterritorial jurisdiction ("ETJ"). Leander intends to provide sewer service within Leander's city limits and ETJ north of the South San Gabriel. Without this influent, Liberty Hill's treatment plant may not be needed at the capacity sought in its application.

The issue of need is a relevant issue in the Commission's review of a TPDES permit application. Texas Water Code §26.0282 authorizes the Commission to deny a discharge permit application based on a consideration of need or the availability of area-wide or regional systems. The Commission's policy on regionalization (RG-357), also directs the Commission to look at the availability of regionalization in deciding whether to issue a new TPDES permit.

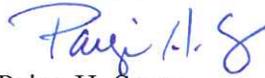
As previously stated, Leander has an agreement with a developer and the Leander Municipal

Utility District No. 3 to participate in the construction of a wastewater treatment plant that will serve up to 1740 LUE's within the portions of Leander's city limits and ETJ north of the South San Gabriel River, as shown on the attached map. The permit for the first phase of that plant has been granted.

Leander as a neighboring wastewater treatment provider has standing to raise issues relating to need and regionalization when the Commission is considering the issuance of a new TPDES permit to serve the area or region in which the neighboring provider has plans to serve.

We appreciate your consideration of our comments and request for contested case hearing.

Very truly yours,



Paige H. Saenz
City Attorney, City of Leander
State Bar No. 24026513

Encls: (1)

CC: Service List (attached)

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that on February 23, 2015, the original and seven copies of the City of Leander's Response to the Executive Director's Response to Hearing Requests were filed with the Chief Clerk of the TCEQ and a copy was served to all persons listed on the attached mailing list via facsimile transmission or by deposit in the U.S. Mail.

MAILING LIST
City of Liberty Hill
TCEQ Docket No. 2014-1720-MWD

FOR THE APPLICANT:

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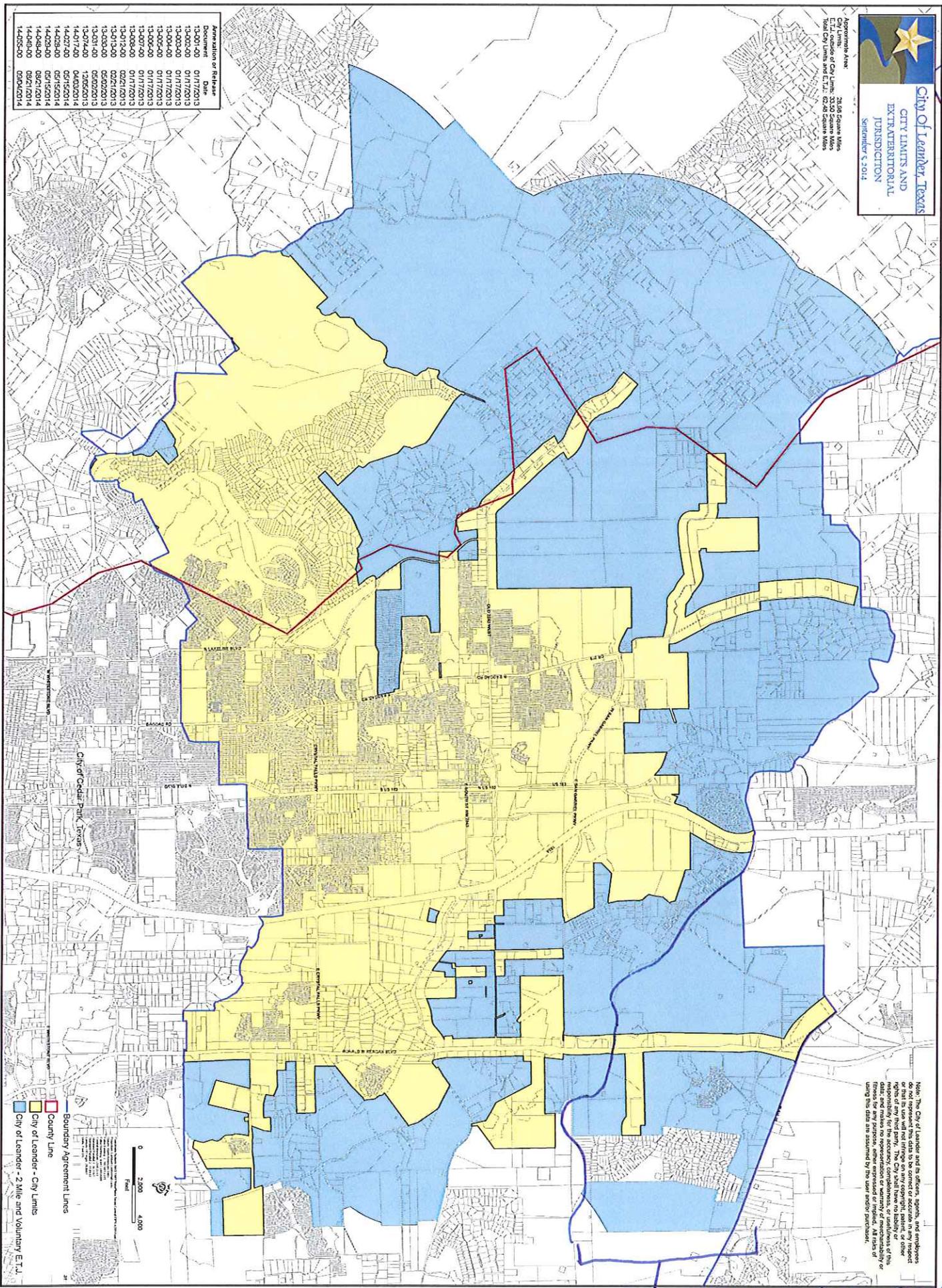
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FOR ALTERNATIVE DISPUTE RESOLUTION

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Appropriate Area: 20,000 Square Miles
 City Limits: 62.24 Square Miles
 Total City Limits and E.T.J.: 62.24 Square Miles

Acquisition or Release	Date
13,001-00	01/17/2013
13,002-00	01/17/2013
13,003-00	01/17/2013
13,004-00	01/17/2013
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Note: The City of Leander and its officers, agents, and employees do not represent this data to be correct or accurate in any respect or that its use will not result in any copyright, patent, or other responsibility for the accuracy, completeness, or usefulness of this data, and makes no representation or warranty of merchantability or fitness for any particular purpose. The user assumes all liability for using this data as presented by the user and/or publisher.

City limits + ETJ North of South San Gabriel