

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
TEXAS PROVIDENCE INVESTMENTS, LLC
SOAH Docket No. 582-18-0066
TCEQ Docket No. 2017-0741-MWD
Permit No. WQ0015460001**

APPLICATION.

Texas Providence Investments, LLC, 10600 Richmond Avenue, Houston, Texas 77042, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015460001 to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 8,000 gallons per day. TCEQ received this application on February 17, 2016.

The facility will be located at 13722 Kluge Road, in Cypress, Harris County, Texas 77429. The treated effluent will be discharged to a Harris County Flood Control District detention pond; thence to Cypress Creek in Segment No. 1009 of the San Jacinto River Basin. The unclassified receiving water use is minimal aquatic life use for the Harris County Flood Control District detention pond. The designated uses for Segment No. 1009 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code (TAC) § 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 Cypress 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 the Texas Commission on Environmental Quality Region 12 Office, 5425 Polk Street, Suite H, Houston, 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=29.973055&lng=-95.638055&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. – November 28, 2017
City of Houston – Annex Chamber
900 Bagby Street
Houston, Texas 77002**

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 28, 2017. 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.

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, or in printed format upon request to SOAH.”

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 Texas Providence Investments, LLC, at the address stated above or by calling Ms. Shelly Young, P.E., Manager, WaterEngineers, Inc., at 281-373-0500.

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: October 13, 2017



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