

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
NEW BRAUNFELS UTILITIES
SOAH Docket No. 582-16-0149
TCEQ Docket No. 2015-0840-MWD
Permit No. WQ0010232002**

APPLICATION.

New Braunfels Utilities, 263 Main Plaza, New Braunfels, Texas 78130 has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010232002, to authorize the relocation of the wastewater treatment plant, relocation of outfall, and to authorize an increase in the discharge of treated domestic wastewater from an annual average flow not to exceed 1,100,000 gallons per day to an annual average flow not to exceed 4,900,000 gallons per day.

The existing facility is located approximately 700 feet southwest of the crossing of Gruene Loop Road over the Guadalupe River, in Comal County, Texas 78131. The relocated domestic wastewater treatment facility will be located on a 30.1 acre tract on the northeast corner of the intersection of Highway 46 (Loop 337) and Gruene Road, approximately 1.8 miles northwest of Interstate Highway 35 on Highway 46 in Comal County, Texas 78130. The treated effluent is discharged directly to Guadalupe River Below Canyon Dam in Segment No. 1812 of the Guadalupe River Basin. The designated uses for Segment No. 1812 are exceptional aquatic life use, aquifer protection, public water supply, and primary contact recreation. In accordance with 30 Texas Administrative Code §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 the Guadalupe River Below Canyon Dam, 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 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 New Braunfels Utilities Main Office, 263 Main Plaza, Front Desk, New Braunfels, 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=29.7292&lng=-98.1139&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. – October 26, 2015
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 August 21, 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 New Braunfels Utilities at the address stated above or by calling Mr. Roger R. Biggers, P.E., at 830-629-8400.

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: September 16, 2015



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