

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**CITY OF BRACKETTVILLE AND
FORT CLARK MUNICIPAL UTILITY DISTRICT
SOAH Docket No. 582-22-1171
TCEQ Docket No. 2021-1215-MWD
Permit No. WQ0010194002**

APPLICATION.

City of Brackettville and Fort Clark Municipal Utility District, P.O. Box 526, Brackettville, Texas 78832, have applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010194002 to authorize the addition of four holding ponds to attenuate effluent flow and to increase the irrigation area from 40 acres to 92 acres. The draft permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 500,000 gallon per day (gpd) (November-March) and 183,000 gpd (April-October). The draft permit also authorizes the disposal of treated domestic wastewater via irrigation of 92 acres. TCEQ received this application on May 18, 2020.

The facility and the disposal site are located approximately 2.3 miles south of the intersection of State Highway 131 and U.S. Highway 90 and 0.75 mile west of State Highway 131, in Kinney County, Texas 78832. The treated effluent is discharged to Las Moras Creek, thence to the Rio Grande Below Amistad Reservoir in Segment No. 2304 of the Rio Grande Basin. 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:

<<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-100.425%2C29.274444&level=12>>. 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 Brackettville City Hall, 119 West Spring Street, Brackettville, Texas.

CONTESTED CASE HEARING.

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – March 2, 2022

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 038 8685

Password: 4RK2gd

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 161 038 8685

Password: 519726

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be 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 29, 2021. 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 Texas Administrative Code (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 www.tceq.texas.gov.

Further information may also be obtained from City of Brackettville and Fort Clark Municipal Utility District at the address stated above or by calling Ms. Nora Rivas, at 830-563-2412.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Issued: January 12, 2022

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality