

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
AMDT LLC
SOAH Docket No. 582-16-1624
TCEQ Docket No. 2015-1433-MWD
Proposed Permit No. WQ0015274001**

APPLICATION.

AMDT LLC, 1822 Plantation Drive, Richmond, Texas 77406, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015274001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 20,000 gallons per day.

The facility will be located approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359, in Fort Bend County, Texas 77471. The treated effluent will be discharged to a drainage ditch/detention pond; then to a drainage ditch; then to Andrus Creek; then to Upper Oyster Creek in Segment No. 1245 of the Brazos River Basin. The unclassified receiving water uses are minimal aquatic life use for drainage ditch/detention pond, minimal aquatic life use for drainage ditch, and high aquatic life use for Andrus Creek. The designated uses for Segment No. 1245 are primary contact recreation, public water supply, and intermediate aquatic life use. Public water supply does not apply from Steep Bank Creek/Brazos River confluence to Dam #3 approximately 0.4 mile downstream from the confluence of the American Canal. A 24-hour minimum DO criterion of 1.0 mg/l applies from the confluence with Steep Bank Creek/Brazos River upstream to Dam #3.

In accordance with 30 Texas Administrative Code (TAC) § 307.5 and the TCEQ implementation procedures (January 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 Andrus Creek, which has been identified as having a high aquatic life uses or Upper Oyster Creek, which has been identified as having intermediate 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's 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 George Memorial Library, 1001 Golfview Drive, Richmond, 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 the exact location, refer to the application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.657222&lng=-95.810277&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. – February 22, 2016
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 November 30, 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 AMDT LLC at the address stated above or by calling Mr. Terry Nehls, Managing Partner, at 281-460-7374.

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: January 4, 2016



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