

TCEQ DOCKET NO. 2016-1402-MWD

APPLICATION BY	§	BEFORE THE TEXAS COMMISSION
633-4S RANCH LTD. and	§	
STAHL LANE LTD.	§	ON
FOR NEW TPDES PERMIT	§	
NO. WQ0015095001	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS

The Executive Director of the Texas Commission on Environmental Quality (Commission or TCEQ) files this Response to Hearing Requests on 633-4S Ranch Ltd., and Stahl Lane Ltd. for new Permit No. WQ0015095001. Timely hearing requests were submitted by: Eric Allmon on behalf of Bulverde Neighborhood Alliance (BNA), Annalisa Peace on behalf of the Greater Edwards Aquifer Alliance (GEAA), Gregory Pasztor on behalf of the Bexar Audubon Society, Gary Rose on behalf of SouthWest Water Company, Maranda Alexandre, Kenneth Brothers, Leslie Brothers, Erin Cantu, Carl Chapman, Yvonne Chapman, William Coe, Judith Dunn, Michael Heersche, Jeanne Howe, Melissa Laster, Michael Maurer, Sr., Theresa McClung, Alan Montemayor, Sonia Moore, David Moulton, Sara Ranzau, Nancy Sandoval, Emily Sauls, Caryl Swann, Cheryl Watson, Francesca Watson, and Benjamin Youngblood, III. Additionally, Janice Fishlock submitted after the hearing request period ended. Attached for Commission consideration is Attachment A – Satellite maps of the area.

I. FACILITY DESCRIPTION

4S-Ranch applied for a major amendment to Permit No. WQ0015095001 to convert its existing Texas Land Application Permit (TLAP) to a Texas Pollutant Discharge Elimination System (TPDES) Permit and to change the disposal method from land application to discharge to water in the state. If issued, the permit will authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 480,000 gallons per day (gpd). The proposed wastewater treatment facility will serve a portion of Comal County Water Control and Improvement District No. 6.

The effluent limitations in all phases of the draft permit, based on a 30-day average, are 5 mg/l five-day carbonaceous biochemical oxygen demand (CBOD₅), 5 mg/l total suspended solids (TSS), 2 mg/l ammonia-nitrogen (NH₃-N), 0.5 mg/l total phosphorus, 126 colony forming units (CFU) or most probable number (MPN) of *E. coli* per 100 ml and 4.0 mg/l minimum dissolved oxygen (DO). Additionally, the effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes based on peak flow.

If the proposed permit is issued, the treated effluent will be discharged to an unnamed tributary to Lewis Creek; thence to Lewis Creek; thence to Upper Cibolo Creek in Segment No. 1908 of the San Antonio River Basin. The unclassified receiving water uses are minimal aquatic life use for the unnamed tributary to Lewis Creek and limited aquatic life use for Lewis Creek.

The designated uses for Segment No. 1908 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The use of aquifer protection applies to the contributing, recharge, and transition zones of the Edwards Aquifer for Segment No. 1908. The effluent limitations in the draft permit will maintain and protect the existing instream uses.

The wastewater treatment facility (WWTF) site will be located approximately 6,500 feet north-northeast of the intersection of Smithson Valley Road and Farm-to-Market Road 1863, approximately 1,200 feet north of the confluence of Lewis Creek and Dripping Springs Creek, in Comal County, Texas 78163.

II. PROCEDURAL BACKGROUND

The application was received on August 12, 2014, and declared administratively complete on October 21, 2014. The Notice of Receipt of Application and Intent to Obtain Permit (NORI) was published on October 24, 2014 in the *New Braunfels Herald-Zeitung*, Comal County, Texas. The Executive Director completed the technical review of the application on January 20, 2015, and prepared a draft permit. The Notice of Application and Preliminary Decision (NAPD) was published on March 6, 2015, in the *New Braunfels Herald-Zeitung*, in Comal County, Texas. The

NAPD was also published in Spanish on August 5, 2015, in the *La Voz*, Comal County Texas. The NORI was published in Spanish in the *La Voz*, Comal County Texas, on January 6, 2016. A public meeting was held at the Bulverde Spring Branch Emergency Services building on November 19, 2015. The public comment period ended at the close of the Public Meeting. Notice of the public meeting was published on October 6, 2015, in the *New Braunfels Herald-Zeitung*, Comal County, Texas. The hearing request period ended on April 29, 2016.

This application was administratively complete on or after September 1, 1999; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

III. THE EVALUATION PROCESS FOR HEARING REQUESTS

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings. For those applications declared administratively complete on or after September 1, 1999, it established new procedures for providing public notice and public comment and for the Commission's consideration of hearing requests. The application in this case was declared administratively complete on May 9, 2013. Therefore, it is subject to the House Bill 801 requirements. The Commission implemented House Bill 801 by adopting procedural rules in title 30, chapters 39, 50, and 55 of the Texas Administrative Code.

A. Response to Requests

"The Executive Director, the public interest counsel, and the applicant may submit written responses to [hearing] requests . . ." ¹

According to 30 TAC § 55.209(e), responses to hearing requests must specifically address the following:

- (1) Whether the requester is an affected person
- (2) Which issues raised in the hearing request are disputed
- (3) Whether the dispute involves questions of fact or law
- (4) Whether the issues were raised during the public comment period
- (5) Whether the hearing request is based on issues raised solely in a

¹ 30 TEX. ADMIN. CODE § 55.209(d) (West 2015).

- public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's RTC
- (6) Whether the issues are relevant and material to the decision on the application
 - (7) A maximum expected duration for the contested case hearing

B. Hearing Request Requirements

For the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements. As noted in 30 TAC § 55.201(c), "A request for a contested case hearing by an affected person must be in writing, must be filed with the chief clerk within the time provided . . . and may not be based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director's RTC."

According to 30 TAC § 55.201(d), a hearing request must substantially comply with the following:

- (1) Give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and, where possible, fax number, and who shall be responsible for receiving all official communications and documents for the group.
- (2) Identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requester's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requester believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public.
- (3) Request a contested case hearing.
- (4) List all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requester should, to the extent possible, specify any of the ED's responses to comments that the requester disputes and the factual basis of the dispute and list any disputed issues of law or policy.
- (5) Provide any other information specified in the public notice of application.

C. Requirement that Requester Be an Affected Person

To grant a contested case hearing, the Commission must determine that a requester is an affected person. The factors to consider in making this determination are found in 30 TAC § 55.203 and are as follows:

- (a) For any application, 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. An interest common to members of the general public does not qualify as a personal justiciable interest.
- (b) Governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.
- (c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
 - (1) Whether the interest claimed is one protected by the law under which the application will be considered
 - (2) Distance restrictions or other limitations imposed by law on the affected interest
 - (3) Whether a reasonable relationship exists between the interest claimed and the activity regulated
 - (4) Likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person
 - (5) Likely impact of the regulated activity on use of the impacted natural resource by the person
 - (6) For governmental entities, their statutory authority over or interest in the issues relevant to the application.

When the requester is a group or association, it must also comply with requirements found in 30 TAC § 55.205 which provides:

- (a) A group or association may request a contested case hearing only if the group or association meets all of the following requirements:
 - (1) one or more members of the group or association would otherwise have standing to request a hearing in their own right;
 - (2) the interests the group or association seeks to protect are germane to the organization's purpose; and
 - (3) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.
- (c) The executive director, the public interest counsel, or the Applicant may request that a group or association provide an explanation of how the group or association meets the requirements of subsection (a) of this section. The request and reply shall be filed according to the procedure in § 55.209 of this title (relating to Processing Requests for

Reconsideration and Contested Case Hearing).

D. Referral to the State Office of Administrative Hearings (SOAH)

Section 50.115(b) of 30 TAC details how the Commission refers a matter to SOAH: "When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to SOAH for a hearing." Section 50.115(c) further states, "The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue: (1) involves a disputed question of fact; (2) was raised during the public comment period; and (3) is relevant and material to the decision on the application."

IV. HEARING REQUEST ANALYSIS

A. Whether the Hearing Requests Comply with 30 TAC §§ 55.201(c) and (d)

BNA, GEAA, Bexar Audubon Society, SouthWest Water Company, Maranda Alexandre, Kenneth Brothers, Leslie Brothers, Erin Cantu, Carl Chapman, Yvonne Chapman, William Coe, Judith Dunn, Michael Heersche, Jeanne Howe, Melissa Laster, Theresa McClung, Alan Montemayor, David Moulton, Sara Ranzau, Nancy Sandoval, Emily Sauls, Caryl Swann, Cheryl Watson, Francesca Watson, and Benjamin Youngblood, III submitted timely hearing requests that raised issues presented during the public comment period that have not been withdrawn. They provided their addresses and phone numbers, or those of their representative, and requested a hearing. They identified themselves as persons with what they believed to be personal justiciable interests affected by the application, which will be discussed in greater detail below, and provided lists of disputed issues of fact that were raised during the public comment period. The Executive Director concludes that these hearing requests substantially comply with the sections 55.201(c) and (d) requirements.

Sonia Moore submitted a timely hearing request, but she did not raise any issues. Ms. Moore provided her address and phone number, however she did not provide any disputed issues of fact that were raised during the public comment period. The Executive Director concludes that Ms. Moore's hearing request does not substantially comply with the sections 55.201(c) and (d) requirements.

Janice Fishlock submitted a hearing request on May 4, 2016, the hearing request period ended on April 29, 2016; therefore, Ms. Fishlock's hearing request was not timely according to 30 TAC § 55.201(c).

B. Whether the Individual Requesters Meet the Affected Person Requirements

a. Maranda Alexandre

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Alexandre is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. The address Ms. Alexandre provided is in Oak Village North (OVN) and she raised the issue of whether the draft permit will protect drinking water, including Oak Village North's drinking water system which is classified as groundwater under the influence of surface water.

The issue Maranda Alexandre raised is an interest that is not in common with the general public. Additionally, there is a reasonable relationship between Ms. Alexandre's concern over drinking water and the draft permit.

The Executive Director recommends that the Commission find that Maranda Alexandre is an affected person.

b. Leslie and Kenneth Brothers

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Leslie and Kenneth Brothers are affected persons because they have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Leslie and Kenneth raised issues regarding: 1) whether the draft permit will protect drinking water, including Oak Village North's drinking water system which is classified as groundwater under the influence of surface water; 2) whether the draft permit will protect human health and safety; 3) whether the application should be denied because the wastewater treatment facility could fail; 4) whether the effluent from the wastewater treatment facility will negatively impact property values; 5) whether the effluent from the wastewater treatment facility will attract pests such as mosquitoes, wild hogs, and vermin; 6) whether the draft permit should clearly define the entity responsible for clean-up if the wastewater treatment plant fails; 7) whether the Commission should allow the applicant to change the method of disposal from land application to discharge to water in the state; and 8) whether the application should be denied because of the adverse effects on the Oak Village North neighborhood. According to the address Leslie and Kenneth Brothers provided, it appears that they live in Oak Village North; therefore, the issues they raised are interests that are not in common with the general public. Additionally, there is a reasonable relationship between the draft

permit and Leslie and Kenneth Brothers' concern over drinking water and human health.

The Executive Director recommends that the Commission find that Leslie and Kenneth Brothers are affected persons.

c. Erin Cantu

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Erin Cantu is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Mrs. Cantu raised issues regarding: 1) whether the effluent from the wastewater treatment facility will cause flooding; 2) whether a TCEQ engineer should have visited the site and discharge route before drafting the permit; and 3) whether the draft permit will protect water wells in the area. Mrs. Cantu does not appear to live near the WWTF nor does she describe how her interests in the issues she raised are different from the interests of the general public.

The Executive Director recommends that the Commission find that Erin Cantu is not an affected person.

d. Carl Chapman

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Mr. Chapman is an affected person because he has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Mr. Chapman raised issues regarding: 1) whether the draft permit will protect water wells in the area; 2) whether the TCEQ should consider the cumulative impacts of several wastewater treatment facilities in the same area before issuing a new permit; 3) whether the draft permit will protect human health and safety; 4) whether the application should be denied because of the wastewater treatment facility could fail; and 5) whether the TCEQ's wastewater treatment facility design criteria are appropriate. Mr. Chapman appears to live in Oak Village North; therefore, he has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and his concerns regarding water wells, and human health and safety.

The Executive Director recommends that the Commission find that Carl Chapman is an affected person.

e. Yvonne Chapman

The Executive Director reviewed the factors found in 30 TAC § 55.203 for

determining if a person is an affected person and recommends that the Commission find that Ms. Chapman is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Chapman raised issues regarding: 1) whether the draft permit will protect drinking water, including Oak Village North's drinking water system which is classified as groundwater under the influence of surface water; 2) whether the draft permit will protect the Edwards Aquifer; 3) whether the draft permit will protect water wells in the area; 4) whether the draft permit should clearly define the entity responsible for clean-up if the wastewater treatment plant fails; and 5) whether the effluent from the wastewater treatment facility will cause flooding. Ms. Chapman appears to live in Oak Village North; therefore, she has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and her concerns regarding water wells, protection of drinking water, and protection of the Edwards Aquifer.

The Executive Director recommends that the Commission find that Yvonne Chapman is an affected person.

f. William Coe

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Mr. Coe is an affected person because he has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Mr. Coe raised issues regarding: 1) whether the effluent from the wastewater treatment facility will cause flooding; 2) whether the draft permit will protect human health and safety; 3) whether the draft permit will protect the use and enjoyment of his property; and 4) whether the discharge will cause erosion of the creek bed. Mr. Coe appears to live in Oak Village North; therefore, he has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and his concerns regarding water wells, protection of human health and the use and enjoyment of his property.

The Executive Director recommends that the Commission find that William Coe is an affected person.

g. Judith Dunn

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Dunn is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general

public. Ms. Dunn raised issues regarding: 1) whether the proposed WWTF would cause pollution of the Edwards Aquifer; and 2) whether the draft permit will protect water wells in the area. The address Ms. Dunn provided is in San Antonio; she does not explain how her interests in this application are not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Judith Dunn is not an affected person.

h. Michael Heersche

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Michael Heersche is an affected person because he has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Michael Heersche raised issues regarding: 1) whether the effluent from the wastewater treatment facility will cause flooding; 2) whether the wastewater treatment plant will cause odors; 3) whether the draft permit will protect drinking water; and 4) whether the draft permit will negatively impact property values. Michael Heersche appears to live in Oak Village North; therefore, he has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and his concerns regarding odors from the WWTF and protection of drinking water.

The Executive Director recommends that the Commission find that Michael Heersche is an affected person.

i. Jeanne Howe

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Howe is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Howe raised issues regarding: 1) whether the draft permit will protect water wells in the area; 2) whether the wastewater treatment plant will cause odors; 3) whether the discharge from the wastewater treatment plant will contaminate the soil; 4) whether the draft permit will protect water wells in the area; 5) whether the draft permit will protect surface water; and 6) whether the draft permit will protect drinking water. Ms. Howe lives in Oak Village North and indicated that her drinking water comes from wells along Lewis Creek; therefore, Ms. Howe identified a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and her concerns regarding odors from the WWTF, and protection of surface water, wells

and drinking water.

The Executive Director recommends that the Commission find that Jeanne Howe is an affected person.

j. Melissa Laster

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Laster is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Laster raised issues regarding: 1) whether the draft permit will protect drinking water, including Oak Village North's drinking water system which is classified as groundwater under the influence of surface water; 2) whether the draft permit will protect water wells in the area; 3) whether the wastewater treatment plant will cause odors; and 4) whether the effluent from the wastewater treatment facility will attract pests such as mosquitoes. Ms. Laster lives in Oak Village North and indicated that her drinking water comes from wells along Lewis Creek; therefore, Ms. Laster identified a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and her concerns regarding odors from the WWTF, and protection of surface water, wells and drinking water.

The Executive Director recommends that the Commission find that Melissa Laster is an affected person.

k. Michael Maurer, Sr.

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Mr. Maurer is not an affected person because he does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Mr. Maurer raised issues regarding: 1) whether the TCEQ should consider the cumulative impacts of several wastewater treatment facilities in the same area before issuing a new permit; 2) whether the effluent should be distributed on the developer's property; 3) whether the effluent should be drinkable at the outfall; and 4) whether homes should be occupied before the WWTF is completed. The address Mr. Maurer provided is a considerable distance north of the WWTF, Mr. Maurer does not explain how his interests in this application are not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Michael Maurer, Sr. is not an affected person.

l. Theresa McClung

The Executive Director reviewed the factors found in 30 TAC § 55.203 for

determining if a person is an affected person and recommends that the Commission find that Ms. McClung is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. McClung raised issues regarding: 1) whether the draft permit will protect drinking water, including Oak Village North's drinking water system which is classified as groundwater under the influence of surface water; 2) whether the draft permit will protect water wells in the area; 3) whether the draft permit will protect surface water; 4) whether the draft permit will protect human health; 5) whether the draft permit will negatively impact property values; and 6) whether the development will put the security of the community at risk. Ms. Laster lives in Oak Village North and indicated that her drinking water comes from wells along Lewis Creek, therefore, Ms. McClung identified a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and her concerns regarding protection of: drinking water, ground water; surface water and human health.

The Executive Director recommends that the Commission find that Theresa McClung is an affected person.

m. Alan Montemayor

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Mr. Montemayor is not an affected person because he does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Mr. Montemayor raised issues regarding: 1) whether the proposed WWTF would cause pollution of the Edwards Aquifer; and 2) whether the draft permit will protect water wells in the area. The address Mr. Montemayor provided is in San Antonio, and he does not explain how his interests in this application are not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Alan Montemayor is not an affected person.

n. Sonia Moore

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Moore is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Moore only requested a contested case hearing; she did not, however, identify her personal justiciable interest affected by the application or why she

believes she will be adversely affected by the WWTF.

The Executive Director recommends that the Commission find that Sonia Moore is not an affected person.

o. David Moulton

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Mr. Moulton is not an affected person because he does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Mr. Moulton stated that the permit should require that the effluent from the WWTF be completely sterile. According to the address Mr. Moulton provided he lives in Hondo, he did not describe how his interests in the issues he raised are different from the interests of the general public.

The Executive Director recommends that the Commission find that David Moulton is not an affected person.

p. Sara Ranzau

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Ranzau is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Ranzau raised issues regarding: 1) whether the proposed WWTF would cause pollution of the Edwards Aquifer; and 2) whether the draft permit will protect water wells in the area. The address Ms. Ranzau provided is in Boerne, Ms. Ranzau does not explain how her interests in this application are not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Sara Ranzau is not an affected person.

q. Nancy Sandoval

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Sandoval is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Sandoval raised issues regarding: 1) whether the proposed WWTF would cause pollution of the Edwards Aquifer; and 2) whether the draft permit will protect water wells in the area. The address Ms. Sandoval provided is in San Antonio; Ms. Sandoval does not explain how her interests in this application are

not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Nancy Sandoval is not an affected person.

r. *Emily Sauls*

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Sauls is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Sauls raised issues regarding: 1) whether the draft permit will protect drinking water, including Oak Village North's drinking water system which is classified as groundwater under the influence of surface water; 2) whether the effluent from the wastewater treatment facility will cause flooding; 3) whether the draft permit should clearly define the entity responsible for clean-up if the wastewater treatment plant fails; and 4) whether the effluent from the wastewater treatment facility will attract pests such as mosquitoes. In her hearing request Ms. Sauls indicated that she lives in Oak Village North, and indicated that her drinking water comes from wells along Lewis Creek, therefore, Ms. Sauls identified a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and her concerns regarding protection of drinking water.

The Executive Director recommends that the Commission find that Emily Saules is an affected person.

s. *Caryl Swann*

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Ms. Swann is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Ms. Swann raised issues regarding: 1) whether the proposed WWTF would cause pollution of the Edwards Aquifer; and 2) whether the draft permit will protect water wells in the area. The address Ms. Swann provided is in San Antonio; Ms. Swann does not explain how her interests in this application are not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Caryl Swann is not an affected person.

t. *Cheryl Watson*

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission

find that Cheryl Watson is not an affected person because she does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Cheryl Watson raised issues regarding: 1) whether there should be a permanent limit on the discharge volume from the wastewater treatment facility; 2) whether the monitoring requirements in the draft permit are sufficient; 3) whether the draft permit should require UV disinfection; 4) whether the draft permit should require a denitrification unit; 5) whether the applicant should be allowed to change the method of disposal from land application to discharge to water in the state; 6) whether the effluent from the wastewater treatment facility will attract pests such as mosquitoes; and 7) whether the draft permit will protect human health. The only address Cheryl Watson provided with her hearing request is a Post Office Box in Bulverde, Texas and she failed to describe her personal justiciable interest affected by the application, or why she believes she will be adversely affected by the proposed WWTF.

The Executive Director recommends that the Commission find that Cheryl Watson is not an affected person.

u. Francesca Watson

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Francesca Watson is an affected person because she has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. Francesca Watson raised issues regarding: 1) whether the draft permit will protect drinking water; 2) whether the draft permit will negatively impact property values; and 3) whether the draft permit will protect the use and enjoyment of her property. According to the address Francesca Watson provided in her hearing request, it appears that she lives in Oak Village North; and therefore has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and her concerns regarding protection of her drinking water and the use and enjoyment of her property.

The Executive Director recommends that the Commission find that Francesca Watson is an affected person.

v. Benjamin Youngblood, III.

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that Mr. Youngblood is not an affected person because he does not have a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of

the general public. Mr. Youngblood raised issues regarding: 1) whether the proposed WWTF would cause pollution of the Edwards Aquifer; and 2) whether the draft permit will protect water wells in the area. The address Mr. Youngblood provided is in San Antonio, Mr. Youngblood does not explain how his interests in this application are not in common with the interests of the general public.

The Executive Director recommends that the Commission find that Benjamin Youngblood, III is not an affected person.

w. *SouthWest Water Company.*

The Executive Director reviewed the factors found in 30 TAC § 55.203 for determining if a person is an affected person and recommends that the Commission find that SouthWest Water Company (SouthWest) is an affected person because it has a personal justiciable interest related to a legal right, duty, privilege power or economic interest affected by the application, that is not common to members of the general public. According to its hearing requests, SouthWest owns and operates the Oak Village North water system. SouthWest explained that it obtains, treats, and distributes groundwater from eight wells in the Middle Trinity Aquifer. SouthWest raised the issue of whether the wastewater from the WWTF would negatively impact the Middle Trinity Aquifer. Because SouthWest distributes water from the Middle Trinity Aquifer, it has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and its concerns regarding protection of its drinking water supply.

The Executive Director recommends that the Commission find that SouthWest Water Company is an affected person.

C. Whether the Groups or Associations Meet the Affected Person Requirements

For a group or association to be granted affected person status, the group or organization must demonstrate that: at least one member of the group or organization would have standing to request a contested case hearing in their own right, that the interest the group or association seeks to protect are germane to the organization's purpose; and neither the claim asserted nor the relief requested requires the participation of the individual members in the case.²

1. Bulverde Neighborhood Alliance (BNA)

a. Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.³

² 30 TAC § 55.205.

³ 30 TAC § 55.201(a)(1).

BNA identified seven individuals that it believes would have standing in their own right: Tom and Jeri Blacklock, William and Joy Coe, Patricia Haney, Keith Markey, and Dennis McInerney. As discussed in detail below, the Executive Director concludes that Tom and Jeri Blacklock, William and Joy Coe, Keith Markey, and Dennis McInerney are members of BNA and would have standing in their own right. The Executive Director concludes that BNA has met this requirement for associational standing.

Tom and Jeri Blacklock. According to the hearing request, Tom and Jeri Blacklock own and live on property adjacent to Lewis Creek and just over a mile downstream of the discharge point. Their property is also about 2,000 feet south of the location of the proposed WWTF. The Blacklocks spend time outdoors and enjoy recreating on their property. They raised issues regarding: 1) odors; 2) contamination of Lewis Creek; 3) increased nutrients in Lewis Creek; 4) negative impact to their use and enjoyment of their property; and 5) impact on their property due to flooding. Because of their location relative to the discharge route and WWTF, the Blacklocks have personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and their concerns regarding protection of Lewis Creek, odors, and the use and enjoyment of their property. The Executive Director concludes that the Blacklocks have standing to request a hearing in their own right.

William and Joy Coe. According to the hearing request, William and Joy Coe own and live on property that is adjacent to Lewis Creek and is just over one mile downstream of the discharge point. Their property is also about 2,000 feet south of the location of the proposed WWTF. The Coes raised issues regarding: 1) odors; 2) contamination of Lewis Creek; 3) increased nutrients in Lewis Creek; 4) negative impact to their use and enjoyment of their property; and 5) impact on their property due to flooding. Because of their location relative to the discharge route and WWTF the Coes have a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and their concerns regarding protection of Lewis Creek, odors and the use and enjoyment of their property. The Executive Director concludes that the Coes have standing to request a hearing in their own right.

Patricia Haney. According to the hearing request Ms. Haney is the trustee of property that Lewis Creek runs through, although the property appears to be a considerable distance from the outfall. Ms. Haney raised issues regarding: 1) negative impact to drinking water wells; 2) flooding; 3) negative impact to wildlife; and 4) negative impact to human health and safety. Because the property is a considerable distance from the outfall, and it appears that Ms. Haney's issues are in common with the general public, the Executive Director cannot conclude that Ms. Haney would have standing to request a hearing in her own right.

Keith Markey. According to the hearing request, Mr. Markey owns and lives on property directly adjacent to the outfall. Mr. Markey raised issues regarding: 1)

odors; 2) use and enjoyment of his property; 3) negative impact to his health and safety; and 4) flooding. Because of his proximity to the outfall, Mr. Markey has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and his concerns regarding odors and the use and enjoyment of his property. The Executive Director concludes that Keith Markey has standing to request a hearing in his own right.

Dennis McInerney. According to the hearing request, Mr. McInerney owns and lives on property directly adjacent to the development that would be served by the WWTF. In the hearing request, Mr. McInerney stated there is a groundwater well on his property that he uses for domestic purposes, including as drinking water. Mr. McInerney raised issues regarding: 1) odor; 2) contamination of his well; 3) use and enjoyment of his property; and 4) flooding. Because of his proximity to the proposed development and his use of groundwater for domestic purposes, Mr. McInerney has a personal justiciable interest that is not in common with the general public. Additionally, there is a reasonable relationship between the draft permit and his concerns over the impact to his drinking water, odors, and the use and enjoyment of his property. The Executive Director concludes that Dennis McInerney has standing to request a hearing in his own right.

b. Whether the interests the group or association seeks to protect are germane to the organization's purpose.⁴

According to the hearing request, the purpose of BNA is to keep the land, water, and air of Bulverde free from contamination and to protect the health and safety of the residents and landowners in the greater Bulverde area, including residents and property owners in the Oak Village North subdivision.

The ED has determined that BNA has met this requirement for associational standing.

c. Whether the claim asserted or the relief requested requires the participation of the individual members in the case.⁵

The relief requested by BNA does not require the participation of any individual member.

The ED has determined that BNA has met this requirement for associational standing.

d. Issues

⁴ 30 TAC § 55.201 (a)(2).

⁵ 30 TAC § 55.205 (a)(3).

BNA raised issues regarding: whether the draft permit will be adequately protective of groundwater, whether the draft permit will be adequately protective of surface water, whether the draft permit will comply with the location standards required by TCEQ's rules, whether the design of the WWTF will be sufficient, whether the permit will be protective of human health and safety, whether the draft permit will be protective of the use and enjoyment of property, whether there is a need for the facility, whether the draft permit has sufficient monitoring requirements, and whether the application should be denied based on the applicants' compliance history.

e. Recommendation.

Because BNA has met all three requirements for associational standing, the ED recommends that the Commission find that BNA is an affected person.

2. Greater Edwards Aquifer Alliance (GEAA)

a. Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.⁶

In its hearing request, the GEAA indicates that it "has individual members that would have standing as 'affected persons' in their own right." The GEAA, however, does not identify a particular individual by name or location relative to the discharge route or WWTF.

The Executive Director concludes that GEAA has not met this requirement for associational standing.

b. Whether the interests the group or association seeks to protect are germane to the organization's purpose.⁷

According to its hearing request, the GEAA is a "non-profit organization dedicated to protecting and preserving the Edwards and Trinity aquifers, their springs and watersheds, and the Texas Hill Country." GEAA also states that its purpose includes "protection of the health and safety of the residents and landowners in the greater Bulverde area, including residents and property owners in the Oak Village North and Twin Creeks subdivisions."

The ED concludes that GEAA has met this this requirement for associational standing.

c. Whether the claim asserted or the relief requested requires the participation of the individual members in the case.⁸

⁶ 30 TAC § 55.201(a)(1).

⁷ 30 TAC § 55.201 (a)(2).

⁸ 30 TAC § 55.205 (a)(3).

The relief requested by GEAA does not require the participation of any individual member.

The ED concludes that GEAA has met this requirement for associational standing.

d. Recommendation.

Because GEAA has not met all three requirements for associational standing, specifically whether one or more members of the group or association would otherwise have standing to request a hearing in their own right, the ED recommends that the Commission find that the GEAA is not an affected person.

3. Bexar Audubon Society (BAS)

a. Whether one or more members of the group or association would otherwise have standing to request a hearing in their own right.⁹

BAS did not identify any individual members, nor did it explain how any of its members would have standing to request a hearing in their own right.

The Executive Director concludes that BAS has not met this requirement for associational standing.

b. Whether the interests the group or association seeks to protect are germane to the organization's purpose.¹⁰

BAS did not describe the interests BAS seeks to protect or how those interests are germane to its purpose.

The Executive Director concludes that BAS has not met this requirement for associational standing.

c. Whether the claim asserted or the relief requested requires the participation of the individual members in the case.¹¹

The Executive Director concludes that BAS has met this requirement for associational standing.

d. Recommendation.

⁹ 30 TAC § 55.201 (a)(1).

¹⁰ 30 TAC § 55.201 (a)(2).

¹¹ 30 TAC § 55.205 (a)(3).

Because BAS has not met all three requirements for associational standing, the ED recommends that the Commission find that the Bexar Audubon Society is not an affected person.

D. Whether Issues Raised Are Referable to SOAH for a Contested Case Hearing

The Executive Director analyzed the issues raised in the hearing requests that it has recommended granting in accordance with the regulatory criteria and provides the following recommendations regarding whether the issues can be referred to SOAH if the Commission grants the hearing requests. Except where noted, all issues were raised during the public comment period, and none of the issues were withdrawn. All identified issues are considered disputed unless otherwise noted. The ED has also listed the relevant RTC responses.

Issue 1. Whether the draft permit will protect groundwater, including drinking water wells. (Responses 12, 14, 16, and 24)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 2. Whether the draft permit will protect surface water. (Responses 37, 46, 47, and 51)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 3. Whether the draft permit ensures compliance with the location standards required by TCEQ's rules. (Response 52)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 4. Whether the design of the WWTF will meet all applicable requirements. (Responses 19, 27, 29, 30, and 36)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 5. Whether the draft permit will protect human health and safety. (Responses 9, 14 and 44)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 6. Whether the draft permit will protect the use and enjoyment of property. (Response 11)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 7. Whether there is a need for the facility. (Responses 23 and 61)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 8. Whether the monitoring requirements in the draft permit are sufficient. (Responses 15, 20, 21, 33, 41, 42, 43, 44, and 53)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 9. Whether the application should be denied based on the applicants' compliance history. (This issue was not raised during the comment period)

This issue was not raised during the comment period, and therefore it is not appropriate for referral.¹² Additionally, this is a question of law or policy and is not appropriate for referral. The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.

Issue 10. Whether the application should be denied because of the wastewater treatment facility could fail. (Response 27)

This is a question of fact, however, it is not relevant and material to a decision on the application. The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.

Issue 11. Whether the draft permit will negatively impact property values. (Response 86)

¹² 30 TAC § 55.201(d) limits the issues that can be referred to SOAH to relevant and material disputed issues of fact that were raised during the public comment period.

This is a question of fact, however, it is not relevant and material to a decision on the application. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 12. Whether the effluent from the wastewater treatment facility will attract pests such as mosquitoes, wild hogs and vermin. (Responses 48 and 49)

This is a question of fact, however, it is not relevant and material to a decision on the application. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 13. Whether the draft permit should clearly define the entity responsible for clean up if the wastewater treatment plant fails. (Response 86)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 14. Whether the applicant should be allowed to change the method of disposal in a permit from land application to discharge to water in the state. (Response 23)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 15. Whether the application should be denied because of the adverse effects on the Oak Village North neighborhood. (Response 86)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 16. Whether the effluent from the wastewater treatment facility will cause flooding. (Responses 26, 52 and 59)

This is a question of fact, however, it is not relevant and material to a decision on the application. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 17. Whether a TCEQ engineer should have visited the site and discharge route before drafting the permit. (Responses 7 and 8)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 18. Whether the TCEQ should consider the cumulative impacts of several wastewater treatment facilities in the same area before issuing a new

permit. (Response 5)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 19. Whether the discharge will cause erosion of the creek bed. (Response 60)

This is a question of fact, however, it is not relevant and material to a decision on the application. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 20. Whether the wastewater treatment plant will cause odors. (Response 28)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 21. Whether the discharge from the wastewater treatment plant will contaminate the soil. (Response 74).

This is a question of fact, however, it is not relevant and material to a decision on the application. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 22. Whether the development will put the security of the community at risk. (Response 86)

This is a question of fact, however, it is not relevant and material to a decision on the application. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 23. Whether the effluent from the wastewater treatment facility should be sterile. (Response 19)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 24. Whether the draft permit should include a permanent limit on the discharge volume from the wastewater treatment facility. (Response 25)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 25. Whether the draft permit should require UV disinfection. (Response 36)

This is an issue of fact that is relevant and material to a decision on the application. The Executive Director concludes that this issue **is appropriate** for referral to SOAH.

Issue 26. Whether the draft permit should require a denitrification unit. (Response 30)

This is an issue of fact that is relevant and material to a decision on the application. *The Executive Director concludes that this issue **is appropriate** for referral to SOAH.*

Issue 27. Whether the TCEQ's wastewater treatment facility design criteria are appropriate. (Responses 45, 51 and 52)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 28. Whether the effluent should be distributed on the developer's property. (Response 23)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 29. Whether the effluent should be drinkable at the outfall. (Response 22)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

Issue 30. Whether homes should be occupied before the WWTF is completed. (Response 56)

This is a question of law or policy and is not appropriate for referral. *The Executive Director concludes that this issue **is not appropriate** for referral to SOAH.*

V. CONTESTED CASE HEARING DURATION

If there is a contested case hearing on this application, the Executive Director recommends that the duration of the hearing be nine months from the preliminary hearing to the presentation of a proposal for decision to the Commission.

VI. CONCLUSION

The Executive Director recommends the following actions by the Commission:

1. The Executive Director recommends that the Commission find Maranda Alexandre, Leslie and Kenneth Brothers, Carl Chapman, Yvonne Chapman, William Coe, Michael Heersche, Melissa Laster, Theresa McClung, Emily Sauls, Francesca Watson, SouthWest Water Company, and the Bulverde Neighborhood Alliance are affected persons and grant their hearing requests.
2. The Executive Director recommends that the Commission find that the remaining individuals and organizations that requested a contested case hearing are not affected persons and deny their hearing requests.
3. If referred to SOAH, first refer the matter to Alternative Dispute Resolution for a reasonable period.
4. If referred to SOAH, refer the following issues as identified by the Executive Director:

Issue 1. *Whether the draft permit will protect groundwater, including drinking water wells. (Responses 12, 14, 16, and 24)*

Issue 2. *Whether the draft permit will protect surface water. (Responses 37, 46, 47, and 51)*

Issue 3. *Whether the draft permit ensures compliance with the location standards required by TCEQ's rules. (Response 52)*

Issue 4. *Whether the design of the WWTF will meet all applicable requirements. (Responses 19, 27, 29, 30, and 36)*

Issue 5. *Whether the draft permit will protect human health and safety. (Responses 9, 14 and 44)*

Issue 6. *Whether the draft permit will protect the use and enjoyment of property. (Response 11)*

Issue 7. *Whether there is a need for the facility. (Responses 23 and 61)*

Issue 8. *Whether the monitoring requirements in the draft permit are sufficient. (Responses 15, 20, 21, 33, 41, 42, 43, 44, and 53)*

Issue 20. *Whether the wastewater treatment plant will cause odors. (Response 28)*

Issue 25. *Whether the draft permit should require UV disinfection. (Response 36)*

Issue 26. *Whether the draft permit should require a denitrification unit. (Response 30)*

Respectfully submitted,

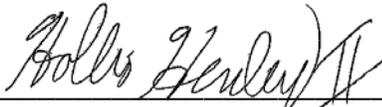
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REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on September 12, 2016, the original and seven copies of the "Executive Director's Response to Hearing Requests" for an amendment to Permit WQ0015095001 for 633-4S Ranch, Ltd., and Stahl Lane, Ltd., was filed with the TCEQ's Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, inter-agency mail, electronic submittal, or by deposit in the U.S. Mail.



Kathy Humphreys

MAILING LIST
633-4S RANCH, LTD./STAHL LANE, LTD.
DOCKET NO. 2016-1402-MWD; PERMIT NO. WQ0015095001

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633-4S Ranch Ltd., and Stahl Lane, Ltd.

TPDES Permit No. WQ0015095001 - Nearby Individual Requesters

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda

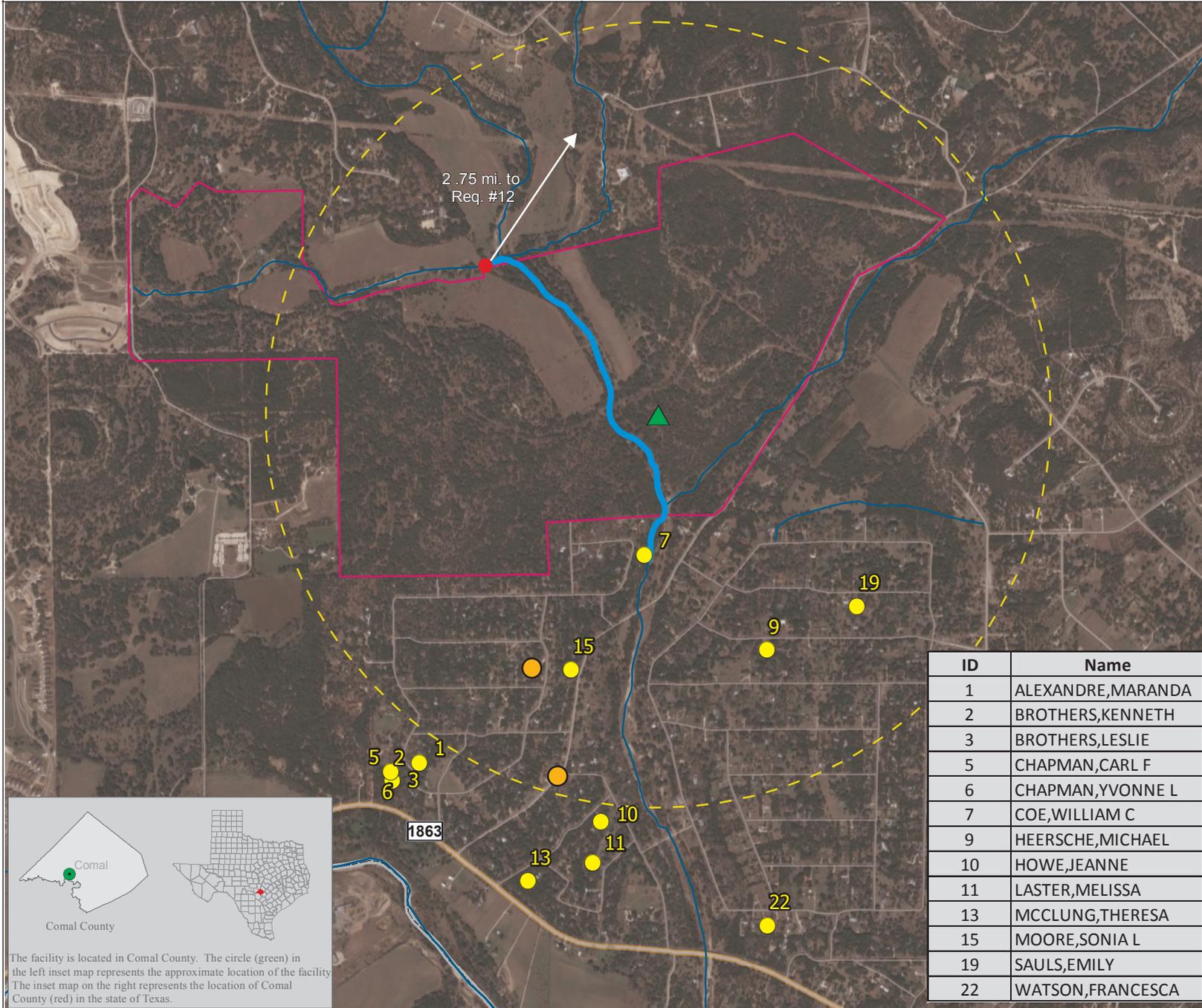


Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

Date: 9/9/2016



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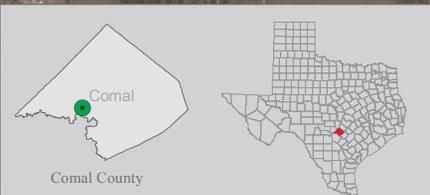
- Oak Village North Wells
- Outfall
- WWTP
- 1 mi. Downstream Discharge from Outfall
- Watercourse
- 1 mi Radial Distance from WWTP
- Property Boundary
- Intermediate Roads
- Minor Roads
- County Boundary

ID	Name
1	ALEXANDRE, MARANDA
2	BROTHERS, KENNETH
3	BROTHERS, LESLIE
5	CHAPMAN, CARL F
6	CHAPMAN, YVONNE L
7	COE, WILLIAM C
9	HEERSCHE, MICHAEL
10	HOWE, JEANNE
11	LASTER, MELISSA
13	MCCLUNG, THERESA
15	MOORE, SONIA L
19	SAULS, EMILY
22	WATSON, FRANCESCA

Requester (see attached key for identification)

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor. The background imagery of this map is from the current Environmental Systems Research Institute (ESRI) map service, as of the date of this map.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.



The facility is located in Comal County. The circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Comal County (red) in the state of Texas.

633-4S Ranch Ltd., and Stahl Lane, Ltd.

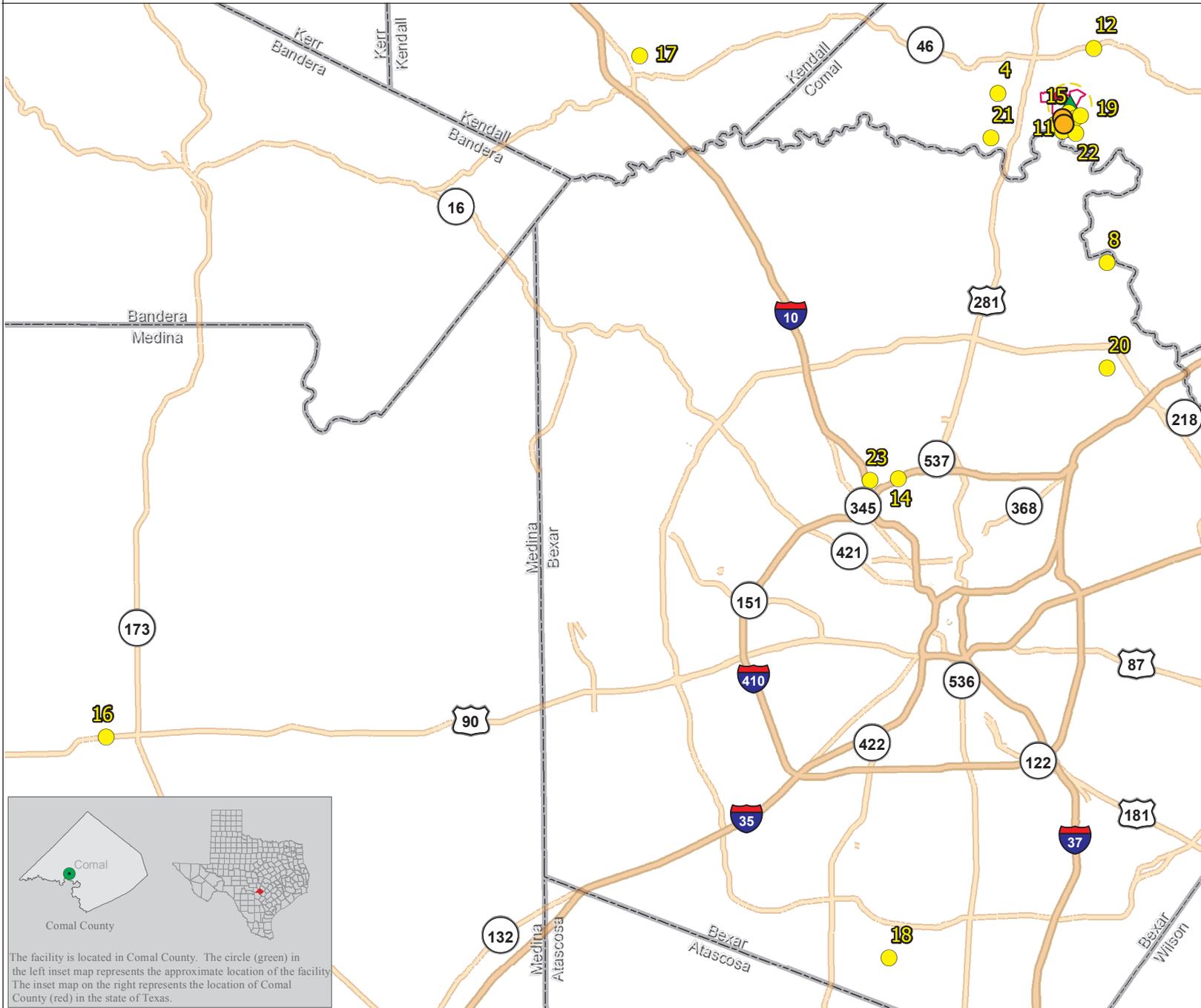
TPDES Permit No. WQ0015095001 - Individual Requesters

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

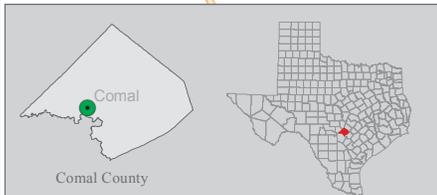
Date: 9/9/2016



- Oak Village North Wells
- Outfall
- WWTP
- 1 mi. Downstream Discharge from Outfall
- 1 mi Radial Distance from WWTP
- Property Boundary
- I
- Toll Roads
- Major Highways
- County Boundary
- Requester (see attached key for identification)

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor. The background imagery of this map is from the current Environmental Systems Research Institute (ESRI) map service, as of the date of this map.

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The facility is located in Comal County. The circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Comal County (red) in the state of Texas.

Individual Requestors

Map Location	Name	Address	City	State	Zip
1*	ALEXANDRE,MARANDA	30812 SUNLIGHT DR	BULVERDE	TX	78163
2*	BROTHERS,KENNETH	30803 SUNLIGHT DR	BULVERDE	TX	78163
3*	BROTHERS,LESLIE	30803 SUNLIGHT DR	BULVERDE	TX	78163
4	CANTU,ERIN P	2595 CASEY RD	BULVERDE	TX	78163
5*	CHAPMAN,CARL F	30809 SUNLIGHT DR	BULVERDE	TX	78163
6*	CHAPMAN,YVONNE L	30809 SUNLIGHT DR	BULVERDE	TX	78163
7*	COE,WILLIAM C	31434 SUNLIGHT DR	BULVERDE	TX	78163
8	DUNN,JUDITH	24335 CIBOLO VW	SAN ANTONIO	TX	78266
9*	HEERSCHE,MICHAEL	5188 MEADOW LARK DR	BULVERDE	TX	78163
10*	HOWE,JEANNE	30722 ONION CRK	BULVERDE	TX	78163
11*	LASTER,MELISSA	4845 SPREADING OAK DR	BULVERDE	TX	78163
12	MAURER,MICHAEL L	16129 SH 46 West	Spring Branch	TX	78070
13*	MCCLUNG,THERESA	30584 ONION CRK	BULVERDE	TX	78163
14	MONTEMAYOR,ALAN	2186 JACKSON KELLER RD STE 432	SAN ANTONIO	TX	78213
15*	MOORE,SONIA L	31109 SMITHSON VALLEY RD	BULVERDE	TX	78163
16	MOULTON,DAVID S	PO BOX 103	HONDO	TX	78861
17	RANZAU,SARA	325 N PLANT AVE	BOERNE	TX	78006
18	SANDOVAL,NANCY	1931 SILVER MTN	SAN ANTONIO	TX	78264
19*	SAULS,EMILY	5374 FALLEN OAK DR	BULVERDE	TX	78163
20	SWANN,CARYL	16546 HUNTING GLEN ST	SAN ANTONIO	TX	78247
21	WATSON,CHERYL	PO BOX 184	BULVERDE	TX	78163
22*	WATSON,FRANCESCA	7264 CIRCLE OAK DR	BULVERDE	TX	78163
23	YOUNGBLOOD,BENJAMIN	8207 CALLAGHAN RD STE 100	SAN ANTONIO	TX	78230

* These Hearing Requestors are included on the small scale map titled "Nearby Individual Requestors."

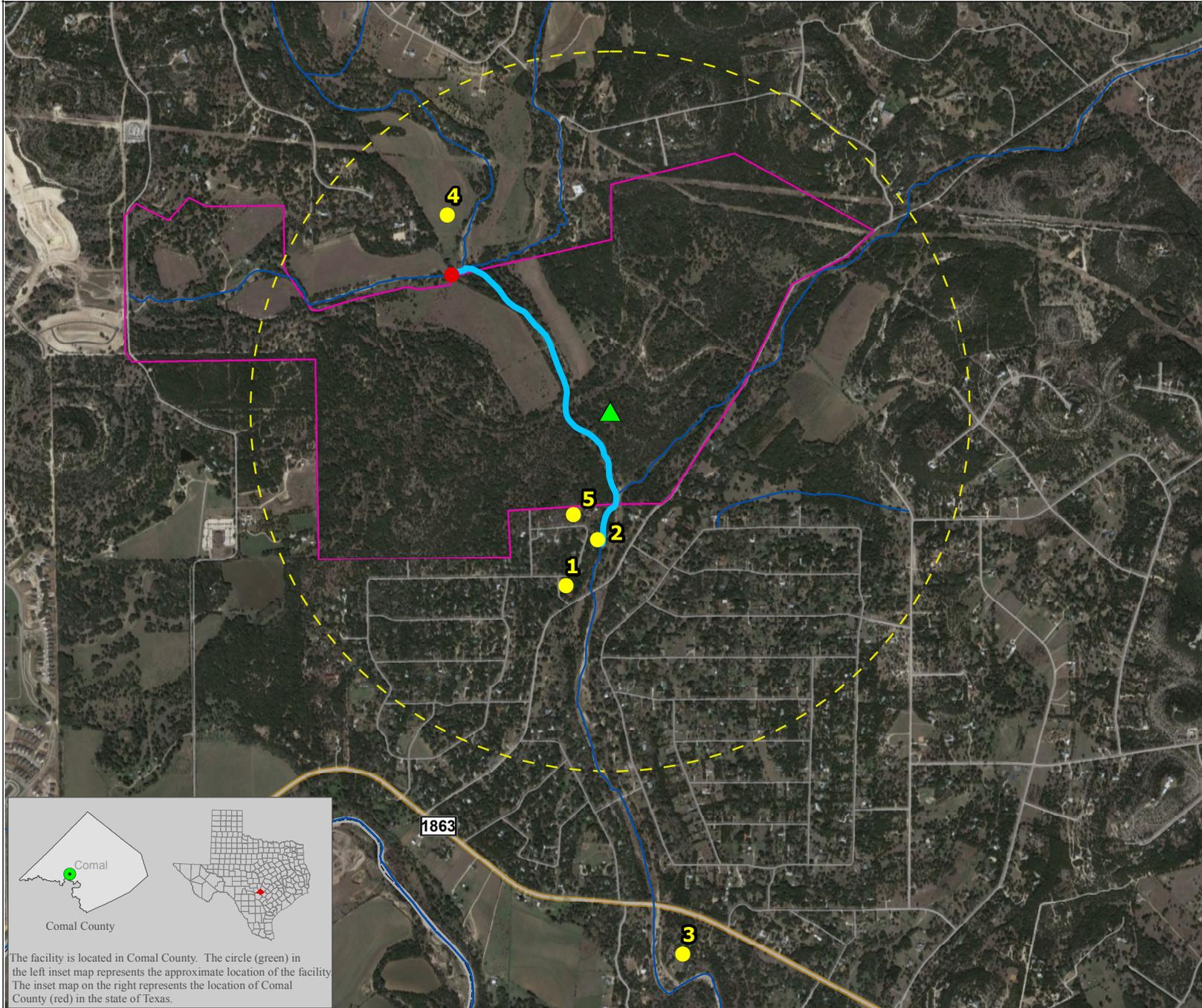
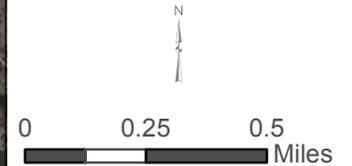
All Hearing Requestors are included on the large scale map

633-4S Ranch Ltd., and Stahl Lane, Ltd. TPDES Permit No. WQ0015095001 - Bulverde Neighborhood Alliance

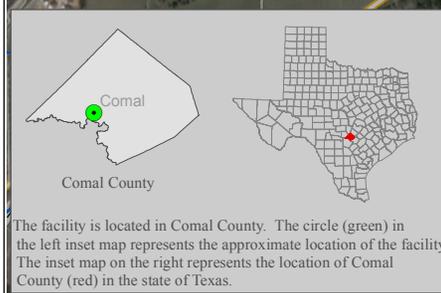
Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 8/25/2016



- Outfall
- ▲ WWTP
- ~ 1 mi downstream discharge from outfall
- ~ Watercourse
- 1 mi radial distance from WWTP
- Property Boundary
- Intermediate Roads
- Minor Roads
- County Boundary
- Requester (see attached key for identification)



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Bulverde Neighborhood Alliance Memembers

Map Location	Name	Address	City
1	Blacklock, Tom and Jeri	31404 Sunlight Drive	Bulverde
2	Coe, William and Joy	31434 Sunlight Drive	Bulverde
3	Haney, Patricia	5160 FM 1863	Bulverde
4	Markey, Keith	5685 Arroyo Luis Drive	Bulverde
5	McInerney	31458 Sunlight Dirve	Bulverde