

TCEQ DOCKET NO. 2022-0091-MWD

APPLICATION BY GREEN VALLEY § BEFORE THE  
SPECIAL UTILITY DISTRICT FOR § TEXAS COMMISSION ON  
TPDES PERMIT NO. WQ0015917001 § ENVIRONMENTAL QUALITY

**CITY OF SAINT HEDWIG'S REPLY IN SUPPORT OF RESPONSES TO REQUESTS FOR HEARING AND REQUESTS FOR RECONSIDERATION**

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COMES NOW, the City of Saint Hedwig (the "*City*") and, pursuant to 30 Texas Administrative Code ("*TAC*") § 55.209(g), hereby submits this Reply in Support of the Response to Hearing Requests and Requests for Reconsideration filed by the Executive Director ("*ED*") and the Response to Requests for Hearing and Requests for Reconsideration filed by the Office of Public Interest Counsel ("*OPIC*") in the above-referenced Docket concerning the application ("*Application*") by Green Valley Special Utility District ("*GVSUD*") for a new Texas Pollutant Discharge Elimination System ("*TPDES*") permit and draft TPDES Permit No. WQ0015917001 (the "*Draft Permit*").

**I. REPLY**

The City supports the recommendations of the ED and OPIC that the Texas Commission on Environmental Quality ("*Commission*") should grant the City's timely-filed request for a contested case hearing regarding the Application and Draft Permit ("*Request*").<sup>1</sup> The Request satisfies all criteria warranting that the Commission do so, which is evidenced by the fact that none of the parties to this proceeding dispute that the Request complies with the form and procedural

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<sup>1</sup> Executive Director's Resp. to Hr'g Reqs. and Reqs. for Reconsid. 1, 9, 18 [hereinafter *ED's Response*]; The Office of Public Interest Counsel's Resp. to Reqs. for Hr'g and Reqs. for Reconsid. 1, 19 [hereinafter *OPIC's Response*].

requirements set forth in 30 TAC § 55.201,<sup>2</sup> or that the City is an “affected person” as such term is defined in Texas Water Code § 5.115 and 30 TAC § 55.203.<sup>3</sup>

## II. CONCLUSION

For the foregoing reasons, and as recommended by the ED and OPIC, the City requests that the Commission find that the City is an affected person whose Request complies with the procedural prerequisites set forth in 30 TAC § 55.201 and grant it a contested case hearing on the relevant and material issues raised in its Request. In the alternative, the City requests that the Commission deny the Application or remand it for reconsideration by the ED. Further, in the event of a contested case hearing, the City reserves the right to raise and pursue any and all issues that may be relevant to its interest.

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<sup>2</sup> Pursuant to 30 TAC § 55.209(d), the only parties authorized to respond to the requests for reconsideration or contested case hearing filed in this proceeding are the ED, OPIC, and GVSUD. Though GVSUD opted not to do so, the Responses filed by the ED and OPIC both conclude that the City’s Request complies with the form and procedural requirements set forth in 30 TAC § 55.201. *TCEQ Commissioners’ Integrated Database*, <https://www14.tceq.texas.gov/epic/eCID/> (use “Search One: Status of Matter(s);” under the heading titled “Step One,” “Open Items” and “Applicant/Respondent” should be selected by default; under the heading titled “Step Two,” enter “WQ0015917001” into the text box labeled “TCEQ ID Number;” under the heading titled “Step Three,” select “Include Filings on this Item,” and click “Search;” all filings submitted in this Docket are listed at the bottom of the page titled “Search Results for TCEQ Commissioners’ Integrated Database”) [hereinafter *TCEQ CID*]; Ed’s Response 9; OPIC’s Response 9.

<sup>3</sup> TCEQ CID, ED’s Response 9, 11, 13 – 16, 18; OPIC’s Response 9.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on February 14, 2022, the foregoing Reply in Support of Responses to Requests for Hearing and Requests for Reconsideration was filed with the Commission's Office of the Chief Clerk, and a true and correct copy was served to the ED, OPIC, and GVSUD via hand delivery, facsimile transmission, electronic submittal, or by deposit in the U.S. Mail pursuant to 30 TAC § 55.209(g).



Maris M. Chambers