

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING**  
**633-4S RANCH, LTD. AND STAHL LANE, LTD.**  
**SOAH Docket No. 582-17-0899**  
**TCEQ Docket No. 2016-1402-MWD**  
**Permit No. WQ0015095001**

## **APPLICATION.**

633-4S Ranch, Ltd. and Stahl Lane, Ltd., 8023 Vantage Drive, Suite 1200, San Antonio, Texas 78230, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to TCEQ Texas Land Application Permit No. WQ0015095001 to convert the disposal method from land application to discharge to water in the state. Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ00015095001 would authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 480,000 gallons per day. The current permit authorizes the disposal of 180,000 gallons per day of treated domestic wastewater via public access subsurface drip irrigation of 41.32 acres. TCEQ received this application on August 12, 2014.

The facility 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. 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 unnamed tributary to Lewis Creek and limited aquatic life use for Lewis Creek.

Nutrients are listed as a screening concern in Segment No. 1908 in the 2012 Texas Water Quality Inventory. Based on Segment No. 1908 screening concerns for nutrients and nutrient screening results, a permit limit of 0.5 mg/L total phosphorous was added to the draft permit to help preclude degradation to Lewis Creek and Upper Cibolo 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. In accordance with 30 Texas Administrative Code (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 Upper Cibolo Creek, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

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 Bulverde/Spring Branch Library, 131 Bulverde Crossing, Bulverde, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice:  
<<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.765555&lng=-98.391944&zoom=13&type=r>>. For the exact location, refer to the application.

#### **CONTESTED CASE HEARING.**

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

**10:00 a.m. – January 9, 2017  
William P. Clements Building  
300 West 15th Street, 4th Floor  
Austin, Texas 78701**

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 October 11, 2016. 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 (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 633-4S Ranch, Ltd. and Stahl Lane, Ltd. at the address stated above or by calling Mr. Oscar D. Graham, South Texas Wastewater Treatment, at (830) 249-8098.

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: November 15, 2016

A handwritten signature in black ink that reads "Bridget C. Bohac". The script is cursive and fluid, with the first name "Bridget" being more prominent than the last name "Bohac".

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