

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
CITY OF STAR HARBOR  
SOAH Docket No. 582-19-6260  
TCEQ Docket No. 2019-0575-MWD  
Permit No. WQ0014268002**

**APPLICATION.**

City of Star Harbor, 99 Sunset Boulevard, Malakoff, Texas 75148, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014268002, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 240,000 gallons per day. TCEQ received this application on October 9, 2017.

The facility will be located approximately 3,050 feet west of the intersection of Briarwood and Farm-to-Market Road 3062, and 3,500 feet south of the intersection of Farm-to-Market Road 3062 and Jupiter Road, in Henderson County, Texas 75148. The treated effluent will be discharged to Cedar Creek; thence to Trinity River Above Lake Livingston in Segment No. 0804 of the Trinity River Basin. The unclassified receiving water use is high aquatic life use for Cedar Creek. The designated uses for Segment No. 0804 are high aquatic life use and primary contact recreation. In accordance with 30 Texas Administrative Code (TAC) Section 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 Cedar Creek, 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. 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:

<[www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.177622&lng=-96.05283&zoom=13&type=r](http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.177622&lng=-96.05283&zoom=13&type=r)>. For the exact location, refer to the application.

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 Star Harbor City Hall, 99 Sunset Boulevard, Malakoff, Texas.

**CONTESTED CASE HEARING.**

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

**10:00 a.m. – September 23, 2019  
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 June 18, 2019. 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](http://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 [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from the City of Star Harbor at the address stated above or by calling The Honorable Warren Claxton, Mayor, at 903-489-0091.

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: July 30, 2019



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