

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
GULF COAST AMMONIA LLC
SOAH Docket No. 582-19-0503
TCEQ Docket No. 2018-0925-IWD
Permit No. WQ0005235000**

APPLICATION.

Gulf Coast Ammonia LLC, 1815 Purdy Avenue, Miami Beach, Florida 33139, which proposes to operate the Gulf Coast Ammonia Facility, an anhydrous ammonia production facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005235000, to authorize the discharge of utility wastewater and stormwater at a daily average flow not to exceed 2,200,000 gallons per day via Outfall 001. The TCEQ received this application on June 30, 2017.

The facility will be located at 201 Bay Street South, Texas City, Galveston County, Texas 77590. 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=29.385503&lng=-94.889088&zoom=13&type=r>>. For the exact location, refer to the application.

The effluent is discharged directly to Lower Galveston Bay in Segment No. 2439 of the Bays and Estuaries. The designated uses for Segment No. 2439 are primary contact recreation, oyster waters, and high aquatic life use.

In accordance with 30 Texas Administrative Code § 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), 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 Lower Galveston Bay, 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 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 Moore Public Library, 1701 9th Avenue North, Texas City, Texas.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

**10:00 a.m. – November 19, 2018
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 September 7, 2018. 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 Gulf Coast Ammonia LLC at the address stated above or by calling Ms. Lori Carter Hagman, Principal Consultant, at 512-527-6072.

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 5, 2018

A handwritten signature in black ink that reads "Bridget C. Bohac". The signature is written in a cursive style with a large initial 'B' and a long, sweeping tail on the 'c'.

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