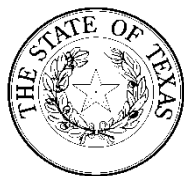


Texas Commission on Environmental Quality



COMBINED NOTICE OF PUBLIC MEETING AND NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER AMENDMENT

PERMIT NO. WQ0011060001

APPLICATION AND PRELIMINARY DECISION. City of Buda and Guadalupe-Blanco River Authority, P. O. Box 1218, Buda, Texas 78610, have applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0011060001 to authorize an increase in the discharge of treated domestic wastewater from an annual average flow not to exceed 1,500,000 gallons per day to an annual average flow not to exceed 2,000,000 gallons per day at Outfall 001; and the discharge of treated domestic wastewater at an annual average flow not to exceed 2,000,000 gallons per day at new Outfall 002, with a combined total discharge of 3,500,000 gallons per day at Outfalls 001 and 002. TCEQ received this application on January 26, 2016.

The facility is located at 575 County Road 236, in Hays County, Texas 78610. The treated effluent is discharged via Outfall 001 to an unnamed tributary; thence to Andrews Branch; thence to Porter Creek; thence to Soil Conservation Service (SCS) Site 6 Reservoir; thence to Porter Creek; thence to Plum Creek in Segment No. 1810 of the Guadalupe River Basin. The treated effluent will also be discharged via Outfall 002 to an unnamed tributary; thence to an unnamed lake; thence to an unnamed tributary; thence to SCS Site 11 Reservoir; thence to an unnamed tributary; thence to SCS Site 12 Reservoir; thence to Brushy Creek; thence to Plum Creek in Segment No. 1810 of the the Guadalupe River Basin. The unclassified receiving water uses for Outfall 001 are limited aquatic life use for the unnamed tributary and Andrews Branch. The unclassified receiving water uses for Outfall 002 are minimal aquatic life use for the unnamed tributary (above the unnamed lake), limited aquatic life use for the unnamed lake, and limited aquatic life use for the unnamed tributary (below the unamed lake), and high aquatic life use for SCS Site 11 Reservoir. The designated uses for Segment No. 1810 are primary contact recreation, aquifer protection and high aquatic life use. The aquifer protection use does not apply to this permit as the outfalls are downstream of the Edwards Aquifer contributing, recharge, and transition zones.

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 SCS Site 11 Reservoir, which has been identified as having high aquatic life uses. 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 completed the technical review of the application and prepared a draft permit. The draft permit, 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 Basil Anthony Moreau Memorial Library (Buda Public Library), 303 Main Street, Buda, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is 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=30.08932&lng=-97.84144&zoom=13&type=r>

CHANGE IN LAW: The Texas Legislature enacted Senate Bill 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in law.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments about this application. The TCEQ will hold a public meeting on this application because it was requested by a local legislator. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application.

A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

**The Public Meeting is to be held:
Tuesday, March 21, 2017 at 7:00 PM
Buda Elementary (Upper Campus) Kunkel Room
300 N. San Marcos Street
Buda, Texas 78610**

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will**

also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

Citizens are encouraged to submit written public comments and public meeting requests to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice or by the date of the public meeting, whichever is later.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.texas.gov.

Further information may also be obtained from City of Buda and Guadalupe-Blanco River Authority at the address stated above or by calling Mr. Michael Urrutia, Director of Water Quality Services, Guadalupe-Blanco River Authority, at (830) 379-5822.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or 1-800-RELAY-TX (TDD) at least one week prior to the meeting.

Issuance Date February 15, 2017