

TCEQ DOCKET NO. 2023-0955-MWD

APPLICATION BY	§	BEFORE THE
SOUTH CENTRAL WATER COMPANY	§	TEXAS COMMISSION ON
TPDES PERMIT NO. WQ0016060001	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS

I. INTRODUCTION

The Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this Response to Hearing Requests on an application by the South Central Water Company (Applicant) for new TPDES Permit No. WQ0016060001. The Office of the Chief Clerk received a contested case hearing request from the following individuals and entities: Bulverde Neighborhood Alliance, Greater Edwards Aquifer Authority, Asa Dunn, Coquina Dunn, Bethann Erhardt, Eric Evans, Margie Hastings, Edith Isaacs, Jennifer Johnson Jagger, Anit Kaur, Douglas Kelly, Joyce Lux, Manny Maldonado, Anna Michelle Molina, Carlton Wenfield Sundbeck, Jaqueline Sundt, Annalisa Peace, and Tim Williford.

The Executive Director also received a request for reconsideration filed by the City of Bulverde.

The Executive Director recommends that the Commission grant the hearing requests for Eric Evans, Anit Kaur, and Steve Hunsicker. The Executive recommends denying the hearing requests for Bulverde Neighborhood Alliance, Greater Edwards Aquifer Authority, Kelly Douglas, Asa Dunn, Coquina Dunn, Bethann Erhardt, Margie Hastings, Edith Isaacs, Jennifer Johnson Jagger, Joyce Lux, Manny Maldonado, Anna Michelle Molina, Carlton Wenfield Sundbeck, Jaqueline Sundt, Annalisa Peace, and Tim Williford. The Executive Director further recommends denying the request for reconsideration filed by the City of Bulverde.

Attached for Commission consideration is a satellite map of the area showing the locations of the facility and requestors.

II. FACILITY DESCRIPTION

The applicant has applied to TCEQ for new TPDES Permit No. WQ0016060001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 600,000 gallons per day.

The facility will be located approximately 4,300 feet north of the intersection of Farm-to-Market Road 1863 and Stahl Lane, in Comal County, Texas 78163.

Treatment units in the Interim I and II phases will include a bar screen, an aeration basin, a final clarifier, an aerobic sludge digester, effluent filters, and a chlorine contact chamber. Treatment units in the Final phase will include a bar screen, two aeration basins, a final clarifier, two aerobic sludge digesters, effluent filters, and two chlorine contact chambers.

The treated effluent will be discharged via pipe to an unnamed ditch; thence to Upper Cibolo Creek in Segment No. 1908 of the San Antonio River Basin. The unclassified receiving water use is minimal aquatic life use for the unnamed ditch. The designated uses for Segment No. 1908 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies as the facility is located in the Edwards Aquifer contributing zone. In accordance with 30 Texas Administrative Code 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 Upper Cibolo Creek, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. This facility has not been constructed and no compliance history exists. Pursuant to 30 TAC 60.2(B), if there is no compliance information about the site at the time the executive director develops the compliance history classification, then the classification shall be designated as "unclassified." Therefore, the compliance history classification is unclassified.

III. PROCEDURAL BACKGROUND

The TCEQ received the application on October 19, 2021, and declared it administratively complete on December 23, 2021. The Applicant published the Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) in English in the *San Antonio Express-News* on January 21, 2022, and in Spanish in *La Voz Newspaper* on January 7, 2022. The ED completed the technical review of the application on April 15, 2022, and prepared the proposed draft permit, which if approved, establishes the conditions under which the facility must operate. The Applicant published the Combined Notice of Receipt and Intent to Obtain a Water Quality Permit Notice and Notice of Application and Preliminary Decision in *San Antonio Express-News* in English on June 16, 2022, and in Spanish in *La Voz Newspaper* on July 6, 2022. The public meeting for this application was held on January 26, 2023. The public comment period ended on January 26, 2023. The hearing request period ended July 17, 2023. This application was filed after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55. This application is subject to those changes in the law.

IV. THE EVALUATION PROCESS FOR HEARING REQUESTS

HB 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. SB 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests. The evaluation process for hearing requests is as follows:

A. Response to Requests

The ED, the Public Interest Counsel, and the Applicant may each submit written responses to a hearing request.¹

Responses to hearing requests must specifically address:

- (1) whether the requestor is an affected person;
- (2) which issues raised in the hearing request are disputed;
- (3) whether the dispute involves questions of fact or of 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 in writing by filing a 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

For the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements:

Affected persons may request a contested case hearing. The request must be made in writing and timely filed with the chief clerk. The request must be based only on the requestor's timely comments and may not be based on an issue that was raised solely in a public comment that was withdrawn by the requestor prior to the filing of the ED's Response to Comment.³

A hearing request must substantially comply with the following:

- (1) give the time, address, daytime 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 shall be responsible for receiving all official communications and documents for the group;
- (2) identify the person's personal 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

¹ 30 Texas Administrative Code (TAC) Section (§) 55.209(d).

² 30 TAC § 55.209(e).

³ 30 TAC § 55.201(c).

- proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
- (3) request a contested case hearing;
 - (4) list all relevant and material disputed issues of fact that were raised 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 comments that the requestor disputes and the factual basis of the dispute and 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/"Affected Person" Status

To grant a contested case hearing, the Commission must determine that a requestor is an "affected" person by conducting the following analysis:

- (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 general public does not qualify as a personal justiciable interest.
- (b) Except as provided by § 55.103 of this title (relating to Definitions), 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;
 - (6) for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application that were not withdrawn; and
 - (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

⁴ 30 TAC § 55.201(d).

- (d) In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed on or after September 1, 2015, the commission may also consider the following:
 - (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.
- (e) In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed before September 1, 2015, the commission may also consider the factors in subsection (d) of this section to the extent consistent with case law.

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 SOAH for a hearing.”⁵ The Commission may not refer an issue to the State Office of Administrative Hearings (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 whose hearing request is granted; and
- (3) is relevant and material to the decision on the application.⁶

V. ANALYSIS OF THE REQUESTS

The ED has analyzed the hearing request to determine whether it complies with Commission rules, if the requestor qualifies as an affected person, what issues may be referred for a contested case hearing, and what is the appropriate length of the hearing.

A. Whether the Requestor Complied With 30 TAC §§ 55.201(c) and (d) and 55.203

1. Parties the Executive Director recommends the Commission find Affected Persons

Eric Evans, Anit Kaur, and Steve Hunsicker

Under 30 TAC § 55.201, individuals requesting a contested case hearing must provide timely comments and identify personal justiciable interests that would be affected by the application when they submit their request for a contested case hearing.

⁵ 30 TAC § 50.115(b).

⁶ 30 TAC § 50.115(c).

The majority of requestors for this application used similar form language in their requests for contested case hearings. Upon review of the requests from Mr. Evans, Mr. Kaur, and Mr. Hunsicker, these gentlemen used almost identical language which expressed their concerns about the draft permit. In their requests, they stated that they owned property in close proximity of the discharge point of the facility and they were concerned about the proposed facility's potential effects on groundwater, surface water quality, odor, and otherwise affecting their quality of life. The Executive Director determined that the property Mr. Evans and Mr. Kaur described was located approximately .45 miles from the proposed discharge point. The property Mr. Hunsicker described was determined to be located .65 miles from the location of the proposed discharge point.

Due to the proximity of property and the interests these gentlemen raised, the Executive Director recommends that Mr. Evans, Mr. Kaur, and Mr. Hunsicker have demonstrated that they have personal justiciable interests related to a legal right duty, privilege, power, or economic interest affected by the application that is not common the members of the general public, and therefore, are affected person as set out in 30 TAC § 55.203.

2. Parties the Executive Director recommends the Commission not find Affected Persons

Coquina Dunn

Ms. Dunn timely submitted a hearing request for this application. While her hearing request contained the requisite identifying information required under 30 TAC § 55.201, she did not provide any other comments which described her concerns or identified any justiciable interest that she believes could be affected by the application.

Therefore, Executive Director recommends that Ms. Dunn has not demonstrated that she has a personal justiciable interest related to a legal right duty, privilege, power, or economic interest affected by the application that is not common the members of the general public, and therefore, is not an affected person as set out in 30 TAC § 55.203.

Patricia Lux Graham

Ms. Graham timely submitted comments and a hearing request for this application. In Ms. Graham's request, she described her concerns about the facility and the potential impacts on water quality, the Edwards Aquifer, human health, and effluent concentration in Cibolo Creek. Her request states that her family owns property near the facility but did not provide a sufficient description that could be accurately mapped. Without a description of her property that the Executive Director can evaluate, she has not complied with the requirements of 30 TAC § 55.201(d)(1).

For these reasons, the Executive Director recommends that the Commission deny her hearing request.

Margie Hastings

Ms. Hastings submitted timely comments and a hearing request for this application. In Ms. Hastings's request, she described her concerns about the facility and the potential impacts on water quality, human health, the Edwards Aquifer, and effluent concentration in Cibolo Creek. Her request states that her family owns property near the facility but did not provide a sufficient description that could be accurately mapped.

Therefore, Executive Director recommends that Ms. Hastings has not demonstrated that she has a personal justiciable interest related to a legal right duty, privilege, power, or economic interest affected by the application that is not common the members of the general public, and therefore, is not an affected person as set out in 30 TAC § 55.203.

Anna Michelle Molina

Ms. Molina timely submitted comments and hearing requests in which she described her concerns with the application. In her request, she stated that she owned property in Bulverde within 3 miles of the discharge point of the facility and is concerned about the proposed facility's potential effects on groundwater, surface water quality, effluent limits, aquifer impacts, odor, and otherwise affecting her quality of life.

However, because Ms. Molina's property interest is not located in proximity to the proposed facility or discharge point, the interests that she identified are not distinguishable from those of by the general public.

Therefore, Executive Director recommends that Ms. Molina has not demonstrated that she has a personal justiciable interest related to a legal right duty, privilege, power, or economic interest affected by the application that is not common the members of the general public, and therefore, is not an affected person as set out in 30 TAC § 55.203.

Tim Williford

Mr. Williford timely submitted comments and a hearing request in which he outlined his concerns with the draft permit. Specifically, he raised concerns with the draft permit's impact to the water quality in the aquifer. In his request he stated that he and other individuals that use well water could be affected by the permit and those that use the Oak Village North public water system. While Mr. Williford stated his concerns about his well water, the address he provided in his request is several counties away from the proposed location of the facility.

Therefore, Executive Director recommends that Mr. Williford has not demonstrated that he has a personal justiciable interest related to a legal right duty, privilege, power, or economic interest affected by the application that is not common the members of the general public, and therefore, is not an affected person as set out in 30 TAC § 55.203.

Kelly Douglas, Bethann Erhardt, Edith Isaacks, Jennifer Johnson Jagger, Carlton Wenfield Sundbeck, and Jaqueline Sundt.

Under 30 TAC § 55.201, individuals requesting a contested case hearing must provide timely comments and identify personal justiciable interests that would be affected by the application when they submit their request for a contested case hearing.

The aforementioned individuals submitted requests which used form language that appeared in each of their request. Like most requestors for this application, the identical form language expressed concerns and attempted to outline interests that the permit could affect. In their request, they stated that they owned property in close proximity of the discharge point of the facility and they were concerned about the proposed facility's potential effects on groundwater, surface water quality, odor, and otherwise affecting their quality of life. However, upon review of the locations of the property interests described in the requests, the Executive Director determined that they were not in close proximity to the proposed facility or the discharge point and are located at least 1.5 miles away. Due to distance between the requestors' property interests and the proposed facility and discharge point, the interests that these requestors identified are not distinguishable from those of the general public.

Therefore, Executive Director recommends that Kelly Douglas, Bethann Erhardt, Edith Isaacks, Jennifer Johnson Jagger, Carlton Wenfield Sundbeck, and Jaqueline Sundt have not demonstrated that they have a personal justiciable interest related to a legal right duty, privilege, power, or economic interest affected by the application that is not common the members of the general public, and therefore, are not affected persons as set out in 30 TAC § 55.203.

Bulverde Neighborhood Alliance (BNA), Joyce Lux, and Manny Maldonado.

BNA submitted two hearing requests. One request was submitted by the president of the organization, Manny Maldonado. The other request was submitted on the organization's behalf by its attorney, Mr. Eric Allmon.

In Mr. Allmon's request, he identified Joyce Lux as a member of the organization and he stated that Ms. Lux was an affected person. Mr. Allmon's request included the information required under 30 TAC 55.201 which included identifying information as well as a description of Ms. Lux's justiciable interests. According to Mr. Allmon's request, Ms. Lux's property lies within 2 miles of the proposed discharge point and upon review of the permit file, Ms. Lux's name appears on the adjacent landowner's list. Mr. Allmon's request also describes BNA's purpose in advocating for the environment of Bulverde as well as the unique ways the permit will affect Ms. Lux that are not common to the general public.

In addition to the requirements of 30 TAC 55.201, groups or organizations requesting a contested case hearing must meet all of the requirements set forth in 30 TAC 55.205(b). One of these requirements is that the request identifies, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right. While Ms. Lux's property is described as being located within ½ mile of the proposed facility, Ms. Lux never filed a timely comment prior to this hearing request. Under 30 TAC 55.201(d)(4)(B), requests for contested case hearings must list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period. As Ms. Lux did not file a comment prior to the expiration of the comment period, she has failed to meet the threshold requirements of this section and thus does not have standing to request a contested case hearing.

Regarding Mr. Maldonado, his request raised material issues relevant to the application but failed to specifically identify any individual member or the location of their justiciable interests.

As 30 TAC 55.205(b)(2) requires that organizations requesting a hearing identify a member of standing in order for their request to be granted, the Commission by rule cannot grant their request as neither Ms. Lux nor Mr. Maldonado have standing.

For this reason, the Executive Director recommends that the Commission not find BNA, Joyce Lux, or Manny Maldonado as affected persons.

Greater Edwards Aquifer Authority (GEAA), Asa Dunn, and Annalisa Peace

GEAA submitted two hearing requests. In one request filed by the organization's attorney, Mr. Eric Allmon, the request identified Asa Dunn as a member. The other hearing request was filed on behalf of the organization's Executive Director, Annalisa Peace. The request filed by Mr. Allmon included the information required under 30 TAC § 55.201 which included identifying information as well as a description of Mr. Dunn's justiciable interests. According to the request, Mr. Dunn's property lies within 1/2 mile of the proposed facility and his name appears on the adjacent landowner's list. Their request also describes GEAA's purpose which is, "to protect and preserve the Edwards Aquifer, its springs, watersheds, and the Texas Hill Country that sustains the Aquifer." The request further explains how Mr. Dunn will be uniquely affected by the application in ways that are not common to the general public.

In addition to the requirements of 30 TAC § 55.201, groups or organizations requesting a contested case hearing must meet all of the requirements set forth in 30 TAC § 55.205(b). One of these requirements is that the request identifies, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right. While Mr. Dunn's property is described as being located within ½ mile of the proposed facility, Mr. Dunn never filed a timely comment prior this hearing request. Under 30 TAC § 55.201(d)(4)(B), requests for contested case hearings must list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period. As Mr. Dunn did not file a comment prior to the expiration of the comment period, he has failed to meet the threshold requirements of this section and thus does not have standing to request a contested case hearing.

Ms. Peace's hearing request did raise relevant and material issues with the application. However, her request failed to identify any specific member with standing.

As 30 TAC § 55.205(b)(2) requires that organizations requesting a hearing identify a member with standing in order for their request to be granted, the Commission by rule cannot grant their request as neither Mr. Dunn nor Ms. Peace have standing.

For this reason, the Executive Director recommends that the Commission not find GEAA, Asa Dunn, or Annalisa Peace affected persons.

B. Whether the Issues the Requestor Raised are Referable to the State Office of Administrative Hearings (SOAH).

- 1. Whether the draft permit complies with TCEQ's rules regarding nuisance odors. (RTC Response No. 2)**

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not comply with TCEQ's odor rules, that information would be relevant and material to a decision on the application. The Executive Director recommends referring this issue to SOAH.

2. Whether the draft permit complies with the TCEQ's antidegradation policy under 30 TEX. ADMIN. CODE § 307.5. (RTC Response No. 5)

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit does not comply with the antidegradation policy, that information would be relevant and material to a decision on the application. The Executive Director recommends referring this issue to SOAH.

3. Whether the draft permit is protective of human health and aquatic life. (RTC Responses 11, 15)

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit is not protective of human health and aquatic life, that information would be relevant and material to a decision on the application. The Executive Director recommends referring this issue to SOAH.

4. Whether the effluent limits in the draft permit are protective of water quality. (RTC Responses 1, 4, 5)

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit is not protective of water quality in accordance with the surface water quality standards that information would be relevant and material to a decision on the application. The Executive Director recommends referring this issue to SOAH.

5. Whether the draft permit is protective of groundwater. (RTC Response 1, 4)

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit is not protective of groundwater, that information would be relevant and material to a decision on the application. The Executive Director recommends referring this issue to SOAH.

6. Whether the draft permit is protective of terrestrial wildlife. (RTC Response 11)

The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If it can be shown the draft permit is not protective of terrestrial wildlife, that information would be relevant and material to a decision on the application. The Executive Director recommends referring this issue to SOAH.

VI. REQUESTS FOR RECONSIDERATION

TCEQ's rules provides that a Request for Reconsideration must expressly state that the person is requesting reconsideration of the Executive Director's decision and provide reasons why the decision should be reconsidered. 30 TAC § 55.201(e). The Commission received a timely Request for Reconsideration from the City of Bulverde which substantively complied with the requirements of those rules. After reviewing the Request for Reconsideration, the Executive Director did not see any cause for changing the draft permit.

Because the Executive Director recommends granting three of the hearing requests and continues to support the draft permit, the Executive Director recommends the Commission deny the Request for Reconsideration.

VII. CONCLUSION

The Executive Director recommends the following actions by the Commission:

1. The Executive Director recommends that the Commission grant the hearing requests for Eric Evans, Anit Kaur, and Steve Hunsicker. The Executive Director recommends denying the hearing requests for Bulverde Neighborhood Alliance, Greater Edwards Aquifer Authority, Kelly Douglas, Asa Dunn, Coquina Dunn, Bethann Erhardt, Margie Hastings, Edith Isaacs, Jennifer Johnson Jagger, Joyce Lux, Manny Maldonado, Anna Michelle Molina, Carlton Wenfield Sundbeck, Jaqueline Sundt, Annalisa Peace, and Tim Williford. The Executive Director further recommends denying the Request for Reconsideration filed by the City of Bulverde.
2. If referred to SOAH, that the duration of the hearing be 180 days from the preliminary hearing to the presentation of a proposal for decision to the Commission.
3. If referred to SOAH, concurrently refer the matter to Alternative Dispute Resolution.
4. If referred to SOAH, refer the following issues as raised by the affected person as identified by the Executive Director:

Issue A) Whether the draft permit complies with TCEQ's rules regarding nuisance odors.

Issue B) Whether the draft permit complies with the TCEQ's antidegradation policy under 30 TEX. ADMIN. CODE § 307.5.

Issue C) Whether the draft permit is protective of human health and aquatic life.

Issue D) Whether the effluent limits in the draft permit are protective of water quality.

Issue E) Whether the draft permit is protective of groundwater.

Issue F) Whether the draft permit is protective of terrestrial wildlife.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel, Interim Executive Director

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REPRESENTING THE EXECUTIVE DIRECTOR OF
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on October 16, 2023, the “Executive Director’s Response to Hearing Request” for TPDES Permit WQ0016060001 for South Central Water Company was filed with the TCEQ’s Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, inter-agency mail, electronic submittal, or by deposit in the U.S. Mail.



Harrison Cole Malley

MAILING LIST
South Central Water Company
TCEQ Docket No. 2023-0955-MWD; TPDES Permit No. WQ0016060001

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**REQUESTER(S)/INTERESTED
PERSON(S):**

See attached list.

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Attachment A

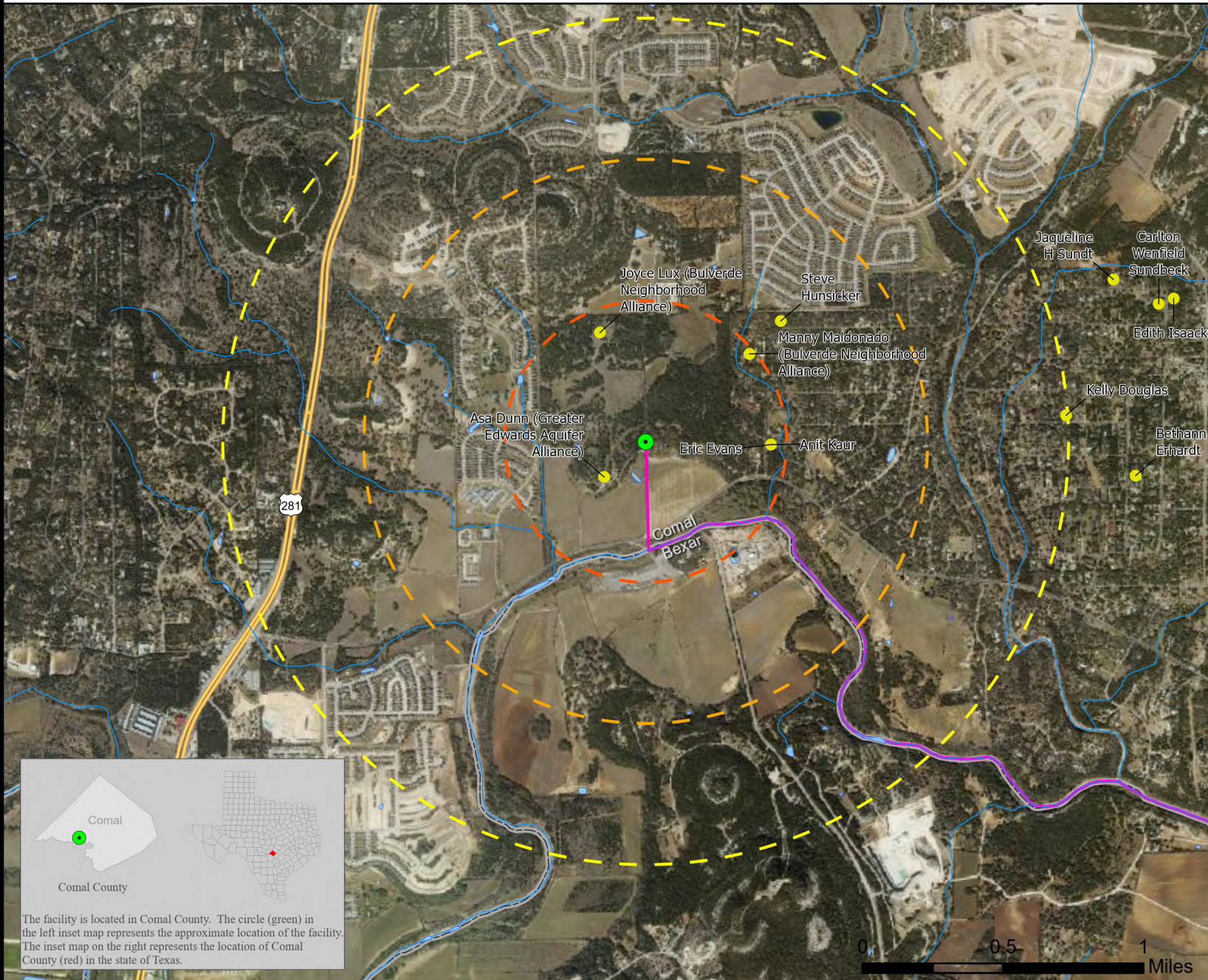
Application by South Central Water Company for TPDES Permit No. WQ0016060

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: 10/13/2023
CRF 0095051
Cartographer: jstalsby

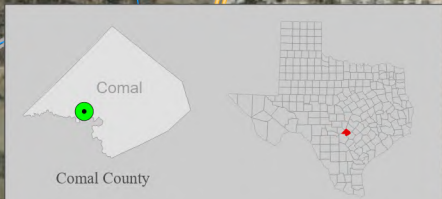


- Facility
- Requestors Location
- 0.5 Mile Radius
- 1 Mile Radius
- 1.5 Mile Radius
- Discharge Route

Requestor Name	Approximate distance in miles
Asa Dunn (Greater Edwards Aquifer Alliance)	0.19
Coquina Dunn	0.42
Joyce Lux (Bulverde Neighborhood Alliance)	0.42
Anit Kaur	0.45
Eric Evans	0.45
Manny Maldonado (Bulverde Neighborhood Alliance)	0.48
Steve Hunsicker	0.64
Kelly Douglas	1.48
Bethann Erhardt	1.75
Jaqueline H Sundt	1.75
Carlton Wenfield Sundbeck	1.9
Edith Isaacks	1.95
City of Bulverde	3
Anna Michelle Molina	4
Jennifer Johnson Jagger	6.49
Annalisa Peace (Greater Edwards Aquifer Alliance)	20.9
Tim Williford	66.33
Patricia Lux Graham	82.78
Margie Hastings	

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.

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

