

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
*Protecting Texas by Reducing and Preventing Pollution*

October 7, 2014

TO: Persons on the attached mailing list.

RE: City of Liberty Hill  
TPDES Permit No. WQ0014477001

**Decision of the Executive Director.**

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** Unless a timely request for contested case hearing or reconsideration is received (see below), the TCEQ executive director will act on the application and issue the permit.

Enclosed with this letter is a copy of the Executive Director's Response to Comments. A copy of the complete application, draft permit and related documents, including public comments, is available for review at the TCEQ Central office. A copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Georgetown Public Library, 402 West 8<sup>th</sup> Street, Georgetown, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. A brief description of the procedures for these two requests follows.

**How To Request a Contested Case Hearing.**

It is important that your request include all the information that supports your right to a contested case hearing. You must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) If the request is made by a group or association, the request must identify:
  - (A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group; and

- (B) one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization's purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.
- (3) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.
- (4) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: "I request a contested case hearing."

Your request must demonstrate that you are an **"affected person."** An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities.

Your request must raise disputed issues of fact that are relevant and material to the commission's decision on this application. The request must be based on issues that were raised during the comment period. The request cannot be based solely on issues raised in comments that have been withdrawn. The enclosed Response to Comments will allow you to determine the issues that were raised during the comment period and whether all comments raising an issue have been withdrawn. The public comments filed for this application are available for review and copying at the Chief Clerk's office at the address below.

To facilitate the commission's determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director's responses to comments that you dispute; and 2) the factual basis of the dispute. In addition, you should list, to the extent possible, any disputed issues of law or policy.

### **How To Request Reconsideration of the Executive Director's Decision.**

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

## **Deadline for Submitting Requests.**

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date of this letter. You may submit your request electronically at <http://www.tceq.texas.gov/goto/comments> or by mail to the following address:

Bridget C. Bohac, Chief Clerk  
TCEQ, MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

## **Processing of Requests.**

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the alternative dispute resolution director and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

## **How to Obtain Additional Information.**

If you have any questions or need additional information about the procedures described in this letter, please call the Public Education Program, toll free, at 1-800-687-4040.

Sincerely,



Bridget C. Bohac  
Chief Clerk

BCB/ka

Enclosure

MAILING LIST  
for  
City of Liberty Hill  
TPDES Permit No. WQ0014477001

FOR THE APPLICANT:

Brian Kirk  
City of Liberty Hill  
P.O. Box 1920  
Liberty Hill, Texas 78642

Aaron Laughlin, P.E.  
Steger Bizzell  
1978 South Austin Avenue  
Georgetown, Texas 78626

PROTESTANTS/INTERESTED  
PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR  
via electronic mail:

Brian Christian, Director  
Texas Commission on Environmental  
Quality  
Environmental Assistance Division  
Public Education Program MC-108  
P.O. Box 13087  
Austin, Texas 78711-3087

Stefanie Skogen, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division MC-173  
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Austin, Texas 78711-3087

Julian Centeno, Jr., P.E., Technical Staff  
Texas Commission on Environmental  
Quality  
Water Quality Division MC-148  
P.O. Box 13087  
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL  
via electronic mail:

Vic McWherter, Attorney  
Texas Commission on Environmental  
Quality  
Public Interest Counsel MC-103  
P.O. Box 13087  
Austin, Texas 78711-3087

FOR THE CHIEF CLERK  
via electronic mail:

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

BARRICK , SALLY & WENDELL  
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LEANDER TX 78641-1412

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16249 W STATE HIGHWAY 29  
LIBERTY HILL TX 78642-3803

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405 LOOP 332  
LIBERTY HILL TX 78642

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1501 ORCHARD DR  
LEANDER TX 78641

CAGLE , KENT  
200 W WILLIS ST  
LEANDER TX 78641-1781

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LEANDER TX 78641-1364

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CORVALLIS OR 97330-5151

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LEANDER TX 78641-1370

CASSADY , TERRY  
1541 ORCHARD DR  
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COUCHMAN , SUE  
107 ARROYO CIR  
LEANDER TX 78641-9709

CUTRER , MRS LAURA  
717 S GABRIEL DR  
LEANDER TX 78641-1358

FARNEY , THE HONORABLE MARSHA STATE REP  
TX HOUSE OF REPRESENTATIVES DISTRICT 20  
PO BOX 2910  
AUSTIN TX 78768-2910

HEADS , TORRIAS  
1311 WILBURFORCE ST  
HOUSTON TX 77091-2073

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HUMPHREYS , TIM  
1102 S GABRIEL DR  
LEANDER TX 78641-1377

MORGAN , DAVID S  
350 COUNTY ROAD 258  
LIBERTY HILL TX 78642-6260

MORRIS , STEPHANIE  
1409 ORCHARD DR  
LEANDER TX 78641

PHILLIPS , BETTY & RAY  
353 SAN GABRIEL OAKS DR  
LIBERTY HILL TX 78642-6219

SAENZ , PAIGE  
KNIGHT & PARTNERS  
A105  
11005 GALLERIA CV  
AUSTIN TX 78759-5134

SAENZ , PAIGE H  
KNIGHT & PARTNERS  
223 W ANDERSON LN STE A105  
AUSTIN TX 78752-1115

SCHWERTNER , THE HONORABLE CHARLES STATE  
SENATOR  
THE SENATE OF THE STATE OF TEXAS  
PO BOX 12068  
AUSTIN TX 78711-2068

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223 W ANDERSON LN STE A105  
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VANCE , TERRY  
617 CEREZO DR  
LEANDER TX 78641

WATTS , WAYNE  
CITY OF LEANDER  
PO BOX 319  
LEANDER TX 78646-0319