

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
CLEAR LAKE CITY WATER AUTHORITY
SOAH Docket No. 582-15-4945
TCEQ Docket No. 2015-0563-MWD
Permit No. WQ0010539001**

APPLICATION.

Clear Lake City Water Authority, 900 Bay Area Boulevard, Houston, Texas 77058, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to TPDES Permit No. WQ0010539001 to authorize the establishment of two new additional outfalls and the discharge of treated domestic wastewater from Outfall 001 at an annual average flow not to exceed 10,000,000 gallons per day; from Outfall 002 at an annual average flow not to exceed 1,080,000 gallons per day and from Outfall 003 at an annual average flow not to exceed 1,080,000 gallons per day. The draft permit authorizes a combined annual average flow not to exceed 10,000,000 gallons per day from Outfalls 001, 002 and 003.

The plant site is located at 14210 Middlebrook Drive in Houston, approximately one mile northeast of the intersection of Bay Area Boulevard and Space Center Boulevard, southeast of Horsepen Bayou and adjacent to the northernmost part of the Lyndon B. Johnson Space Center in Harris County, Texas 77058. The treated effluent is discharged via Outfall 001 to Horsepen Bayou, then to Armand Bayou Tidal; via proposed Outfall 002 to a pond on the west side of El Dorado Boulevard, then to Harris County Flood Control District (HCFCD) ditch B104-03-00, then to Horsepen Bayou, then to Armand Bayou Tidal; via proposed Outfall 003 to a series of ponds on the east side of El Dorado Boulevard, then to HCFCD ditch B104-02-00, then to Horsepen Bayou, then to Armand Bayou Tidal in Segment No. 1113 of the San Jacinto-Brazos Coastal Basin. The unclassified receiving water uses are high aquatic use for Horsepen Bayou (tidal) and HCFCD ditch B104-03-00 (tidal), intermediate aquatic life use for a pond on the west side and a series of ponds on the east side of El Dorado Boulevard, and limited aquatic life use for HCFCD ditch B104-02-00 (above tidal). The designated uses for Segment No. 1113 are primary contact recreation and high aquatic life use. In accordance with 30 TAC § 307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the Horsepen Bayou (tidal), a pond on the west side of El Dorado Boulevard, HCFCD ditch B104-03-00 (tidal), a series of ponds on the east side of El Dorado Boulevard, and HCFCD ditch

B104-02-00 (tidal), which have been identified as having high, intermediate, high, intermediate and high aquatic life uses, respectively. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Clear Lake City Water Authority Office, 900 Bay Area Boulevard, Houston, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.5775&lng=-95.0922&zoom=13&type=r>

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

**10:00 a.m. – September 24, 2015
State Office of Administrative Hearings
The Preserve at North Loop
2020 North Loop West, Suite 111
Houston, Texas 77018**

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on July 10, 2015. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>.

Further information may also be obtained from Clear Lake City Water Authority at the address stated above or by calling Mr. William G. Rosenbaum, P.E., Manager-Development/District Engineering, Lockwood, Andrews, & Newnam, Inc. at 713-821-0455.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: August 5, 2015

A handwritten signature in black ink that reads "Bridget C. Bohac". The signature is written in a cursive, flowing style.

Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality