

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

March 30, 2015

TO: Persons on the attached mailing list.

RE: JPHD, Inc.
Permit No. WQ0015201001

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 Bee Cave Public Library, 4000 Galleria Parkway, Bee Cave, 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
JPHD, Inc.
Permit No. WQ0015201001

FOR THE APPLICANT:

John Hatchett, President
JPHD, Inc.
17024 Hamilton Pool Road
Austin, Texas 78738

Daniel Ryan, P.E.
LJA Engineering, Inc.
5316 Highway 290 West, Suite 150
Austin, Texas 78735

John Clark, P.E.
LJA Engineering, Inc.
5316 Highway 290 West, Suite 150
Austin, Texas 78735

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

Ashley McDonald, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Phillip Urbany, R.S., 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

ABRAMS , ADAM RICHARD
SAVE OUR SPRINGS ALLIANCE
PO BOX 684881
AUSTIN TX 78768-4881

ALLMON , ERIC
FREDERICK PERALES ALLMON & ROCKWELL PC
707 RIO GRANDE ST STE 200
AUSTIN TX 78701-2733

AXELROD , ARIEL
17008 RUSH PEA CIR
AUSTIN TX 78738-4041

AYRES , ROBERT A
SHIELD RANCH
3101 BEE CAVES RD STE 260
AUSTIN TX 78746-5574

BERTRAND , BRENT
7709 LYNCHBURG DR
AUSTIN TX 78738-7648

BRADSHAW , JIM
2707 WINDING BROOK DR
AUSTIN TX 78748-2007

BROOKS , HENRY H
PO BOX 118
DRIPPING SPRINGS TX 78620-0118

BUTLER , GEANNEITA M
8617 BELLANCIA DR
AUSTIN TX 78738-7624

CESNKER , GREGORY
106 SADDLEHORN DR
DRIPPING SPRINGS TX 78620-2720

COKER , JONATHAN
5117 AVISPA WAY
AUSTIN TX 78738-7602

DAVIS , KELLY
905 W OLTORF ST STE A
AUSTIN TX 78704-5369

DOYLE , PENNY
6812 CAUDILL LN
AUSTIN TX 78738-7511

DUSTER , JIM
201 WINCHESTER DR
DRIPPING SPRINGS TX 78620-2702

ENGLAND , STEPHEN
17501 WILDRIE DR
AUSTIN TX 78738-4052

EURICK , MARA
20314 HAMILTON POOL RD
DRIPPING SPRINGS TX 78620-2821

GARDNER , JEFF
16721 CORY CACTUS DR
AUSTIN TX 78738-4087

GAYLER , JULIE
18200 FLAGLER DR
AUSTIN TX 78738-7654

GOLDE , ELIZABETH & PETER W
8301 BELLANCIA DR
AUSTIN TX 78738-7659

GOLDE , ELIZABETH
8301 BELLANCIA DR
AUSTIN TX 78738-7659

GOLDE , PETER
8301 BELLANCIA DR
AUSTIN TX 78738-7659

GRAHAM , CHARLIE
408 SADDLEHORN DR
DRIPPING SPRINGS TX 78620-2822

GUPTA , RAJAT
8001 MAGNOLIA RIDGE CV
AUSTIN TX 78738-7646

GURASICH , JOHN & MOLLY
16608 DESTINY CV
AUSTIN TX 78738-7400

GURASICH , MOLLY
16608 DESTINY CV
AUSTIN TX 78738-7400

HANSON , DICK & KATHLEEN MALICK
16400 HAMILTON POOL RD
AUSTIN TX 78738-7300

HANSON , KATHLEEN
16400 HAMILTON POOL RD
AUSTIN TX 78738-7300

HEAVIN , W M
17717 WILDRIE DR
AUSTIN TX 78738-4054

HECKMANN , RANDY
20310 HAMILTON POOL RD
DRIPPING SPRINGS TX 78620-2821

HEFFINGTON , HENRY & NOVELLA
6801 DESTINY HILLS DR
AUSTIN TX 78738-7416

HEFFINGTON , NOVELLA
6801 DESTINY HILLS DR
AUSTIN TX 78738-7416

HENDRICKS , JUDY
16618 DESTINY CV
AUSTIN TX 78738-7400

HERRINGTON , CHRIS
505 BARTON SPRINGS RD FL 11
AUSTIN TX 78704-1245

ICE , LAUREN
1044 CAMINO LA COSTA APT 2055
AUSTIN TX 78752-3937

JAMES , JEANNA
7114 DESTINY HILLS DR
AUSTIN TX 78738-7414

JOCIUS , ROBERT N
WEST CAVE ESTATES HOA
10905 W CAVE BLVD
DRIPPING SPRINGS TX 78620-5065

JONES , DAN & LINDA
7107 DESTINY HILLS DR
AUSTIN TX 78738-7419

JONES , DANIEL H
7107 DESTINY HILLS DR
AUSTIN TX 78738-7419

KILGORE, MARK & LOWENTHAL,EUGENE
206 HIGH PLAINS DR
DRIPPING SPRINGS TX 78620-2724

KOERNER, JIM & KORNER,NOREEN
7824 LYNCHBURG DR
AUSTIN TX 78738-7649

KRAFT , CHARLES & DORIS
9918 CRUMLEY RANCH RD
AUSTIN TX 78738-6017

KRAFT , DORIS
9918 CRUMLEY RANCH RD
AUSTIN TX 78738-6017

LOWENTHAL , EUGENE
9600 CRUMLEY RANCH RD
AUSTIN TX 78738-6016

LOWENTHAL , LINDA
9600 CRUMLEY RANCH RD
AUSTIN TX 78738-6016

LUECKENHOFF , ED & SANDY
17725 FLAGLER DR
AUSTIN TX 78738-7628

MCCARTHY JR , EDMOND R
JACKSON SJOBERG MCCARTHY & TOWNSEND
711 W 7TH ST
AUSTIN TX 78701-2711

MONIKOFF , NOAH
7900 LYNCHBURG DR
AUSTIN TX 78738-7650

MORABBI , MR MEHRDAD
12004 FORTUNA CV
AUSTIN TX 78738-5403

MORRISON , HEATHER
17405 LAKESHORE DR
DRIPPING SPRINGS TX 78620-3109

MURPHY , MONICA
8400 BELLANCIA DR
AUSTIN TX 78738-7660

MUSE , CHRISTY EXECUTIVE DIRECTOR
HILL COUNTRY ALLIANCE
15315 W HIGHWAY 71
BEE CAVE TX 78738-2806

PENRIDGE , NELL
HAMILTON POOL RD SCENIC CORRIDOR COALI
15100 HAMILTON POOL RD
AUSTIN TX 78738-7619

PERSONETT , MIKE
PO BOX 1088
AUSTIN TX 78767-1088

PRIOUR , PAULA
17120 HAMILTON POOL RD
AUSTIN TX 78738-7101

RAESZ , DAVID
10844 W CAVE LOOP
DRIPPING SPRINGS TX 78620-5078

RHODEN , DESI & LISA
7111 DESTINY HILLS DR
AUSTIN TX 78738-7419

ROSS , D LAUREN
GLENROSE ENGINEERING INC
PO BOX 1948
AUSTIN TX 78767-1948

SCHATZLEIN , KATIE
17928 TURKEY TROT TRL
DRIPPING SPRINGS TX 78620-5041

SCHATZLEIN , RON
17928 TURKEY TROT TRL
DRIPPING SPRINGS TX 78620-5041

STEWART , KAREN
7016 DESTINY HILLS DR
AUSTIN TX 78738-7413

STREUSAND , TERI
17837 FLAGLER DR
AUSTIN TX 78738-7630

STRINGER , HANK
15603 HAMILTON POOL RD
AUSTIN TX 78738-7504

TUCKFIELD , DAVID
12400 W HIGHWAY 71 STE 350-150
BEE CAVE TX 78738-6517

UBERTINI , RON
8401 BELLANCIA DR
AUSTIN TX 78738-7660

URANO , GARY & LESLIE
7716 LYNCHBURG DR
AUSTIN TX 78738-7648

VAN ACKEREN , TERRI & TIM
PO BOX 342648
AUSTIN TX 78734-0045

VAN ACKEREN , TIM
PO BOX 342648
AUSTIN TX 78734-0045

WEBER , THOMAS W MANAGER
TRANSPORTATION AND NATURAL RESOURCES
PO BOX 1748
AUSTIN TX 78767-1748

WHATLEY , ARLIE & WHITNEY
9809 MARTIN CV
DRIPPING SPRINGS TX 78620-2818

WHITE , JON A
TRAVIS COUNTY NTR
PO BOX 1748
AUSTIN TX 78767-1748

WILLIAMS , CHARLES
16112 SPILLMAN RANCH LOOP
AUSTIN TX 78738-6578

WINKLER , HUGH
9510 MOR DR
DRIPPING SPRINGS TX 78620-2860

WORKMAN , THE HONORABLE PAUL D STATE
REPRESENTATIVE
DISTRICT 47
E2.410
PO BOX 2910
AUSTIN TX 78768-2910

WORRALL , MATT
214 SETTLERS VALLEY DR
PFLUGERVILLE TX 78660-4731