

TCEQ DOCKET NO. 2023-0848-MWD

APPLICATION BY
FM 665 LAND COMPANY, LTD.
FOR TPDES PERMIT NO.
WQ0016133001

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BEFORE
THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

I. INTRODUCTION

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Hearing Requests on the application by FM 665 Land Company, Ltd. (Applicant) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016133001, 75,000 gallons per day or 0.075 million gallons per day (MGD) during the Interim phase, and a daily average flow limit of 150,000 or 0.150 MGD in the Final Phase (proposed discharge). Christopher Phelan filed a timely, written request (Request) for a Contested Case Hearing (Hearing).

II. ATTACHMENTS FOR COMMISSION CONSIDERATION

- Attachment A - ED's GIS Map

III. DESCRIPTION OF FACILITY, DISCHARGE ROUTE, & THE ED'S TECHNICAL REVIEW

A. FACILITY

The Applicant's FM 665 Wastewater Treatment Facility (proposed facility) will be located approximately 2,600 feet northwest of the intersection of Farm-to-Market Road (FM) 665 and FM 763, in Nueces County, Texas 78415, will serve the FM 665 residential development area, and will be an activated sludge process plant operated in the extended aeration mode, with treatment units in the Interim phase including a bar screen, an aeration basin, a clarifier, a sludge digester, and a chlorine contact chamber. Treatment units in the Final phase will include a bar screen, two aeration basins, a clarifier, two sludge digesters, and a chlorine contact chamber.

B. DISCHARGE ROUTE/RECEIVING WATERS

The route of the discharge of effluent will be to a constructed ditch, then a roadside ditch, to an unnamed tributary of Oso Creek, and then to Oso Bay in Segment Number 2485 (Segment 2485) of the Bays and Estuaries.

Segment 2485 is currently listed on the State's Inventory of Impaired and Threatened Waters, the "2020 CWA § 303(d) list," for depressed dissolved oxygen (DO) in the middle bay ((State Park Road 22 to Holly Road) (Assessment Unit (AU) 2485_02)) and has two, approved Total Maximum Daily Load (TMDL) Projects associated with it. Project No. 67A: *One Total Maximum Daily Load for Bacteria in Oso Bay (2007)*, and Project 67B: *One Total Maximum Daily Load for Indicator Bacteria in Oso Creek (2019)*.

Oso Bay (Oyster Waters use) is listed on the 2020 CWA § 303(d) list for bacteria in oyster waters (AU 2485OW_01), as well as Oso Creek (Segment 2485A) for a bacteria impairment from the confluence of Oso Bay in southern Corpus Christi to a point 4.8 km (3 mi) upstream of State Highway 44, west of Corpus Christi (AU 2485A_01).

On October 25, 2019, after adoption by the TCEQ on July 31, 2019, the United States Environmental Protection Agency (EPA) approved TMDL-67B, which describes a plan to address elevated levels of bacteria that exceed the criteria established in the TCEQ's IPs to evaluate contact recreation uses. TMDL-67B focuses on elevated levels of bacteria in Segment 2485A (Oso Creek), an unclassified segment, but uses a watershed approach in its plan, meaning all unclassified segments associated with Segment 2485A (2485B, 2485C, and 2485D) are subject to TMDL-67B.

On June 8, 2008, after adoption by the TCEQ on August 22, 2007, the EPA approved TMDL-67A, which describes a plan to address water quality impairments from bacteria concentrations in Segment No. 2485 (Oso Bay) that exceed the criteria established in the TCEQ's IPs to evaluate contact recreation uses. TMDL-67A states that the permitted wastewater discharges to Oso Bay are not considered causes of the impairment, and load reductions are not required for those facilities. Therefore, currently the TMDL does not call for any specific or additional bacteria related permit conditions for discharges to Oso Bay. However, bacteria limits and monitoring requirements will be included based on other requirements or regulations.

The proposed discharge is not expected to contribute to the bacteria impairments, or negatively affect DO levels in the impaired areas of Segment 2485 because modeling results indicate DO-demanding constituents are at background levels before reaching the impaired areas of Segment 2485.

C. ED'S TECHNICAL REVIEW

The TCEQ has primary authority over water quality in Texas and federal regulatory authority for the TPDES program, which controls discharges of pollutants into Texas surface waterbodies ("water in the state"). The Texas Water Code (TWC) section (§) 26.027, authorizes the TCEQ to issue permits for discharges into *water in the state*, and the ED evaluates applications for discharge permits based on the information provided in the application and can recommend issuance or denial of an application based on its compliance with the TWC and TCEQ rules. Specifically, the ED's review evaluates impacts from the proposed discharge on the receiving waters in the route for the proposed discharge, starting at the discharge point (constructed ditch), according to 30 TAC Chapter 307, the Texas Surface Water Quality Standards (TSWQS) and the TCEQ's *Implementation Procedures for the Texas Surface Water Quality Standards-June 2010* (IPs).

The Technical Review process for surface water quality is conducted collectively by staff in the ED's Water Quality Division (WQD staff) on the Standards Implementation Team (Standards Team) and WQD staff on the Water Quality Assessment Team (WQA Team). Both Teams reviewed the application in accordance with the TSWQS and TCEQ's IPs with the goal of maintaining a level of water quality sufficient to protect the existing uses of the receiving surface waters.

The first component of the ED's Technical Review involves WQD staff on the Standards Team reviewing the classifications, designations, and descriptions of the receiving surface waters in the state within the route of the proposed discharge. Other available information and a receiving water assessment allowed the Standards Team to preliminarily determine the aquatic life uses in the proposed discharge's possible area of possible impact and assign the corresponding Minimum Dissolved Oxygen Criterion (DO limit) as stipulated at 30 TAC § 307.5 (TSWQS) and in the TCEQ's IPs.

The designated uses and DO limits for the receiving waters within the route of the proposed discharge, according to Appendix A of 30 TAC § 307.10 (TSWQS), is primary contact recreation, exceptional aquatic life use, and oyster waters, and 4.0 mg/L DO for Oso Bay (Segment No. 2485). Through his Technical Review, the ED provides the proper effluent limits to protect these uses.

For all applications for new discharges, the Standards Team performs an antidegradation analysis of the proposed discharge and the receiving waters according to 30 TAC § 307.5 of the TSWQS and TCEQ's Ips. Correspondingly, the Tier 1 antidegradation review preliminarily determined that existing water quality uses will not be impaired by this permit action because numerical and narrative criteria to protect existing uses will be maintained. The Tier 2 review preliminarily determined that no significant degradation of water quality is expected in the unnamed tributary, which has been identified as having high aquatic life use. Existing uses of the waterbodies of the discharge route will be maintained and protected.

Because the proposed discharge is directly to an unclassified water body, the Standards Team reviewed this permitting action in conformity with 30 TAC §§ 307.4(h) and (l) of the TSWQS. The Standards Team determined that the unclassified receiving water uses and DO criterion are minimal aquatic life use and 2.0 mg/L DO for the constructed and roadside ditches, high aquatic life use and a 5.0 mg/L DO criterion.

Conventional effluent limits such as DO, Five-day Carbonaceous Biochemical Oxygen Demand (CBOD₅), Total Suspended Solids (TSS), and Ammonia Nitrogen (NH₃N), are based on stream standards and waste load allocations for water quality-limited streams promulgated by the TSWQS and the State of Texas Water Quality Management Plan.

The second component of the ED's Technical Review involves WQD staff on the Modeling Team performing water quality modeling runs, or Dissolved Oxygen (DO) analyses, using a mathematical model; in this case, an uncalibrated QUAL-TX model.

The proposed permit's effluent limits, established by the Modeling Team's results, will maintain and protect the existing instream uses. Specifically, the proposed limits below are predicted to be adequate to maintain DO levels above the criteria stipulated by the Standards Team for the constructed ditch (2.0 mg/L), the roadside ditch (2.0 mg/L), and the unnamed tributary (5.0 mg/L).

- Interim phase: (0.075 MGD): 10 mg/L CBOD₅, 3.0 mg/L NH₃-N, and 4.0 mg/L DO
- Final Phase: (00.15 MGD): 5.0 mg/L CBOD₅, 2.0 mg/L NH₃-N, and 4.0 mg/L DO

Coefficients and kinetics used in the model are a combination of site-specific, standardized default, and estimated values. The results of this evaluation can be reexamined upon receipt of information that conflicts with the assumptions employed in this analysis.

The entire set of effluent limits in the Interim phase proposed permit's Interim phase, based on a 30-day average, are 10 mg/l CBOD₅, 15 mg/l TSS, 3 mg/l NH₃-N, 126 colony forming units (CFU) or most probable number (MPN) of *Escherichia coli* (*E. coli*) per 100 ml, and 4.0 mg/l minimum DO. The entire set of effluent limits in the proposed permit's Final phase, based on a 30-day average, are 5.0 mg/l CBOD₅, 7.0 mg/l TSS, 2.0 mg/l NH₃-N, 120 CFU or MPN of *E. coli* per 100 ml, and 4.0 mg/l minimum DO. The effluent must contain a total chlorine residual of at least 1.0 mg/l and must not exceed a total chlorine residual of 4.0 mg/l after a detention time of at

least 20 minutes based on peak flow for both phases. An equivalent method of disinfection may be substituted only with prior approval of the ED.

In all phases of the proposed permit, the pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored once per week by grab sample. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The proposed permit's pretreatment requirements are based on TPDES regulations contained in 30 TAC Chapter 305, which references 40 Code of Federal Regulations (CFR) Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution" [rev. *Federal Register*/ Vol. 70/ No. 198/ Friday, October 14, 2005/ Rules and Regulations, pages 60134-60798]. The permit includes specific requirements that establish responsibilities of local government, industry, and the public to implement the standards to control pollutants which pass through or interfere with treatment processes in publicly owned treatment works or which may contaminate the sewage sludge. This permit has appropriate pretreatment language for a facility of this size and complexity.

The discharge from this permit action is not expected to impact any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization for the TPDES program (September 14, 1998; October 21, 1998, *update*). To make this determination for TPDES permits, TCEQ and USEPA only consider aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. USEPA review with respect to the presence of endangered or threatened species is not required by the proposed permit.

Through the Technical Review, the ED provides the proper limits to maintain and protect the existing instream uses. However, as with all determinations, reviews, or analyses related to the technical review of the proposed permit, the above and below can be reexamined and subsequently modified upon receipt of new information or information that conflicts with the bases employed in the applicable review or analysis.

IV. PROCEDURAL HISTORY

The TCEQ received the application on March 28, 2022, and declared it administratively complete on June 15, 2022. The Applicant published the Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) in English in the *Corpus Christi Caller Times* on June 23, 2022; and in Spanish in *Corpus Christi Cronica* on June 24, 2022. The ED completed the technical review of the application on August 31, 2022, and prepared the proposed permit, which if approved, would establish the conditions under which the proposed facility must operate. The Applicant published the Notice of Application and Preliminary Decision (NAPD) in English in the *Corpus Christi Caller Times* on December 30, 2022, and in Spanish in *Corpus Christi Cronica* on December 29, 2022. The public comment period ended on February 6, 2023, the ED's Response to Comment (RTC) was filed on April 5, 2023, the ED's Final Decision Letter mailed out on April 11, 2023, and the deadline for filing a Request or a Request for Reconsideration (RFR) was May 11, 2023. Because this application was received after September 1, 2015, and because it was declared administratively complete after September 1, 1999, it is subject to both the procedural requirements adopted pursuant

to House Bill 801, 76th Legislature, 1999, and the procedural requirements and rules implementing Senate Bill 709, 84th Legislature, 2015, which are implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55.

V. ACCESS TO RULES, LAWS AND RECORDS

- All administrative rules: Secretary of State Website: www.sos.state.tx.us
- TCEQ rules: Title 30 of the Texas Administrative Code: www.sos.state.tx.us/tac/ (select TAC Viewer on the right, then Title 30 Environmental Quality)
- Texas statutes: www.statutes.capitol.texas.gov
- TCEQ website: www.tceq.texas.gov (for downloadable rules in WordPerfect or Adobe PDF formats, select “Rules, Policy, & Legislation,” then “Current TCEQ Rules,” then “Download TCEQ Rules”);
- Federal rules: Title 40 of the Code of Federal Regulations (C.F.R.)
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab_02.tpl
- Federal environmental laws: <http://www.epa.gov/lawsregs/>
- Environmental or citizen complaints may be filed electronically at:
<https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaints.html> (select “use our online form”) or by sending an email to the following address: complaint@TCEQ.texas.gov

Commission records for the proposed facility are available for viewing and copying at TCEQ’s main office in Austin, 12100 Park 35 Circle, Building F, 1st Floor (Office of Chief Clerk, for the current application until final action is taken). Some documents located at the Office of the Chief Clerk may also be located in the TCEQ Commissioners’ Integrated Database at www.tceq.texas.gov/goto/cid. The permit application, executive director’s preliminary decision, and proposed permit have been available for viewing and copying at the at Owen R. Hopkins Public Library, Corpus Christi, Texas, 78410, since publication of the NORI. The final permit application, proposed permit, statement of basis/technical summary, and the ED’s preliminary decision are available for viewing and copying at the same location since publication of the NAPD.

Alternative language notice in Spanish is available at:

<https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

The ED has determined that the proposed permit, if issued, meets all statutory and regulatory requirements and is protective of the environment, water quality, animal life, vegetation, and human health. However, if you would like to file a complaint about the proposed facility concerning its compliance with the provisions of its permit or with TCEQ rules, you may contact the TCEQ Regional Office (Region 14) in Corpus Christi, TX at (361) 881-6900 or the statewide toll-free number at 1-888-777-3186 to address potential permit violations. In addition, complaints may be filed electronically by using the methods described above at the seventh bullet point under, “Access to Rules, Laws, and Records.” If an inspection by the Regional Office finds that the Applicant is not complying with all the requirements of the permit, or that the Facility is out of compliance with TCEQ rules, enforcement actions may arise.

VI. EVALUATION OF HEARING REQUESTS

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests (Requests). The Commission implemented HB 801 by adopting procedural rules in 30 TAC chapters 39, 50, and 55. Senate Bill 709 revised the requirements for submitting public comment and the commission's consideration of Requests. This application was declared administratively complete on September 14, 2022; therefore, it is subject to the procedural requirements adopted pursuant to both HB 801 and SB 709.

A. *LEGAL AUTHORITY TO RESPOND TO HEARING REQUESTS*

"The executive director, the public interest counsel, and applicant may submit written responses to [hearing] requests"¹

1. whether the requestor is an affected person;
2. whether issues raised in the hearing request are disputed;
3. whether the dispute involves questions of fact or law;
4. whether the issues were raised during the public comment period;
5. whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter by filing a written withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment;
6. whether the issues are relevant and material to the decision on the application; and
7. a maximum expected duration for the contested case hearing.²

B. *HEARING REQUEST REQUIREMENTS*

To consider a Request, the Commission must first conclude that the requirements in 30 TAC §§ 55.201 and 55.203, are met as follows.

A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided . . . , based only on the requester's timely comments, and not based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment.³

A hearing request must substantially comply with the following:

- (1) give the name, address, telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who is responsible for receiving all official communications and documents for the group;
- (2) identify the person's justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely

¹ 30 TAC § 55.209(d).

² *Id.* at § 55.209(e).

³ 30 TAC § 55.201(c).

affected by the facility or activity in a manner not common to members of the general public;

(3) request a contested case hearing;

(4) for applications filed;

(B) on or after September 1, 2015, list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, list any disputed issues of law; and

(5) provide any other information specified in the public notice of application.⁴

C. REQUIREMENT THAT REQUESTOR BE AN AFFECTED PERSON

To grant a contested case hearing, the commission must determine, pursuant to 30 TAC § 55.203, that a requestor is an affected person.

(a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the public does not qualify as a personal justiciable interest.

(b) Governmental entities, including local governments and public agencies with authority under state law over issues raised by the application, may be considered affected persons.

(c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

(1) whether the interest claimed is one protected by the law under which the application will be considered;

(2) distance restrictions or other limitations imposed by law on the affected interest;

(3) whether a reasonable relationship exists between the interest claimed and the activity regulated;

(4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;

(5) likely impact of the regulated activity on use of the impacted natural resource by the person; and

(6) whether the requester timely submitted comments on the application which were not withdrawn; and

(7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.⁵

⁴ *Id.* at § 55.201(d).

⁵ 30 TAC § 55.203(a)-(c).

- (d) In making this determination, the commission may also consider, to the extent consistent with case law:
- (1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
 - (2) the analysis and opinions of the ED; and
 - (3) any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requestor.⁶

D. REFERRAL TO THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

"When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to State Office of Administrative Hearing (SOAH) for a hearing."⁷ "The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- (1) involves a disputed question of fact or a mixed question of law and fact;
- (2) was raised during the public comment period by an affected person; and
- (3) is relevant and material to the decision on the application."⁸

VII. ANALYSIS OF THE HEARING REQUESTS

The ED's analyses evaluated whether the Request followed TCEQ rules, if the requestor qualified as an affected person, what issues may be referred for a possible hearing, and the appropriate length of any hearing. The ED has reviewed the request and respectfully recommends that the request be denied under the following analysis.

A. WHETHER THE REQUEST COMPLIED WITH 30 TAC §§ 55.201(C) AND (D).

- 1. Christopher Phelan** filed a timely, written Request that provided the requisite contact information and requested a Hearing. However, Mr. Phelan's Request did not comply with the TCEQ's Chapter 55 rules referenced below.

Mr. Phelan's Request failed to raise issues that formed the basis of his Request in timely comments not withdrawn before the RTC was filed because he did not make any relevant or material comments on the application to base his Request on, as required by 30 TAC § 55.201(d)(4)(B), nor did Mr. Phelan's Request raise any relevant or material issues of disputed fact that were based on any timely comments also required by § 55.201(d)(4)(B).

Mr. Phelan's Request, while explaining his location and distance relative to the facility, lacked a statement of how and why he believes he will be adversely affected by the facility or activity in a manner not common to members of the public, as required by 30 TAC § 55.201(d)(2).

The ED recommends finding that Christopher Phelan's Request failed to substantially comply with 30 TAC §§ 55.201(c) and 55.201(d).

⁶ *Id.* at § 55.203(d).

⁷ 30 TAC § 50.115(b).

⁸ *Id.* at § 55.203(d).

WHETHER REQUESTOR IS AN AFFECTED PERSON UNDER 30 TAC § 55.203.

- 1. Christopher Phelan** filed a Request that failed to effectively identify a personal, justiciable interest affected by the application, describing in plain language in a brief, written statement of how and why Mr. Phelan believes he will be adversely affected by the facility in a manner not common to members of the public. Mr. Phelan's Request did not raise any relevant issues, nor explain why he believes he will be adversely affected by this application in a manner not common to members of the public.

According to the GIS map prepared by the ED's staff, Mr. Phelan resides 6.6 miles away from the proposed facility and 6.4 miles away from the proposed discharge route, which decreases the likelihood that Mr. Phelan will be adversely affected by the proposed facility in a manner not common to members of the public.

Because of Mr. Phelan's location relative to the proposed facility, and the fact that his Request did not raise referrable issues nor articulate a personal justiciable interest affected by the proposed facility, his Request failed to demonstrate a reasonable relationship exists between the interests claimed and the activity regulated, decreasing the likelihood that he will be adversely affected in a unique way. Therefore, Mr. Phelan is not an affected person under 30 TAC § 55.203.

Lacking that necessary explanation, failing to raise any relevant issues for the Commission to consider, and Mr. Phelan's location relative to the proposed facility, Mr. Phelan's Request failed to demonstrate a reasonable relationship between the interests claimed and the activity regulated, which decreases the likelihood that Mr. Phelan will be personally affected in a way not common to the public.

The ED recommends that the Commission find Christopher Phelan is not an Affected Person under 30 TAC § 55.203.

VIII. ISSUES RAISED IN THE HEARING REQUEST:

There were no issues raised in Mr. Phelan's Request, therefore there are no issues of disputed fact for the ED to analyze to determine whether there is relevance or materiality in the issue.

IX. CONTESTED CASE HEARING DURATION

If the Commission grants a hearing on this application, the ED recommends that the duration of the hearing be 180 days from the preliminary hearing to the presentation of a proposal for decision to the Commission.

X. EXECUTIVE DIRECTOR'S RECOMMENDATION

The ED recommends the following actions by the Commission:

1. Find that Christopher Phelan is not an affected person under 30 TAC §§ 55.203.
2. Deny the Request of Christopher Phelan.
3. Should the Commission decide to refer this case to SOAH, refer the case to Alternative Dispute Resolution for a reasonable time.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel Linden, *Interim Executive Director*

Erin Chancellor, *Director*
Office of Legal Services

Charmaine Backens, *Deputy Director*
Environmental Law Division,



Michael T. Parr II, Staff Attorney
Environmental Law Division
State Bar No. 24062936
P.O. Box 13087, MC 173
Austin, Texas 78711 3087
Telephone No. 512-239 0611
Facsimile No. 512-239-0626
REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

XI. CERTIFICATE OF SERVICE

I certify that on September 1, 2023, the Executive Director's Response to Hearing Requests for TPDES Permit No. WQ0016133001 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, electronic delivery, inter-agency mail, or by deposit in the U.S. Mail.



Michael T. Parr II, *Staff Attorney*
State Bar No. 24062936

MAILING LIST/LISTA DE CORREO
FM 665 Land Company, Ltd.
TCEQ Docket No./TCEQ Expediente N.º. 2023-0848-MWD TPDES
Permit No./TPDES Permiso N.º WQ0016133001

FOR THE APPLICANT/PARA EL
SOLICITANTE:

Jeff Mickler
FM 665 Land Company, Ltd.
2000 West Parkwood Avenue, Suite
100
Friendswood, Texas 77546

Jerry G. Ince, P.E., Senior Project
Engineer
Ward Getz & Associates, LLP
2500 Tanglewilde Street, Suite 120
Houston, Texas 77063

FOR THE EXECUTIVE DIRECTOR/
PARA EL DIRECTOR EJECUTIVO
via electronic mail:

Michael Parr, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711

Deba Dutta, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division, MC-148
P.O. Box 13087
Austin, Texas 78711

Ryan Vise, Deputy Director
Texas Commission on Environmental
Quality
External Relations Division
Public Education Program, MC-108
P.O. Box 13087
Austin, Texas 78711

FOR PUBLIC INTEREST COUNSEL/PARA
ABOGADOS DE INTERÉS PÚBLICO
via electronic mail:

Garrett T. Arthur, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711

FOR ALTERNATIVE DISPUTE
RESOLUTION/PARA LA RESOLUCIÓN
ALTERNATIVA DE DISPUTAS
via electronic mail:

Kyle Lucas
Texas Commission on Environmental
Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711

FOR THE CHIEF CLERK/PARA EL
SECRETARIO OFICIAL
via eFilings:

Docket Clerk
Texas Commission on Environmental
Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711

REQUESTER(S)/INTERESTED PERSON(S)/
SOLICITANTE(S)/PERSONA(S)
INTERESADA(S):

Christopher L. Phelan
3806 Kingston Drive
Corpus Christi, Texas 78415

Attachment A

FM 665 Land Company, Ltd. GIS Map

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



*Protecting Texas by
Reducing and
Preventing Pollution*

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 8/24/2023
CRF 0089735
Cartographer: AlOrtiz



- Requestor
- Facility Point
- Discharge Point
- 0.5 Mile from Discharge Point
- 1 Mile from Discharge Point
- 1.5 Miles from Discharge Point
- Canal/Ditch
- Stream/River
- Artificial Path
- Outfall Discharge Route

Distance from Requestor to Facility
Point: 6.6 Miles

Distance from Requestor to
Discharge Point: 6.4 Miles

Source: The location of the facility was provided
by the TCEQ Office of Legal Services (OLS).
OLS obtained the site location information from the
applicant and the requestor information from the
requestor.

This map was generated by the Information Resources
Division of the Texas Commission on Environmental
Quality. This product is for informational purposes and
may not have been prepared for or be suitable for legal,
engineering, or surveying purposes. It does not represent
an on-the-ground survey and represents only the
approximate relative location of property boundaries.
For more information concerning this map, contact the
Information Resource Division at (512) 239-0800.



The facility is located in Nueces County. The Circle (red) in
the left inset map represents the approximate location of the facility.
The inset map on the right represents the location of Nueces
County (red) in the state of Texas.