

State Office of Administrative Hearings

Kristofer S. Monson
Chief Administrative Law Judge

ACCEPTED
582-22-1222
1/22/2024 4:02:19 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

January 22, 2024

Mary Smith
General Counsel
Texas Commission on Environmental Quality

VIA E-FILE TEXAS

RE: SOAH Docket Number 582-22-1222.TCEQ; TCEQ Docket No. 2021-0999-MWD; Application by City of Liberty Hill for Renewal of Texas Pollutant Discharge Elimination System Permit No. WQ0014477001

Dear Ms. Smith:

Following the issuance of the Supplemental Proposal for Decision on Remand (Supplemental PFD) in this matter, the City of Liberty Hill (Applicant), the Executive Director (ED), and Protestant Stephanie Ryder Morris filed exceptions; and the Applicant, Protestant Morris, and the Office of Public Interest Counsel (OPIC) filed replies to those exceptions. Most of the Applicant's and ED's exceptions restate the parties' arguments that were previously considered in the PFD. The ALJs recommend denying those exceptions but accepting Protestant Morris's proposed addition of Findings of Fact (FOF) no. 38, and proposed change to FOF no. 113. With regard to Applicant's exceptions to FOF and Conclusions of Law not remanded by the Commission, the intent of the ALJs was to provide a comprehensive proposed order for the Commissioners' consideration.

Accordingly, the ALJs recommend the addition of the following FOF between FOF nos. 37 and 38 to read:

37A. On July 21, 2023, the ALJs convened a prehearing conference via videoconference. All parties appeared through their respective representatives and the ALJs addressed pending motions,

including objections and motions to strike, and matters pertinent to the remand hearing organization.

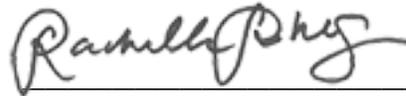
The ALJs recommend amending FOF No. 113 to correct a typo. It should read:

113. The TP effluent necessary to prevent excessive algal growth that impairs primary contact recreation use is 0.015 mg/L.

With these changes, the Supplemental PFD is ready for consideration.



Meitra Farhadi,
Administrative Law Judge



Rachelle Nicolette Robles,
Administrative Law Judge

CC: Service List

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Status as of 1/22/2024 4:03 PM CST

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