

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
GREGORY POWER PARTNERS LLC  
SOAH Docket No. 582-17-4515  
TCEQ Docket No. 2017-0840-IWD  
Permit No. WQ0005219000**

**APPLICATION.**

Gregory Power Partners LLC, 1000 Main Street, Houston, Texas 77002, which operates the Gregory Power Plant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005219000, to authorize the discharge of previously monitored effluent (cooling tower blowdown, low volume waste sources, and treated domestic wastewater) at a daily average flow not to exceed 918,000 gallons per day via Outfall 001. The TCEQ received this application on December 15, 2016.

The facility is located at 4633A State Highway 361, southeast of the City of Gregory, in San Patricio County, Texas 78359. The effluent will be discharged via Outfall 001 directly to Corpus Christi Bay in Segment No. 2481 of the Bays and Estuaries. The designated uses for Segment No. 2481 are primary contact recreation, oyster waters, and exceptional aquatic life use. In accordance with Title 30 Texas Administrative Code Section 307.5 and the TCEQ implementation procedures (June 2010) 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 Corpus Christi Bay, which has been identified as having exceptional 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 reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies 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 Bell Whittington Public Library, 2400 Memorial Parkway, Portland, 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=27.888888&lng=-97.259166&zoom=13&type=r>>. For the exact location, refer to the application.

#### **DIRECT REFERRAL.**

The Notice of Application and Preliminary Decision was published on March 16, 2017. On June 8, 2017, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

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

SOAH will conduct a formal contested case hearing on this application at:

**10:00 a.m. – July 26, 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 be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26 of the Texas Water Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 305; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. At the hearing on July 26, 2017, jurisdiction must be established and written and oral public comment on the draft permit and application may be accepted.

To participate in the hearing as a party, you must attend the hearing and show you would be affected by the application in a way not common to members of the general public. See 30 Texas Administrative Code Section 55.256.

**In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.”**

#### **INFORMATION.**

For information concerning the hearing process, contact the Public Interest Counsel, MC 103, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For additional information, the general public may contact the Public Education Program, toll free, at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>.

Further information may also be obtained from Gregory Power Partners LLC at the address stated above or by calling Mr. Mario DeLa Cruz, Plant Manager, at 361-777-3061.

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: June 14, 2017

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