

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 5, 2024

TO: All interested persons.

RE: Corpus Christi Polymers LLC
TPDES Permit No. WQ0005019000

Decision of the Executive Director.

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** This decision will be considered by the commissioners at a regularly scheduled public meeting before any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov. A complete copy of the RTC (including the mailing list), complete application, draft permit and related documents, including public comments, are available for review at the TCEQ Central Office. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Owen R. Hopkins Public Library – Corpus Christi Public Library, 3202 McKinzie Road, Corpus Christi, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. The procedures for the commission's evaluation of hearing requests/requests for reconsideration are located in 30 Texas Administrative Code Chapter 55, Subchapter F. A brief description of the procedures for these two requests follows.

How to Request a Contested Case Hearing.

It is important that your request include all the information that supports your right to a contested case hearing. Your hearing request must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.
- (3) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: "I request a contested case hearing."
- (4) If the request is made by a group or association, the request must identify:
 - (A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group;
 - (B) the comments on the application submitted by the group that are the basis of the hearing request; and
 - (C) by name and physical address one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization's purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.

Additionally, your request must demonstrate that you are an **"affected person."** 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. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities.

Your request must raise disputed issues of fact that are relevant and material to the commission's decision on this application that were raised **by you** during the public comment period. The request cannot be based solely on issues raised in comments that you have withdrawn.

To facilitate the commission's determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director's responses to **your** comments that you dispute; 2) the factual basis of the dispute; and 3) list any disputed issues of law.

How to Request Reconsideration of the Executive Director's Decision.

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

Deadline for Submitting Requests.

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date of this letter. You may submit your request electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html or by mail to the following address:

Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Processing of Requests.

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the TCEQ's Alternative Dispute Resolution Program and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

How to Obtain Additional Information.

If you have any questions or need additional information about the procedures described in this letter, please call the Public Education Program, toll free, at 1-800-687-4040.

Sincerely,



Laurie Gharis
Chief Clerk

LG/erg

Enclosure

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT
for
Corpus Christi Polymers LLC
TPDES Permit No. WQ0005019000

The Executive Director has made the Response to Public Comment (RTC) for the application by Corpus Christi Polymers LLC for TPDES Permit No. WQ0005019000 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:

<https://www.tceq.texas.gov/goto/cid>

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0005019000) and click the "Search" button. The search results will display a link to the RTC.

Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov.

Additional Information

For more information on the public participation process, you may contact the Office of the Public Interest Counsel at (512) 239-6363 or call the Public Education Program, toll free, at (800) 687-4040.

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Owen R. Hopkins Public Library – Corpus Christi Public Library, 3202 McKinzie Road, Corpus Christi, Texas.

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TPDES Permit No. WQ0005019000

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INTERESTED PERSONS:

See attached list.

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CORPUS CHRISTI TX 78407-1311

MCCANDLESS , MICAH
501 CATALINA PL
CORPUS CHRISTI TX 78411-2301

MCCANDLESS , MOIRA
501 CATALINA PL
CORPUS CHRISTI TX 78411-2301

MCCANDLESS , TANYA
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MCCRELESS , MS KELSEY
4733 PRINSTON DR
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CORPUS CHRISTI TX 78413-4686

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MCNABB , MRS LAUREN
13106 DEEPWATER CIR
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MCQUEEN , NEIL ROBERT
4213 ESTATE DR
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MEDINA , MR GUILLERMO
14607 COUNTY ROAD 1662
ODEM TX 78370-4169

MEDINA , MR NICHOLAS
1802 ENNIS JOSLIN RD
CORPUS CHRISTI TX 78412-4338

METOYER , MR WARREN
4930 KATHY DR
CORPUS CHRISTI TX 78411-4027

MITCHELL , MICHELLE
5821 SAN SABA DR
CORPUS CHRISTI TX 78407-1117

MONROY , MR RYAN
4325 OCEAN DR
CORPUS CHRISTI TX 78412-2591

MONTOYA , MS FAITH
7001 EDGEBROOK DR
CORPUS CHRISTI TX 78413-2422

MORALES , MR DAVID
5702 TIMBERGATE DR
CORPUS CHRISTI TX 78414-3126

MORENO , IRMA
1210 VERNON DR
CORPUS CHRISTI TX 78407-1330

MORENO , MS RENEE
3901 DUNSTAIN ST
CORPUS CHRISTI TX 78410-6038

MORIN , DESIREE
4822 CURTIS CLARK DR
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MURILLO , MRS YOLANDA
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CORPUS CHRISTI TX 78416-1210

MURPHY , MIKE
1609 SYLLING DR
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MYERS , MS LORELEI
3513 S WASHAM DR
CORPUS CHRISTI TX 78414-3646

NEVAREZ , MR VEN
4325 OCEAN DR
CORPUS CHRISTI TX 78412-2591

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4025 MARKINS DR
CORPUS CHRISTI TX 78411-3101

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1400 OCEAN DR
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4606 WEISKOPF LN
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CORPUS CHRISTI TX 78411-4911

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606 HOPPER DR
CORPUS CHRISTI TX 78411-2364

PARKINSON , BLANCA
10801 SILVERTON DR
CORPUS CHRISTI TX 78410-2233

PAULISON , BOB
15226 BARATARIA DR
CORPUS CHRISTI TX 78418-6163

PEACOCK , MAGGIE
APT 2406
7037 ISLANDER WAY
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PENA , MRS SANDRA
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BROWNSVILLE TX 78520-6424

PERALES , MS RACHEL
3334 CASA DE PALMAS DR
CORPUS CHRISTI TX 78411-3318

PEREZ , MS HEATHER
11116 BIRDWOOD LN
CORPUS CHRISTI TX 78410-2504

PEREZ , MS VANESSA
5437 KING TRL
CORPUS CHRISTI TX 78414-6319

PHELAN , CHRISTOPHER L
3806 KINGSTON DR
CORPUS CHRISTI TX 78415-3324

PIERCE , MS BETTY
2725 LEOPARD ST
CORPUS CHRISTI TX 78408-3701

POND , MS BETH
758 MEADOWBROOK DR
CORPUS CHRISTI TX 78412-3021

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POWELL , ERNEST
2810 S SEA DR
CORPUS CHRISTI TX 78418-3816

PRADO , MR CHRISTOPHER
1107 ANNAPOLIS DR
CORPUS CHRISTI TX 78404-3705

PRADO , MS VICTORIA
1806 DARCEY DR
CORPUS CHRISTI TX 78416-2517

PRIEST , MS HEATHER
1238 HAYWARD DR
CORPUS CHRISTI TX 78411-3357

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4006 LAMONT ST
CORPUS CHRISTI TX 78411-3402

PUYOL , MS ANDREA
3802 CARAVELLE PKWY
CORPUS CHRISTI TX 78415-3522

QUEEN , MS BRITTANY
4330 FIR ST
CORPUS CHRISTI TX 78411-3633

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RAMIREZ , DEBRATHE
1117 GOLLA DR
CORPUS CHRISTI TX 78407-1309

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5518 CROSSGATE DR S
CORPUS CHRISTI TX 78413-4538

ROBERTS , MR PERRY
211 BAYVIEW DR
CITY BY THE SEA TX 78336-6714

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CORPUS CHRISTI TX 78404-2820

RODRIGUEZ , MIAH
6301 MEADOWVISTA DR
CORPUS CHRISTI TX 78414-2650

RODRIGUEZ , MS EMILY
410 PEOPLES ST
CORPUS CHRISTI TX 78401-2318

RODRIGUEZ , MRS SYLVIA
2726 ALLENCREST DR
CORPUS CHRISTI TX 78415-5655

ROJAS , MS AMANDA
4514 CLEARWATER DR
CORPUS CHRISTI TX 78413-2622

ROMERO , MR VALENTINO
303 E WOOLBRIGHT RD
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ROUX , MS VANESSA
430 STAGES DR
CORPUS CHRISTI TX 78412-2810

ROY , EVERETT
14626 RED RIVER DR
CORPUS CHRISTI TX 78410-5623

SALAZAR , MS STACY
1906 GARDENIA CTS
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SALAZAR , MR JOSHUA
9350 S PADRE ISLAND DR
CORPUS CHRISTI TX 78418-5519

SALDANA , MS SONJA
3556 VELA LN
FORT WORTH TX 76137-2277

SALYER , SYLVIA
362 MERRILL DR
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SCHAEFFER , MS KYRIE
318 MEDITERRANEAN DR
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117 SEA SIDE DR
CORPUS CHRISTI TX 78418-3037

SCHULTZ , MS KAY
1046 BURKSHIRE DR
CORPUS CHRISTI TX 78412-3329

SEEMANN , MS FRAUKE
3714 POPE DR
CORPUS CHRISTI TX 78411-2344

SELIG , MR PETER
4201 BOROS DR
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SENDEJO , ABIGAIL
1033 COMAL ST
CORPUS CHRISTI TX 78407-1103

SENDEJO , ALISON
1033 COMAL ST
CORPUS CHRISTI TX 78407-1103

SENDEJO , SAMMY
1033 COMAL ST
CORPUS CHRISTI TX 78407-1103

SERNA , MS ANGELA
5729 CRESTFORD DR
CORPUS CHRISTI TX 78415-3808

SHAMEL , CHARLES R
APT 1136
5857 TIMBERGATE DR
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152 DUSTIN LN
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SHAW , MS MELINDI
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5610 CAIN DR
CORPUS CHRISTI TX 78412-4514

SHOE , MS JANNA
3714 TOPEKA ST
CORPUS CHRISTI TX 78411-1628

SIBLEY , MS DORA
742 PENNINGTON DR
CORPUS CHRISTI TX 78412-3045

SILVA , ADOLPH
1214 MANCHESTER AVE
CORPUS CHRISTI TX 78407-1320

SKIDMORE , MS DIANE
3238 WOOD CREEK DR
CORPUS CHRISTI TX 78410-5793

SKINNER , SARAH
4614 LAKE HURON DR
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429 WHITEHALL DR
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SMITH , MS SUZANNE
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CORPUS CHRISTI TX 78412-2821

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137 SEAVIEW LN
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800 N SHORELINE BLVD
CORPUS CHRISTI TX 78401-3700

SOULAS , SUSAN
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CORPUS CHRISTI TX 78407-1116

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FORT WORTH TX 76244-5611

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STEVENSON , MS BRANDI
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2317 MEMORIAL PKWY
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TAYLOR , LAMONT C
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20 S COMMONSWAY DR
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VARGAS , MR RICHARD
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VAUGHN , MS NICOLE
4201 BOROS DR
CORPUS CHRISTI TX 78413-2014

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1901 STARDUST LN
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1021 CORAL PL
CORPUS CHRISTI TX 78411-2139

VELA , JOANNE
1233 DONA DR
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VELA , MR DANIEL
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CORPUS CHRISTI TX 78407-1307

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INGLESIDE TX 78362-4855

WATSON , SAM
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CORPUS CHRISTI TX 78412-2117

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WHITE , MS AMANDA
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SAN ANTONIO TX 78261-2671

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TPDES PERMIT No. WQ0005019000

APPLICATION BY	§	BEFORE THE
CORPUS CHRISTI	§	TEXAS COMMISSION
POLYMERS, LLC	§	ON ENVIRONMENTAL
FOR TPDES PERMIT	§	QUALITY
NO. WQ0005019000	§	

EXECUTIVE DIRECTOR’S RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (Response) on the application for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005019000 by Corpus Christi Polymers LLC (CC Polymers) and on the Executive Director’s preliminary decision. As required by Title 30 of the Texas Administrative Code (30 TAC) Section (§) 55.156, before this application is approved, the Executive Director prepares a response to all timely, relevant and material, or significant comments. Representative Abel Herrero requested a Public Meeting. Additionally, the Office of the Chief Clerk received timely comments from the individuals in Attachment A. Kathryn Mastin provided the “Vulnerability Assessment of Coastal Bend Bays,” a report from the Coastal Bend Bays & Estuaries Program. Additionally, the Office of the Chief Clerk received untimely comments from the persons in Attachment B. This Response addresses all timely public comments received, whether or not withdrawn.

If you need more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found on the TCEQ web site at <http://www.tceq.texas.gov>.

I. BACKGROUND

A. Description of Facility

Corpus Christi Polymers, which proposes to operate the Corpus Christi Polymers Plant, a plastic resins manufacturing facility, applied for a renewal of TPDES Permit No. WQ0005019000 to authorize the addition of process wastewater to Outfall 001. The facility is not in operation. The draft permit authorizes the discharge of

reverse osmosis reject water, filter backwash, previously monitored effluents [process wastewater, utility wastewater, fire system (testing and flushing) water, and stormwater from Internal Outfall 101; and treated domestic wastewater from Internal Outfall 201], fire system (testing and flushing) water, utility wastewaters, and stormwater at a daily average flow not to exceed 38,500,000 gallons per day via Outfall 001. The Executive Director sent the draft permit package to EPA for review on September 20, 2022, and received an interim objection from EPA on November 18, 2022. Based on discussions with EPA, the revised draft permit included monitoring requirements for total dissolved solids, chloride, and sulfate, as well as a condition requiring Corpus Christi Polymers to submit semi-annually effluent salinity and flow data to TCEQ for review (with a copy to the EPA) once discharge commences. EPA withdrew its interim objection on December 28, 2023.

The facility is located at 7001 Joe Fulton International Trade Corridor, in the City of Corpus Christi, Nueces County, Texas 78409. The effluent will be discharged directly to Corpus Christi Inner Harbor Segment No. 2484 of the Bays and Estuaries. The designated uses for Segment No. 2484 are non-contact recreation and intermediate aquatic life use.

B. Procedural Background

The TCEQ received the application on December 1, 2021, and declared it administratively complete on February 10, 2022. The Executive Director completed the technical review of the application on March 11, 2022, and prepared a draft permit.

Corpus Christi Polymers published the Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) in the *Corpus Christi Caller Times* on February 22, 2022, and the Notice of Application and Preliminary Decision (NAPD) in the *Corpus Christi Caller Times* on August 16, 2022. Corpus Christi Polymers published the NORI in Spanish in the *La Prensa Comunidad* on February 22, 2022, and the NAPD in Spanish on August 16, 2022, also in the *La Prensa Comunidad*.

Corpus Christi Polymers published a Notice of Public Meeting in English on January 22, 2023, in the *Corpus Christi Caller Times*, and in Spanish on January 24, 2023, in *La Prensa Comunidad*. A Public Meeting was held at the Holiday Inn Corpus Christi Airport & Convention Center, 5549 Leopard St., Corpus Christi, TX 78408 on

February 23, 2023; the comment period ended at the close of the public meeting. This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature (1999) and Senate Bill 709, 84th Legislature, (2015), which are implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55.

C. Access to Rules, Laws and Records

Please consult the following websites to access the rules and regulations applicable to this permit:

- to access the Secretary of State Website: www.sos.state.tx.us;
- for TCEQ rules in Title 30 of the Texas Administrative Code: www.sos.state.tx.us/tac/ (select “View the current Texas Administrative Code” on the right, then “Title 30 Environmental Quality”);
- for Texas statutes: <https://statutes.capitol.texas.gov/>;
- to access the TCEQ website: www.tceq.texas.gov (for downloadable rules in Adobe PDF format select “Rules and Rulemaking,” then “Current Rules and Regulations,” then “Download TCEQ Rules”);
- for Federal rules in Title 40 of the Code of Federal Regulations (CFR): http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab_02.tpl; and
- for Federal environmental laws: <https://www.epa.gov/laws-regulations>.

Commission records for this 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), until final action is taken. In addition, some documents located in the Office of the Chief Clerk may be located on the Commissioners’ Integrated Database at <https://www14.tceq.texas.gov/epic/eCID/>. The permit application for this facility, Executive Director’s Preliminary Decision, and the draft permit are available for viewing and copying at the Owen R. Hopkins Public Library – Corpus Christi Public Library, 3202 McKinzie Road, Corpus Christi, Texas.

The Executive Director determined that the draft permit, if issued, meets all statutory and regulatory requirements and is protective of the environment, water quality, and human health. If you would like to file a complaint about the 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, Texas 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 online at <https://www.tceq.texas.gov/compliance/complaints> or by sending an email to

complaint@TCEO.state.tx.us. If an inspection by the Regional Office finds that the facility is out of compliance, the facility may be subject to enforcement actions.

II. COMMENTS AND RESPONSES

COMMENT 1:

The persons in Attachment C expressed general opposition to the draft permit.

RESPONSE 1:

The Executive Director acknowledges the comments.

COMMENT 2:

Daniel Korus, Armando Martinez on behalf of Business Solutions for Workforce Coastal Bend, Dr. Wayne Kelly, President of Craft Training Center, Michael Murphy, Chief Operations Officer for Corpus Christi Water, Bob Paulison, Executive Director of the Coastal Bend Industry Association, and Brittany Sotelo on behalf of the Corpus Christi Economic Development Corporation expressed support for the draft permit.

RESPONSE 2:

The Executive Director acknowledges the comments.

COMMENT 3:

Margaret Duran, Bob Gonzalez, Jennifer Hilliard, Tammy King, Joanie Steinhaus, Ingleside on the Bay Coastal Watch, and Errol Summerlin on behalf of Costal Alliance to Protect the Environment commented that the Corpus Christi Polymers permit was erroneously classified as a Minor facility instead of a Major facility. According to the commenters the re-classification would require an Environmental Impact Statement to determine to long-term effects of an open pipe brine discharge into a constricted ship channel.

RESPONSE 3:

The classification for the Corpus Christi Polymers Plant was changed from a Minor facility to a Major facility prior to the current permit action. The facility was designated as a Major facility when the permit was renewed on April 19, 2016. As such, the current renewal action underwent all permitting determinations that are standard for Major industrial wastewater permits of its type. This included an administrative review in which the application was checked for completeness and a technical review in which the technical aspects of the application were reviewed and

evaluated in full. TPDES applications do not require an Environmental Impact Statement.

COMMENT 4:

The persons in Attachments E and F expressed concern over concentrations of brine discharge from this facility which may eventually flow into Corpus Christi Bay. According to the commenters, due to Corpus Christi Bay's poor circulation the Bay is a "closed system," and the introduction of the facility's discharge would allow for a continual build-up of salinity levels, which would adversely affect the local aquatic ecosystem.

RESPONSE 4:

TCEQ's rules do not have any established criteria for Total Dissolved Solids, chloride, sulfate, or salinity in Corpus Christi Inner Harbor (Segment No. 2484).¹ The United States Environmental Protection Agency (EPA) requested the Executive Director include monitoring requirements for Total Dissolved Solids, chloride, sulfate, and salinity in the draft permit. Based on EPA's recommendations, the draft permit includes monitoring requirements for Total Dissolved Solids, chloride, and sulfate, as well as a condition requiring CC Polymers to submit semi-annual effluent salinity and flow data to TCEQ for review (with a copy to the EPA) once discharge commences. This data will be used to determine if more stringent limits for salinity are necessary. An amendment may be initiated by TCEQ to include effluent limitations, monitoring requirements, or both depending on whether additional protections are deemed necessary to further protect human health, aquatic life, or water quality.

COMMENT 5:

Councilwoman Sylvia Campos, Councilman James Kline, Kirsten Aguilar, Coastal Alliance to Protect our Environment, Teresa Carrillo, Elida Castillo, Margaret Duran, Alex Fluke, Jennifer Hilliard, Dr. Kathryn Masten, Neil McQueen, Jessica Palitza, Blanca Parkinson, Dorothy Peña, Sylvia Salyer, Errol Summerlin, Ana Treviño, Melissa Zamora, Neil McQueen on behalf of the Texas Coastal Bend Chapter of the Surf-rider Foundation, and Coastal Bend Sierra Club expressed concern over the cumulative adverse impacts of the brine discharge from the facility.

¹See, 30 TAC Chapter 307.10(4).

RESPONSE 5:

The Executive Director considers all existing permitted discharges and all relevant proposed discharges during the technical review of applications for a TPDES permit. According to the information provided by the Water Quality Assessment Team during their assessment, the Zone of Initial Dilution (ZID) was defined as the volume within a radius of 50 feet from the point of discharge, and the human health mixing zone was defined as a volume within a radius of 400 feet from the point of discharge. The ZID and human health mixing zone are used to look at cumulative impacts of discharges within a receiving waterbody. Based on these data, the Executive Director determined that no significant degradation of water quality is expected from this permit action when taken into consideration with other similar discharges in Corpus Christi Inner Harbor.

COMMENT 6:

Ingleside on the Bay Coastal Watch commented that TCEQ should have EPA's approval before authorizing any bay water or seawater desalination facility within the confines of the highly productive estuarian systems behind the barrier island. Similarly, Elida Castillo commented that the permit should not be extended because EPA has requested oversight. Additionally, Bob Gonzalez noted that since EPA considers desalination facilities as Major facilities, EPA must approve the permit before it is issued.

Stephanie Lewis and Melissa Zamora asked if EPA objected to the draft permit.

RESPONSE 6:

The Executive Director sent the draft permit package to EPA for review on September 20, 2022, and received an interim objection from EPA on November 18, 2022. Based on discussions with EPA, the revised draft permit includes monitoring requirements for total dissolved solids, chloride, and sulfate, as well as a condition requiring Corpus Christi Polymers to submit semi-annually effluent salinity and flow data to TCEQ for review (with a copy to the EPA) once discharge commences. This data will be used to determine if more stringent conditions, limits, or a combination of conditions and limits for salinity are necessary. An amendment may be initiated by the Executive Director to include effluent limitations, monitoring requirements, or both depending on whether additional protections are deemed necessary to further protect

human health, aquatic life, or water quality. The EPA withdrew its interim objection on December 1, 2023.

COMMENT 7:

Teresa Carrillo, Margaret Duran, Tammy King, Dr. Kathryn Masten, Joanie Steinhaus, Errol Summerlin on behalf of Coastal Alliance to Protect our Environment, Eric Allmon on behalf of For the Greater Good, and Ingleside on the Bay Coastal Watch Association commented that this permit was issued for cooling towers, but TCEQ failed to apply the more rigorous determination as required by rule 316(b) of the Clean Water Act (CWA). The commenters stated that during the 316(b) determination, TCEQ should have looked at the monthly proportion as opposed to the average annual proportion in determining whether more than 25% of total water withdrawn is used for cooling purposes at the facility. The Coastal Alliance to Protect the Environment stated that the reporting requirements in the draft permit do not comply with the 316(b) reporting requirements. For the Greater Good specifically noted that the draft permit does not include proper cooling water intake structure requirements, that the Executive Director did not require all of the information required for cooling water intake structures, and the Executive Director did not require the proper monitoring and record keeping requirements for the cooling water intake structure.

RESPONSE 7:

There are three criteria that facilities are required to meet to be considered subject to CWA 316(b) under 40 CFR § 125, Subpart I, which are as follows:

- 1) The cooling water intake structures (CWIS) used to provide water for cooling purposes to the facility has or will have a cumulative design intake flow of 2.0 million gallons per day (MGD) or greater.
- 2) At least 25% of the total water withdrawn by the CWIS is/will be used at the facility exclusively for cooling purposes on a monthly average basis.
- 3) The CWIS(s) withdraw(s)/proposes(s) to withdraw for cooling purposes from surface waters that meet the definition of Waters of the United States in 40 CFR § 122.2.

It is correct that the application for the TPDES permit indicated an average annual basis for the second 316(b) criterium instead of an average monthly basis

which is stipulated in 40 CFR § 125, Subpart I. This was an error in the TCEQ application (which has since been corrected) based on a small variation in Track I and Track II facility language in 40 CFR § 125.84. In its initial application CC Polymers provided data indicating the proportion of total water withdrawn used for cooling purposes was less than 25% on an average annual basis.

Based on the comments TCEQ received on this issue staff asked CC Polymers to provide data on water used for cooling at this facility on a monthly basis. CC Polymers complied with staff's request and provided data that indicated less than 25% of the total water that will be withdrawn by this facility will be used for cooling purposes in any month of the year. Accordingly, the more rigorous determination for cooling towers as required by CWA 316(b) [i.e. requirements for location, construction, operation, and capacity of CWIS(s); submission of source water data, CWIS data, biological characterization data, and cooling water system data; and CWIS(s) monitoring and reporting requirements] does not apply to the CC Polymers Plant on either a monthly or annual basis.

COMMENT 8:

Teresa Carrillo, Dr. Kathryn Masten, Errol Summerlin, and For the Greater Good commented that even if the draft permit is not subject to the full requirements of 40 CFR Part 125, Subpart I, a best professional judgement (BPJ) analysis is necessary and would develop and implement case-specific requirements related to the location, design, construction, and capacity of the CWISs at this facility.

RESPONSE 8:

Based on the determination that the facility does not meet the minimum requirements to be subject to CWA § 316(b), the Executive Director verifies if the facility requires a full determination based on Best Professional Judgement. To this end, the application required CC Polymers to inform permitting staff if it uses or plans to use cooling towers at its facility. Cooling towers, a type of closed-cycle cooling system, are considered by TCEQ to be the best technology available (BTA) for minimizing adverse environmental impact (AEI) based on Best Professional Judgement (BPJ). In its application, CC Polymers indicated that it will use cooling towers at its facility, which satisfies the Best Technology Available requirement based on Best Professional Judgement.

COMMENT 9:

Shiela Walton and Patrick Nye on behalf of Ingleside on the Bay Coastal Watch commented that Corpus Christi Polymers has had a permit since 2014 but has never used it. They argue that the draft permit needs to be re-evaluated in greater detail as required by TCEQ and the EPA due to this eight-year gap.

RESPONSE 9:

The active use of a TPDES permit is left to the applicant's discretion and has no bearing on whether TCEQ would re-evaluate its conditions in any greater or lesser detail than what is already standard practice for a permit of a major facility undergoing renewal. The Executive Director's review of an application to renew an existing permit requires a complete administrative and technical review of the permit application and updates to the permit, as applicable.

COMMENT 10:

The persons in Attachments D and F expressed concern over potential pollutants in the discharge from the facility causing or contributing further to the impairment of the receiving water body, Corpus Christi Inner Harbor (Segment No. 2484). The commentors cited the presence of chlorine (in relation to the formation of trihalomethanes), heavy metals (such as copper, zinc, nickel, iron, chromium), flocculants and coagulants, and potential contaminants in the wastewaters derived from the various processes within the Corpus Christi Polymers Plant as potential causes for concern.

RESPONSE 10:

Currently, no discharge data is available for this facility as it has yet to be fully constructed. It is, therefore, impossible to fully characterize the effluent and any potential contaminants until an actual discharge is made. In response to this lack of information, retest requirements (Other Requirement No. 13) were added to the draft permit which require the completion of analytical testing of effluent at the facility's outfall within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Industrial Permits Team (MC 148) and the Region 14 Office. Based on a technical review of the submitted effluent analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both depending on whether

additional protections are deemed necessary to further protect human health, aquatic life, or water quality.

Prior to the initial discharge, TCEQ applied all technology-based effluent limitations (TBELs) and water quality-based effluent limitations (WQBELs) applicable to this type of facility operating at this location as part of the draft permit. Together, these limits are designed to ensure that no source will be allowed to discharge any wastewater that (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation that threatens human health. Further, during its previous amendment action in 2017, this permit was subject to two antidegradation reviews which preliminarily determined that existing water quality uses would not be impaired and that no significant degradation of water quality would occur in Corpus Christi Inner Harbor as a result of this facility's proposed discharge.

The Corpus Christi Polymers plant will employ two wastewater treatment plants designed to fully treat its wastewaters before discharge into the Corpus Christi Inner Harbor. The draft permit includes a maximum residual chlorine limit of 4.0 milligrams per liter (mg/L) to prevent the discharge of excess chlorine into the marine environment, while maintaining adequate disinfection levels. Any flocculants or coagulants used at the facility will be almost entirely removed during the wastewater treatment process. Heavy metals (i.e., copper, zinc, nickel, iron, or chromium) are not expected to be present in the discharge from this facility. As such, the facility's discharge is not expected to contribute to the listed impairment for copper in Segment No. 2484.

COMMENT 11:

Eric Allmon, on behalf of For the Greater Good, stated that biomonitoring will not be able to detect either the toxic impacts of chronic bioaccumulation or the latent mortality impacts of the discharge from the Corpus Christi Polymers facility.

RESPONSE 11:

TCEQ considers Whole Effluent Toxicity (biomonitoring) criteria to be the most direct measure of potential toxicity because it incorporates the effects of synergism, effluent components, and receiving stream water quality characteristics.

COMMENT 12:

Kirsten Aguilar, Sylvia Campos, Teresa Carrillo, Mary Carter, Margaret Duran, Alex Flucke, Jennifer Hilliard, James Kline, Neil McQueen, Julia Nicholson, Jessica Palitza, Dorothy Peña, Melissa Zamora, and Brandon Marks on behalf of Texas Campaign for the Environment voiced their concerns over potential plastic pollution resulting from the discharge.

RESPONSE 12:

The draft permit prohibits the direct discharge of floating solids such as plastics. Anyone may report any concerns about suspected noncompliance with the terms of any permit or other environmental regulation by contacting the Corpus Christi Regional Office at (361) 825-3100, or by calling the 24-hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ investigates all complaints received. If the facility is found to be out of compliance with the terms and conditions of its permit, it may be subject to investigation and possible enforcement action.

COMMENT 13:

John Weber expressed concern over presence of radium 226 on the seabed floor of the Corpus Christi Inner Harbor. Mr. Weber notes that if radium 226 is present in the seabed, it will end up in the facility's filters, thus the discarded filters should be considered nuclear waste. Mr. Weber also stated that sampling should be conducted on the seabed floor to test for radium 226 and other harmful contaminants.

RESPONSE 13:

Based on input from TCEQ's Standards Implementation Team, radium 226 is not expected to be present at significant concentrations in the source water taken by this facility from Segment 2484.

COMMENT 14:

Jennifer Hillard, Dr. Kathryn Masten, Silvia Salyer, Melissa Zamora, and Patrick Arnold Nye on behalf of Ingleside on the Bay Coastal Watch expressed concern over the fact that the discharge from the facility will be monitored by Corpus Christi Polymers and not an impartial third party.

RESPONSE 14:

It is established regulatory practice at both federal and state levels to allow permittees to submit their own wastewater monitoring data to show compliance with their permit. At the federal level this requirement is found in 40 CFR § 122.41(l)(4)(i) which provides “Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. As of December 21, 2016, all reports and forms submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127.”

Likewise, as established in 30 TAC § 319.1, “All holders of wastewater discharge permits are required to periodically report the status of their compliance with the terms and conditions of their permits and with other relevant statutes in a manner approved by the executive director. The report shall contain results of flow measurements and results of analyses of samples taken, or the equivalent information determined by methods approved by the executive director.”

COMMENT 15:

Kirsten Aguilar, Armon Alex, Sylvia Campos, Jennifer Hilliard, Maggie Peacock, Lamont Taylor, Victoria Wadell, Eric Allmon and Isabel Araiza on behalf of For the Greater Good, Patrick Nye on behalf of Ingleside on the Bay Coastal Watch, Lamont Taylor on behalf of Hillcrest Residents Association, and The Citizens Alliance for Fairness and Progress expressed concern over environmental justice issues. The commenters noted that these communities are predominately disadvantaged minority populations, have more than 80 percent of their population with income below the poverty line, and suffer from high rates of birth defects, liver disease, and cancer. As such, these areas are unfairly burdened by the pollution and adverse environmental impacts represented by the proposed discharge.

RESPONSE 15:

TCEQ is committed to protecting human health and the environment for all Texans throughout the state. When evaluating permits that would authorize wastewater discharge, TCEQ considers the surrounding community without regard to

its socioeconomic or racial status. TCEQ does not allow discrimination on the basis of race, color, national origin, sex, disability, age, sexual orientation, veteran status, or retaliation in the administration of our programs or activities, as required by federal and state laws and regulations. TCEQ strives to ensure that all Texans can participate in TCEQ programs. The Office of the Chief Clerk works to help citizens and neighborhood groups participate in the regulatory process to ensure that agency programs that may affect human health or the environment operate without discrimination and to make sure that citizens' concerns are considered thoroughly and are handled in a way that is fair to all.

TCEQ is making a strong policy commitment to enhance public participation and language access for all Texans. These efforts include:

- Proposal, adoption, and implementation of a rulemaking on alternative language public notice requirements and public participation;
- Development of a Disability Nondiscrimination Plan, Public Participation Plan, and Language Access Plan;
- Holding stakeholder meetings to discuss public participation, as well as the Disability Nondiscrimination, Public Participation, and Language Access Plans. You can see each of those plans on this page;
- Updating employee training to ensure federal nondiscrimination laws, policies, and procedures are included; and
- Considering, within our jurisdiction, ways to enhance participation, language access, and environmental quality in areas that may be disproportionately impacted.

For more information on Environmental Justice, individuals may visit TCEQ's webpage, Title VI Compliance at TCEQ at <https://www.tceq.texas.gov/agency/decisions/participation/title-vi-compliance>. Also, individuals may direct environmental justice concerns to TCEQ staff at the following addresses and contact numbers:

Mail:

Jim Fernandez, Nondiscrimination Coordinator
Environmental Justice (MC-105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Email: chiefclk@tceq.texas.gov
Phone: 512-239-2566
Fax: 512-239-3311

COMMENT 16:

Bob Brown commented that he would like to see a plan by Corpus Christi Polymers that will guarantee zero additional damage to Corpus Christi Inner Harbor before the approval of the renewal action. In addition, Mr. Brown stated that if damage does occur, he would like to see a return of 50% of the tax abatement granted to this company, plus a 50% financial penalty of Corpus Christi Polymers' last Fiscal Year Profit, plus a 100% cleanup by Corpus Christi Polymers for their damages, to include any Historical Pollution that may be uncovered by the cleanup.

RESPONSE 16:

During the previous amendment action in 2017, this permit was subject to two antidegradation reviews which preliminarily determined that existing water quality uses would not be impaired, and that no significant degradation of water quality would occur in Corpus Christi Inner Harbor as a result of this facility's proposed discharge. As stated in Item 2.d. of the standard permit conditions: "the permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment." In effect, the permittee has already agreed that it will take all reasonable precautions to prevent damage to Corpus Christi Inner Harbor. Any

violation of this condition would subject the permittee to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 – 7.075 (relating to Administrative Penalties), 7.101 – 7.111 (relating to Civil Penalties), and 7.141 – 7.202 (relating to Criminal Offenses and Penalties). The TCEQ has no jurisdiction over the tax abatement granted by the City of Corpus Christi.

COMMENT 17:

Alex Fluke, Jennifer Hillard, Tammy King, James Kline, Joanie Steinhaus, Errol Summerlin on behalf of Costal Alliance to Protect the Environment, and Coastal Bend Sierra Club expressed concern that the discharge is through an open pipe, lacking a diffuser to disperse the brine concentrate.

RESPONSE 17:

The Executive Director appreciates the comment; however, TCEQ’s rules do not require desalinization plants to have diffusers.

COMMENT 18:

Rachel Caballero and Brandon Marks stated that TCEQ is not doing its due diligence in protecting the local communities of Corpus Christi from industrial polluters.

RESPONSE 18:

TCEQ is committed to protecting all Texans in accordance with current environmental policy. Accordingly, if any industrial discharger applies for a TPDES permit and they comply with all applicable environmental rules and regulations, TCEQ has no regulatory authority to deny a permit based solely on the nature of their business. At present, Corpus Christi Polymers has made every indication that their discharge will comply with the requirements established in their permit. These requirements are designed to protect human health and aquatic life to the full extent of the law.

COMMENT 19:

Dr. Kathryn Masten, Costal Alliance to Protect the Environment, and Patrick Nye on behalf of Ingleside on the Bay Coastal Watch made comments voicing concern over the fact that Corpus Christi Polymers is requesting to use more water than what is authorized under its existing Water Rights permit. Similarly, Stephanie Lewis

commented that she is opposed to the use of 15 million gallons of surface water being used by the facility.

RESPONSE 19:

The permitted flow rate for a facility's discharge represents the maximum amount authorized to discharge, not the actual amount they will discharge. As such, the Corpus Christi Polymers plant is permitted to discharge up to 38.5 MGD but will not necessarily do so based on the existing limits of their Water Rights permit.

COMMENT 20:

Dr. Kathryn Masten suggested the following special conditions be included in the permit: 1) Corpus Christi and the Coastal Bend region should be specifically included in the Public Involvement Plan Form; 2) the creation of a stakeholder group; 3) making monitoring results available to the public online; 4) the establishment of plant shutdown and utility usage thresholds.

RESPONSE 20:

Regarding the first two conditions, concerns over the Public Involvement Plan and the creation of a stakeholder group are outside the scope of the permit action currently under consideration. Individuals may direct such concerns and suggestions to TCEQ staff at the following addresses and contact numbers:

Mail:

Water Quality Division MC-150

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

Email: wqap@tceq.texas.gov

Phone: 512-239-4671

For the third condition, Discharge Monitoring Reports (DMRs) are public information. If a facility is submitting DMR data to TCEQ, it can be found by searching EPA's ECHO website (<https://echo.epa.gov/>). For the fourth condition, TCEQ does not establish plant shutdown or utility usage thresholds for TPDES permits.

COMMENT 21:

Dr. Kathryn Masten and Jennifer Hillard commented that a mixing analysis of the effluent discharge has not demonstrated that Corpus Christi Polymers will be able to meet the mixing limitations set in the permit and that the receiving waters are able to assimilate the discharges downstream.

RESPONSE 21:

There is no existing effluent to test as the facility has not finished construction and has not discharged to date. Accordingly, retest requirements (Other Requirement No. 13) are included in the draft permit which require the completion of analytical testing of the facility's effluent within 60 days of initial discharge. Based on a technical review of the submitted analytical results (i.e., pollutant measurements) of the sampled effluent [which will include screening criteria based on the mixing zone and zone of initial dilution (ZID)], an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both. The draft permit includes monitoring requirements for Total Dissolved Solids, Chloride, and Sulfate, as well as a condition requiring Corpus Christi Polymers to submit semi-annually effluent salinity and flow data to TCEQ for review (with a copy to the EPA) once discharge commences. This data will be used to determine if more stringent conditions and/or limits for salinity are necessary during the permit cycle.

COMMENT 22:

Alex Flucke, the persons in Attachment F, and Errol Summerlin on behalf of Costal Alliance to Protect the Environment commented that the modeling for this permit does not account for the additional depth, interruption of flows, and increased turbidity created by the ongoing dredging project in Corpus Christi's Inner Harbor. Similarly, Chloe Torres noted that no modeling of the salinity flow in Corpus Christi Bay was done.

RESPONSE 22:

Additional dissolved oxygen modeling analyses were conducted to examine the scenario described in which the depth of the harbor is increased to 54 feet. While a difference was observed in the modeling results, the predicted dissolved oxygen modeling levels were maintained above 3.0 mg/L. Accordingly, even with the depth change, modeling indicates that the effluent limits of 250 lbs/day for Outfall 101 and

20 mg/L five-day biochemical oxygen demand (BOD₅) at Outfall 201 are predicted to maintain dissolved oxygen levels in Segment No. 2484. Five-day carbonaceous biochemical oxygen demand (CBOD₅) and ammonia nitrogen monitoring requirements are also included in the draft permit to collect data for use in future dissolved oxygen modeling analyses.

Based on 30 TAC Chapter 307.4(b), turbidity is an aesthetic parameter subject to narrative criteria and is not considered in dissolved oxygen modeling reviews. Additionally, turbidity is not expected to impact dissolved oxygen in the receiving waters.

Modeling scenarios are developed using the permitted flows and limits of dischargers and the conditions of the receiving waters. The Corpus Christi Inner Harbor tidal inflows are included in the modeling but there were no other inflows considered.

COMMENT 23:

Sierra Club (Lone Star Chapter) commented that the coastal salinity has changed drastically over the last 25 years, which has resulted in negative changes to the local aquatic life, including the Smalltooth Sawfish (*Pristis pectinate*).

Similarly, Sisters of the Incarnate Word and Blessed Sacrament, Kristin Aguilar, Margaret Duran, Alex Flucke, George Gardiner, Jennifer Hilliard, Tammy King, Jessica Palitza, Sylvia Salyer, Jenny Sorensen, and Texas Campaign for the Environment expressed concern that the discharge will negatively impact fish and wildlife, including birds. Similarly, Julia Nicholson commented that the permit will threaten biodiversity along the Corpus Christi coast. Sylvia Salyer asked if the oysters and fish would be safe to eat. Similarly, Dorthy Peña stated that the project could impact the food supply. Chloe Torres commented that the discharge will harm important marine species. Jennifer Hilliard of the Coastal Bend Sierra Club commented that the TCEQ has not done adequate studies regarding the impact of the proposed discharge on aquatic life.

Molly Davis, Tammy King, Joanie Steinhaus, and the persons in Attachment F commented that the discharge will harm the ecosystem.

RESPONSE 23:

Tier I and Tier II antidegradation reviews were performed for this facility during its previous permit action. The Tier 1 antidegradation review determined that existing water quality uses will not be impaired by this permit action. The Tier 2 review determined that no significant degradation of water quality is expected in Corpus Christi Inner Harbor. Accordingly, all existing uses will be maintained and protected if the facility is operated in accordance with the terms of the draft permit.

Comment 24:

For the Greater Good and Margaret Duran expressed concern that the proposed discharge will harm aquatic life. Similarly, Patricia Gardiner expressed concern that the proposed discharge will negatively impact the nursery potential of the bay. Teresa Carrilo, Sylvia Salyer, and Melissa Zamora expressed concern over the impact of the discharge on oyster waters.

Response 24:

The Texas Surface Water Quality Standards (TSWQS) in 30 TAC Chapter 307 require that discharges may not degrade the receiving waters and may not result in situations that impair existing, attainable or designated uses, and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock, or domestic animals.² The effluent limits in the draft permit are set to maintain and protect the existing instream uses and prevent toxicity to aquatic life such as oysters.

Comment 25:

Molly Davis, Lauren Kauachi, Julia Nicholson, and Sylvia Salyer expressed concern that the permit will increase air pollution. Sylvia Salyer also asked how the public would be notified of an upset and if the TCEQ will monitor the air downwind of the outfall. Similarly, For the Greater Good expressed concern about air emissions. Ingleside on the Bay Coastal Watch commented that the existing air quality is “horrible.”

Response 25:

This type of facility will not contribute significant amounts of air contaminants to the atmosphere, and thus, will not negatively impact human health and the environment. Air emissions from facilities such as the one proposed by Corpus Christi

² 30 TEX. ADMIN. CODE § 307.6(b)(4).

Polymers do not have to obtain an air quality permit, rather they are permitted by rule (30 TAC § 106.532).

Please contact the Air Permits Division at (512) 239-1250 for questions regarding any Air New Source Permit Registrations for which the applicant has applied.

Comment 26:

Margaret Duran, Jennifer Hilliard, Stephanie Lweis, Sylvia Salyer, and Ana Trevino expressed concern that the proposed discharge will negatively impact recreation, including swimming and fishing.

Response 26:

As specified in the Texas Surface Water Quality Standards (TSWQS), water in the state must be maintained to preclude adverse toxic effects on aquatic life, terrestrial life, livestock, and domestic animals resulting from contact, consumption of aquatic organisms, consumption of water, or any combination of the three. Water in the state must also be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water, or any combination of the three. The draft permit includes provisions to ensure that these surface water quality standards will be maintained.

Comment 27:

Sierra Club (Lone Star Chapter) commented that pre-production plastic production poses a severe risk to human health and the environment. Specifically, Sierra Club noted that inhalation and ingestion of constituent and microplastics can cause damage to internal organs and are endocrine disruptors. Sisters of the Incarnate Word and Blessed Sacrament, For the Greater Good, Hillcrest Residents Association, Ingleside on the Bay Coastal Watch, Texas Campaign for the Environment, The Citizens Alliance for Fairness and Progress, Kirsten Aguilar, Armon Alex, Elida Castillo, Margaret Duran, Maria Halloran, Jennifer Hilliard, Julia Nicholson, Sylvia Salyer, and Jenny Sorenson expressed concern that the proposed discharge will negatively affect human health.

Response 27:

As specified in the Texas Surface Water Quality Standards (TSWQS), water in the state must be maintained to preclude adverse toxic effects on aquatic life, terrestrial life, livestock, and domestic animals resulting from contact, consumption of aquatic

organisms, consumption of water, or any combination of the three. Water in the state must also be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water, or any combination of the three. The draft permit includes provisions to ensure that these surface water quality standards will be maintained.

In addition, the proposed facility is categorized as a major facility by the EPA and therefore requires priority pollutant screening and whole effluent toxicity (WET) permit requirements.³ Water quality-based effluent limitations are calculated from marine aquatic life criteria found in Table 1 of the TSWQS (30 TAC Chapter 307).

Whole effluent biomonitoring is the most direct measure of potential toxicity that incorporates the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity. The biomonitoring procedures stipulated as a condition of this permit are as follows: chronic static renewal 7-day survival and growth test using mysid shrimp (*Mysidopsis bahia*) with a frequency of once per quarter, and chronic static renewal 7-day larval survival and growth test using inland silverside (*Menidia beryllina*) with a frequency of once per quarter. These test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the State water quality standards. The biomonitoring frequency has been established to reflect the likelihood of ambient toxicity and to provide data representative of the toxic potential of the facility's discharge. This permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body.

Comment 28:

Margaret Duran stated that the decision on the Corpus Christi Polymers application should not be made behind closed doors.

³ *Procedures to Implement the Texas Surface Water Quality Standards (IPs)*, page 102.

Response 28:

Decisions on TPDES permits are made in conjunction with the public participation process specified in Texas Water Code Chapter 5 and the TCEQ's rules. The application for this facility has been available for viewing and copying at the Owen R. Hopkins Public Library (3202 McKinzie Road, Corpus Christi, Texas) since publication of the NORI. The draft permit, the Statement of Basis, and the Executive Director's preliminary decision have also been available for viewing and copying at the same location since publication of the NAPD.

During regular business hours, the public may review or copy the public file for this application, which includes the application, its attachments, the comment letters, this Response to Public Comment, the Hearing Requests, the Responses to Hearing Requests, and any other communications made during the review of this application, at TCEQ's Office of the Chief Clerk located in Building F, 12100 Park 35 Circle, Austin, Texas.

Further, a standard thirty-day period for public comment was provided to allow members of the public to voice their concerns over this permit. Based on feedback from the public, this comment period was extended and followed up by a public meeting which was held on February 23, 2023. The Commission has received over 60 requests for a Contested Case Hearing. The Commission will consider the Contested Case Hearing requests in an open meeting, and, if appropriate, will refer the application to the State Office of Administrative Hearing for a Contested Case Hearing.

Finally, before any final action is taken on this application it will be considered in a public meeting before the TCEQ Commissioners, which will be open to the public. For additional information on public participation in the permitting process, please visit: <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation/public-participation-9-1-2015>.

Comment 29:

Jennifer Hillard, Chloe Torres, and the persons in Attachment F commented that the discharge will be into Corpus Christi Bay, which the EPA has designated as an estuary of National Significance. Similarly, the Coastal Alliance to Protect the Environment noted that the proposed discharge will be to an area protected by the National Estuary Program.

Response 29:

The designation of Corpus Christi Bay as an estuary of National Significance marks it as part of 28 National Estuary Programs which are charged with developing and implementing a Comprehensive Conservation and Management Plan (CCMP) that establishes priorities for activities, research, and funding for their respective estuaries. However, the designation does not have any bearing on whether the proposed discharge should be permitted, nor on any limits in the draft permit.

The proposed discharge will be into an area protected by the National Estuary Program. However, the National Estuary Program is only taken into consideration during the designation of a discharger as a major or minor facility. This facility is already designated as an EPA major. As such, the limits in the draft permit account for and are in keeping with the National Estuary Program's protections.

Comment 30:

Jennifer Hillard commented that the applicant has not demonstrated that it will be able to meet the mixing limits in the draft permit.

Response 30:

Applicants are not required to demonstrate their ability to comply with mixing limits prior to issuance of a permit. Permittees must comply with all terms and conditions of their permit, including mixing limits; if a permittee is unable to comply with one or more terms of its permit, it may be subject to enforcement.

Comment 31:

Jennifer Hillard stated that the permit should require all testing be done by a third party.

Response 31:

All laboratory data and analysis used in commission decisions regarding TPDES permits must be done by an environmental testing laboratory that is accredited by the TCEQ.

Comment 32:

Stephanie Lewis stated that there should be regulations for biomonitoring and monitoring of sediments and salinity.

Response 32:

Whole Effluent Toxicity (Biomonitoring) criteria and salinity monitoring requirements have been included in the draft permit. TCEQ does not specifically address sediment issues in the wastewater permitting process. However, the Tier I and Tier II antidegradation reviews performed for this facility determined that existing water quality uses will not be impaired by this permit action, and that no significant degradation of water quality is expected in Corpus Christi Inner Harbor. “Degradation of water quality” also includes the issue of sedimentary buildup.

Comment 33:

Sylvia Salyer asked if the TCEQ would test the soil, water, and air.

Response 33:

Corpus Christi Polymers will have primary responsibility for testing its discharge. However, all laboratory data and analysis used in commission decisions regarding TPDES permits must be performed by an environmental testing laboratory accredited by the TCEQ.

Comment 34:

Sylvia Salyer asked who she should contact if she gets sick from the discharge and who is responsible if the wildlife is contaminated.

Response 34:

If the facility is found to be out of compliance with the terms or conditions of the permit, the Applicant may be subject to enforcement. If anyone experiences any suspected incidents of noncompliance with the permit or TCEQ rules (e.g., adverse health effects after exposure or proximity to discharge), they may report these by calling the TCEQ Environmental Complaint Line at 1-888-777-3186. Calls will be routed automatically to the closest TCEQ regional office. Complaints may also be filed online at tceq.texas.gov/compliance/complaints. If the Applicant fails to comply with all requirements of the permit, it may be subject to enforcement action.

Comment 35:

Sylvia Salyer asked who is responsible for the outfall.

Response 35:

The Applicant is responsible for the outfall at their facility.

Comment 36:

Sylvia Salyer asked if other, similar facilities have caused negative impacts to human health or fisheries.

Response 36:

At present, no negative impacts to human health or fisheries are known to have occurred as a result of discharges from similar facilities in the Corpus Christi Bay region.

Comment 37:

Sylvia Salyer asked if the draft permit complies with the Clean Water Act.

Response 37:

All TCEQ TPDES permits are written to comply with all applicable state and federal regulations, including the Clean Water Act.

Comment 38:

Sylvia Salyer stated that the permit should be issued to the previous company, not to Corpus Christi Polymers.

Response 38:

TCEQ's rules require that it is the duty of the owner to submit an application for a permit. 30 TAC § 305.43.

Comment 39:

Sylvia Salyer asked if the applicant has been properly vetted.

Response 39:

A compliance history was run for both Corpus Christi Polymers, LLC and the Corpus Christi Polymer Plant during the permitting process. Results of the compliance history indicate that both Corpus Christi Polymers, LLC and the Corpus Christi Polymer Plant have no history of past violations.

Comment 40:

Sylvia Salyer asked what happens if CC Polymers goes bankrupt.

Response 40:

TCEQ's rules provides that the Commission may involuntarily transfer a permit, after notice and opportunity for a hearing, if "bankruptcy, or similar proceedings have

rendered the permittee unable to construct the permitted facilities or adequately perform its responsibilities in operating the facilities . . . “ 30 TAC § 305.64(i)(7).

Comment 41:

Sylvia Salyer asked if Texas Parks and Wildlife is aware of the CC Polymers’ application.

Response 41:

The Supplemental Permit Information Form (SPIF) associated with this permit indicates that both the Texas Parks and Wildlife Department (TPWD) and U.S. Fish and Wildlife were made aware of this application with an administratively complete date of February 10, 2022.

Comment 42:

Sylvia Salyer asked if elected officials are aware of the CC Polymers’ application.

Response 42:

Senate Bill 709 (84th Legislative Session, 2015) amended the Texas Water Code by adding new Section 5.5553, which requires the Texas Commission on Environmental Quality (TCEQ) to provide written notice to the state senator and state representative of the area where the facility is located. The notice for this application was issued on April 22, 2022.

Comment 43:

Sylvia Salyer asked if the discharge will make the bay colder.

Response 43:

A review conducted by TCEQ’s Water Quality Assessment Section determined that a thermal component was not necessary for the draft permit.

Comment 44:

Sylvia Salyer asked who she should contact if she has a concern with the facility.

Response 44:

Anyone may report any concerns about suspected noncompliance with the terms of any permit or other environmental regulation by contacting the Corpus Christi Regional Office at (361) 825-3100, or by calling the 24-hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ investigates all complaints received. If the facility is found to be out of compliance with the terms and

conditions of its permit, it may be subject to investigation and possible enforcement action.

Comment 45:

Sylvia Salyer asked what the chemical makeup is of the discharge. Elida Castillo also asked what pollutants will be discharged.

Response 45:

The facility has not discharged, so analytical data of the discharge is not yet available. However, a retest requirement has been included in the permit as Other Requirement No. 13, which requires wastewater discharged via Outfall 001 to be sampled and analyzed for parameters listed in Tables 1, 2, 3, 6, 8, 9, 10, and 11 of Attachment A of the permit. Analytical testing for Outfall 001 must be completed within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Industrial Permits Team (MC 148) and Region 14 Office. Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

Comment 46:

Sylvia Salyer asked how the chemicals and byproducts will be broken down. Similarly, Melissa Zamora asked how the industrial wastewater will be treated.

Response 46:

The wastewater system at this facility consists of the following components:

- Wastewater Treatment Plant 1 (WWTP1), which will consist of equalization, mixed bed biological reactor, clarification, and filtration of process wastewaters, utility wastewater, and the first-flush of stormwater from process areas. Wastewaters treated in WWTP1 will be monitored at Internal Outfall 101, prior to being discharged via Outfall 001.
- Wastewater Treatment Plant 2 (WWTP2), which will consist of extended aeration, clarification, sludge digestion, and chlorination of domestic wastewater. Wastewater treated in WWTP2 will be monitored at Internal Outfall 201, prior to being discharged via Outfall 001.

- The facility may also process utility wastewater, post first-flush stormwater, and previously monitored effluent from Internal Outfalls 101 and 201 in the desalinization plant.
- A desalination unit, which will consist of a two-stage reverse osmosis (RO) treatment unit that desalinates sea water for use at the facility. Desalinated water from stage one of the RO unit is to be used for general industrial purposes at the facility. Desalinated water from stage two of the RO unit is high purity water and is to be used in the production processes in the polyethylene terephthalate (PET) and the terephthalic acid (PTA) plants.
- Cooling towers and boilers, which will produce blowdown that will be commingled and collected in a “blowdown tank.” Blowdown collected in the tank can be routed to the RO treatment unit for re-use or routed to Outfall 001 for discharge.
- Process air scrubbers, which will produce process wastewater from the treatment (scrubbing) of gaseous emissions from the process production areas of the PET and PTA plants and the tank farm.
- The facility will conduct periodic testing and flushing of the fire water system at the facility.

The permittee will re-use portions of reverse osmosis reject water, filter backwash, previously monitored effluents (process wastewater, utility wastewater, fire system (testing and flushing) water, and stormwater via Internal Outfall 101 and treated domestic wastewater via Internal Outfall 201) and cooling tower blowdown, fire system (testing and flushing) water, utility wastewaters, and stormwater via Outfall 001 for the purpose of supplying non-potable water to the process, steam, utility, and cooling systems within the plant. These wastewaters will be routed for treatment by filtration or filtration and reverse osmosis prior to re-use as a non-potable industrial water supply at the facility. Wastewater that receives treatment by filtration or treatment by filtration and reverse osmosis for the purpose of re-use is not to be re-used for potable or domestic purposes.

Comment 47:

Sylvia Salyer asked for a copy of CC Polymers Mission Statement.

Response 47:

TCEQ's rules do not require an applicant for a TPDES permit to provide the applicant's mission statement in its application.

Comment 48:

Sylvia Salyer asked if the public would be made aware of any upsets.

Response 48:

If an unauthorized discharge occurs, Corpus Christi Polymers will be required to report it to TCEQ within 24 hours. Corpus Christi Polymers is subject to potential enforcement action for failure to comply with TCEQ rules or the permit. Individuals are encouraged to report any concerns about nuisance issues or suspected noncompliance with the terms of any permit or other environmental regulation by contacting the Corpus Christi Regional Office at (361) 825-3100, or by calling the 24-hour toll-free Environmental Complaints Hotline at 1-888-777-3186. The TCEQ investigates all complaints received. If the facility is found to be out of compliance with the terms and conditions of its permit, it may be subject to investigation and possible enforcement action.

Comment 49:

Jessica Palitza asked if the draft permit complies with the Coastal Management Program.

Response 49:

The Executive Director reviewed this permit action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and determined that the action is consistent with the applicable CMP goals and policies.

Comment 50:

Errol Summerlin on behalf of Costal Alliance to Protect our Environment stated that a hearing request should not have to be in writing. Mr. Summerlin also commented that the TCEQ's rules regarding who is an affected person make it difficult for anyone to be found an affected person. According to Mr. Summerlin, this prevents full participation in hearings and judicial review.

Response 50:

The Executive Director acknowledges the comment. The Texas Water Code provides.

For the purpose of an administrative hearing held by or for the commission involving a contested case, "affected person," or "person affected," or "person who may be affected" means a person who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the administrative hearing. An interest common to members of the general public does not qualify as a personal justiciable interest.⁴

The Commission implements this statutory directive through the rules in 30 TAC Chapter 55.

Comment 51:

Bob Brown and Melissa Zamora commented that the effluent should be treated to drinking water standards.

Response 51:

If the applicant can treat their effluent to meet the limitations established in the draft permit, then no further treatment is necessary for discharge.

Comment 52:

For the Greater Good commented that hydrochloric acid should not be dumped into the bay.

Response 52:

This permit does not allow for the dumping of hydrochloric acid into the bay. The wastestreams covered by this permit include reverse osmosis reject water, filter backwash, previously monitored effluents [process wastewater, utility wastewater, fire system (testing and flushing) water, and stormwater from Internal Outfall 101; and treated domestic wastewater from Internal Outfall 201], fire system (testing and flushing) water, utility wastewaters, and stormwater.

⁴ Texas Water Code § 5.115(a).

Comment 53:

The Texas Coastal Bend Chapter of the Surf-rider Foundation commented that all desalination plants on the Texas Coast should be required to have both their intakes and outfalls offshore into the Gulf of Mexico as recommended by the 2018 report by the Texas General Land Office and Texas Parks and Recreation.

Response 53:

At present, there is no such regulatory requirement for desalination plants on the Texas Coast to have their intakes and outfalls located offshore in the Gulf of Mexico.

Comment 54:

The Texas Coastal Bend Chapter of the Surf-rider Foundation expressed concern over nurdles.

Response 54:

The permit prohibits the discharge of floating solids in other than trace amounts. This restriction would extend to nurdles.

Comment 55:

Jennifer Hilliard commented that TCEQ needs to adopt rules for desalination facilities.

Response 55:

The Executive Director acknowledges the comment.

Comment 56:

The Coastal Alliance to Protect the Environment stated that the application must be reviewed for compliance with all applicable federal laws, including: Endangered Species Act, Marine Mammal Protection Act, Rivers and Harbors Act and Clean Water Act § 404, National Environmental Policy Act, Endangered Species Act, and the Magnuson-Stevens Act's Essential Fish Habitat consultation requirement.

Response 56:

The draft permit was drafted in compliance with all applicable state and federal environmental regulations.

Comment 57:

Sierra Club (Lone Star Chapter) noted that Segment 2484 has been on the 303(d) list for copper in water since 2016.

Response 57:

The 303(d) listing for copper in water for Segment 2484 was addressed in the draft permit. This permit action is a renewal that will not increase the loadings of copper in this segment. Further, copper is not expected to be present in the discharge of this facility.

Comment 58:

Sierra Club (Lone Star Chapter) recommended that the Executive Director perform a complete review of CC Polymers' application, including a Tier I and Tier II antidegradation review.

Response 58:

A Tier I and Tier II antidegradation review was performed during the previous permit action. Because CC Polymers applied for a renewal application additional antidegradation reviews were not required.

Comment 59:

Sierra Club (Lone Star Chapter) recommends numeric limits for Total Dissolved Solids.

Response 59:

A monitoring requirement for Total Dissolved Solids (TDS) has been included in the draft permit. This monitoring requirement will generate data necessary for TCEQ to determine whether additional numeric limits for TDS are required.

Comment 60:

Dr. Kathryn Masten submitted an abstract from the January 2022 Coastal Bend Bays and Estuaries Program report, CBBEP Publication 153, Project 2120 "Vulnerability Assessment of Coastal Bend Bays."

Response 60:

The Executive Director acknowledges the comment.

Comment 61:

Sylvia Salyer asked how many employees and how many shifts will work at the CC Polymers facility.

Rachel Caballero commented that the area is in a Stage 1 drought already and does not believe there is sufficient water for the facility.

Rachel Caballero commented that the local officials are not doing enough to protect the citizens.

For the Greater Good commented that the discharge of 38.5 million gallons sounds terrible.

Melissa Zamora suggested the applicant recycle its PET.

Kristen Aguilar commented that an increase in salination from the desalination plants will cause erosion of the bay.

Kristin Aguilar expressed concern that the facility will negative impact the quality of life.

Sisters of the Incarnate Word and Blessed Sacrament, Kristin Aguilar, Stephanie Lewis, Dorothy Peña, and Victoria Waddell expressed concern that the discharge will negatively impact the local economy. Similarly, Margaret Duran, Stephanie Lewis, Julia Nicholson, Sylvia Salyer, Ana Trevino, and Victoria Waddell commented that the permit will negatively impact tourism.

Julia Nicholson commented that tax money should not fund desalination projects.

Sylvia Salyer asked if the Applicant has sufficient financial resources to cover damage to the outfalls.

Sylvia Salyer asked if the applicant will be fiscally responsible. Similarly, Christopher Phelan commented that the company is financially unstable.

Response 61:

The TCEQ's jurisdiction over the permitting process for TPDES permit applications is established by the Texas Legislature and is limited to controlling the discharge of pollutants into, and protecting the quality of, water in the state. The

Executive Director reviewed the CC Polymers application and determined that the draft permit meets all applicable legal and technical requirements.

III. CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT

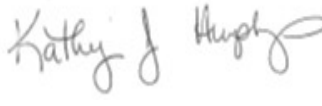
No changes to the draft permit were made in response to comments.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel, Executive Director

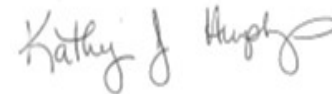
Charmaine Backens, Deputy Director
Environmental Law Division

By 

Kathy J. Humphreys, Staff Attorney
Environmental Law Division
State Bar No. 24006911
P.O. Box 13087, MC 173
Austin, Texas 78711-3087
512-239-3417
Representing the Executive Director of the
Texas Commission on Environmental Quality

IV. CERTIFICATE OF SERVICE

I certify that on May 29, 2024, the “Executive Director’s Response to Public Comment” for Corpus Christi Polymers LLC Permit No. WQ0005019000 was filed with the Texas Commission on Environmental Quality’s Office of the Chief Clerk.



Kathy J. Humphreys, Staff Attorney
Environmental Law Division
State Bar No. 24006911

Attachment A -- Timely Commenters

Individuals

A

A, Terence
Aguilar, Kirsten
Alex, Armon
Alonzo, Brenda
Alvarado, Beatriz

B

Barlow, Cindy
Bray, Jennifer Jill
Brown, Bob
Buitron, Ruby

C

Caballero, Rachel
Cabanés, Ted
Canales, Eduardo
Canales, Victor
Carrillo, Teresa A
Carter, Mary
Castillo, Elida I

D

Daniloff, Paul
Davis, Molly
Dougherty, Ferol
Duran, Margaret

E

Escareno, Santiago
Espinosa, Isabella

F

Flucke, Alex

G

Gallegos, Guillermo
Gardiner, George
Witshire
Gardiner, Patricia C
Genevie, Jean
Gonzalez, Bob
Gonzalez, Rene
Gracia, Jennifer

H

Halloran, Maria
Hernandez, Lisa
Orsborn
Hernandez, Manuel
Hilliard, Jennifer R.

I

Ibarra, Sara

K

Kauachi, Lauren
Kelly, Wayne, Dr.
King, Tammy
Korus, Daniel

L

Lewis, Stephanie
Limuel, Wallis
Lowe, Robert

M

M, Kristen
Martina, Destinee
Masten-Cain, Kathryn
May, Bill
Mayorga III, Elizabeth
Mcada, Jonathan
McCandless, Micah
McCandless, Moira
McCandless, Tanya
McDonald, Arriana
McKay, Eli
Mitchell, Michelle
Moreno, Irma
Morin, Desiree

N

Nicholson, Julia

O

Ortiz, Alex R (Sierra Club)

P

Palitza, Jessica
Parkinson, Blanca
Peacock, Maggie
Peña, Dorothy
Phelan, Christopher L

R

R, Josh
Ramirez, Debrathe
Rodriguez, Joseph

Rodriguez, Miah

S

Sanchez, Love

Sarabia, Defranco

Salyer, Sylvia

Sendejo, Abigail

Sendejo, Alison

Sendejo, Sammy

Shanks, Paul

Silva, Adolph

Skinner, Sarah

Sorensen, Jenny

Soulas, Susan

Steinhaus, Joanie M

Suniga, Sam

T

Thorwaldson, Karen Jo

Torres, Chloe

Tovar, Luis

Trevino, Ana

Tuttle, April

V

Veech, Anne

Vela, Joanne

Villarreal, Andres

Villarreal, Celina

W

Waddell, Victoria

Walton, Gerald

Watson, Sam

Weber, John Stephen

White, Cassie

Williams, Henry J

Y

Young, Brittini

Z

Zamora, Melissa

Timely Commenters Groups and Associations

Sylvia Campos, City Council Member District 2

Eric Allmon and Isabel Araiza on behalf of For the Greater Good

James E. Klein on behalf of Corpus Christi City Council and Coastal Bend Sierra Club

Brandon Marks on behalf of Texas Campaign for the Environment

Armando Martinez (Deputy Director of Business Solutions for Workforce Coastal Bend)

Mike Murphy (Chief Operations Officer for Corpus Christi Water)

Neil McQueen on behalf of the Texas Coastal Bend Chapter of the Surf-rider Foundation

Patrick Arnold Nye and Brandon Marks on behalf of Ingleside on the Bay Coastal Watch

Alex R. Ortiz on behalf of Sierra Club Lonestar Chapter

Ava Ortiz on behalf of Sierra Club Lonestar Chapter

Bob Paulison Executive Director of the Coastal Bend Industry Association

Brittany Sotelo on behalf of the Corpus Christi Economic Development Corporation

Sister Marian Rose Sturn on behalf of Sisters of the Incarnate Word and Blessed Sacrament

Errol Alvie Summerlin on behalf of Coastal Alliance to Protect the Environment (CAPE)

Lamont C. Taylor on behalf of Hillcrest Residents Association and The Citizens Alliance for Fairness and Progress

Attachment B – Late Commenters

A

Aguliar, Kristin
Alexander, Kennedy
Alvarado, Kristina
Alvarez, Ashley
Alvarez, Brenda
Alaniz, Alyssa
Aparcana, Guadalupe
Aprcana, Karla
Arguellez, Angela
Altman, Stacey
Avila, Amanda

B

Bach, Steven
Baker, Penelope
Barrera, Emily
Bautiata, Sabdy
Bautista, Gloria
Beltran, Hector
Bentley, Christine
Berrier, Joey
Bertrand, Jessica
Billiford, Lance
Blinkey, Svea
Boone, Mariah Ann
Boone, Marigolds
Bray, Molly
Buckwalter, Sonya
Burnes, Helena
Byerly, Sarah

C

Carney, Sara
Carroll, Anthony
Castillo, Elida I
Castillo, Paul
Cervantes, Alex
Chapa, Noelia
Cisneros, Delia
Cook, Maggie
Cook, Marchesa
Crow, Caroline
Cruz, Yolanda

D

Dalton, Cherie
Darkhabani, Elizabeth
Daughtrey, Caitlin
Dietrich, Gracie
Djdjdd, Djjddj
Duncan, Melodies
Dupree, Cecilia

E

Escobedo, Joe
Espinosa, Isabella
Estrada, Iris
Even, Libby

F

Facials, Maria
Farren, Stephenie
Fernandez, Brooke
Flores, Alejandra
Flucke, Alex

Forlina, Andrea
Fox, Shae
Fuchs, Pamela

G

G, Monica
Galvan, Derek
Garcia, Celina
Garcia, Guillermo
Garcia, Katrina
Garcia, Steven
Garza, Eva
Garza, Milan

Garza, Nicole

Gentry, Jessica

Glover, Bryn

Gomez, Maria

Gorres, Genesis

Guevara, Alexis

H

Hahn, McKenzie

Hailes, Bryce

Harbick, Connie

Hardbarger, Taylor

Harder, Desirea

Harvey, Jessie

Haynes, Ashley

Hernandez, Monty

Hernandez, Paloma

Herrera, Justin

Hess, Victoria

Hinojosa, Cassandra

Hizon, Catherine
Holder, Dani
Hominids, Amanda
Hopeman, Sebastian
Huff, Lois C
Hughes, Wendy Lynn
Hundt, Jamie

J

Jennings, Emily
John, John

K

Kelly, Patrick
Kemberling, Annabelle
Kilgore, Nancy
Kilsby, Amber
Krupa, Nancy

L

Labonte, Lauren
Lail, Jamesis
Lail, Julia
Langschied, Nancy
Leach, Hannah
Lerma, Cathy
Licker, Madeleine
Lima, Arturo
Longo, Victoria
Lopez, Victoria
Lorenzo, Alicia

M

M, Michelle
Macias, Stephanie
Magill, Monica
Martinez, Alejandro
Martinez, Anna

Martinez, Maria
Martinez, Ricky
Martinez, Violet
Masten-Cain, Katherine A
McCreless, Kelsey
McDermott, Kevin
McDonald, Auddie
McNabb, Lauren
McKay, Eli
Medina, Guillermo
Medina, Nicholas
Metoyer, Warren
Monroy, Ryan
Montoya, Faith
Morales, David
Moreno, Renee
Murillo, Yolanda
Myers, Lorelei

N

Nevarez, Ven

O

Oler, Kathryn
Olvera, Cris
Ory, Roxanne
Ott, Caitlin

P

Peacock, Maggie
Pena, Sandra
Perales, Rachel
Perez, Heather
Perez, Vanessa
Pierce, Betty
Pond, Beth
Potter, Lauren

Prado, Christopher
Prado, Victoria
Priest, Heather
Puente, Carolyn
Puyol, Andrea

Q

Queen, Brittany

R

Rayburn, Layla
Rhea, Chealsie
Ricks, Jennifer
Rios, Jacob
Roberts, Amber
Roberts, Perry
Rodriguez, Emily
Rodriguez, Sylvia
Rojas, Amanda
Romero, Valentino
Roux, Vanessa

S

Salaiz, Stacy
Salazar, Joshua
Saldana, Sonja
Samaniego, Sasha
Sanchez, Aleyda
Sanchez, Azucena
San Miguel, Irma
Schaeffer, Kyrie
Schiller, Nichols
Schultz, Kay
Seemann, Frauke
Selig, Peter
Serna, Angela
Shaw, Melindi

Sherwood, Samantha
Shoe, Janna
Sibley, Dora
Skidmore, Diane
Smith, Carol
Smith, Claude
Smith, Brant
Smith, Suzanne
Sorensen, Jenny
Spinelli, Marissa
Stevenson, Brandi
Stuart, Lily
Su, Lucy
Suarez, Laura
Sul, Marina
T
Tanksley, Samantha
Tasby, Shane

Teniente, Kimberly
Tester, John
Thomas, Alma
Thorpe, Taylor
Torre, Marseille
Tovar, Clarissa
Torres, Jorge
Trevin, Melinda
Trevino, Rhonda
Tyler, Tiffany
U
Ullmann, Iris
V
Valdez, Carlos
Vargas, Richard
Vaughn, Nicole
Vela, Daniel

Veit, Taylor
Vierling, Grace
Villalobos, Julian
Villarreal, Cecilia
Visos, Sarah
Volkman, Ginger
W
Weaver, Veronica
Weber, John Stephen
White, Amanda
Williams, Maya
Willson, Austin
Woodruff, Evelyn
Wright, Sarah
Y
Ybarra, Albert

Attachment C

RTC Comment 1

General Opposition to the Permit

Individuals

Kristen Aguilar
Armon Alex

Cindy Barlow
Bob Brown

Rachel Caballero
Councilwoman Sylvia Campos
Ted J. Cabanes
Victor Canales
Mary Carter

Molly Davis
Margaret Duran

Alex Flucke

Patricia C. Gardiner
Bob Gonzalez
Jennifer Gracia

Maria Halloran
Jennifer Hilliard

Lauren Faith Kauachi

Stephanie Lewis

Dr. Kathryn Masten
Elizabeth Mayorga, III
Eli McKay

Jessica Palitza
Blanca Parkinson
Maggie Peacock
Dorothy Peña
Christopher Phelan

Sylvia Salyer
Jenny Sorensen
Joanie Steinhaus

Chloe Torres
Anna Trevino

Anne Veech

Victoria Waddell
John Webber
Henry Williams
Brittini Young

Organizations

For the Greater Good
Hillcrest Residents Association
Ingleside on the Bay Coastal Watch
Texas Campaign for the Environment
The Citizens Alliance for Fairness and Progress
Texas Costal Bend Chapter of the Surf-rider Foundation
Coastal Bend Sierra Club
Sisters of the Incarnate Word and Blessed Sacrament
Costal Alliance to Protect the Environment

Attachment D
WQ Impairments
RTC Comment 10

Kirsten Aguilar	Julia Nicholson	Brandon Marks on Behalf of Texas
Armon Alex	Alex Ortiz	Campaign for the Environment
Elida Castillo	Ava Ortiz	Errol Summerlin on behalf of Costal Alliance to Protect the Environment
Sylvia Campos	Jessica Palitza	Patrick Nye on behalf of Ingleside on the Bay Coastal Watch
Teresa Carrillo	Maggie Peacock	Alex Ortiz on behalf of Sierra Club Lone Star Chapter
Mary Carter	Dorothy Peña	Ava Ortiz on behalf of Sierra Club Lone Star Chapter
Molly Davis	Silvia Salyer	
Alex Flucke	Ana Treviño	
Jennifer Gracia	Henry Williams	
Maria Halloran	Brittini Young	
Jennifer Hilliard	Melissa Zamora	
Lauren Kauachi	Eric Allmon and Isabel Araiza on behalf of For the Greater Good	
James Kline		
Stephanie Lewis		
Neil McQueen		

Attachment E

Comment 4

Concerns Over the Increase in the Concentration of Brine

Kirsten Aguilar	James Kline	Love Sanchez
Armon Alex		Defranco Sarabia
Brenda Alonzo	Stephanie Lewis	Abigail Sendejo
Beatriz Alvarado	Wallis Limuel	Alison Sendejo
	Robert Lowe	Sammy Sendejo
Jennifer Bray		Paul Shanks
Ruby Buitron	Brandon Marks	Adolph Silva
	Destinee Martina	Sarah Skinner
Ted Cabanes	Bill May	Susan Soulas
Eduardo Canales	Jonathan McAda	Joanie Steinhaus
Victor Canales	Micah McCandless	Sam Suniga
Teresa Carrillo	Moirra McCandless	
	Tanya McCandless	Karen Thorwaldson
Paul Daniloff	Arriana McDonald	Chloe Torres
Molly Davis	Neil McQueen	Luis Tovar
Ferol Dougherty	Michelle Mitchell	Ana Treviño
Margaret Duran	Desiree Morin	April Tuttle
	Irma Moreno	
Santiago Escareno		Brittni Young
Isabella Espinosa	Julia Nicholson	
		Joanne Vela
Guillermo Gallegos	Jessica Palitza	Andres Villarreal
Patricia C. Gardiner	Maggie Peacock	Celina Villarreal
Bob Gonzalez	Dorothy Peña	
Rene Gonzalez	Christopher Phelan	Victoria Wadell
		Gerald Walton
Lisa Hernandez	Joseph Rodriguez	Shiela Walton
Manuel Hernandez	Miah Rodriguez	Sam Watson
Sara Ibarra		Cassie White
	Debrathe Ramirez	
		Melissa Zamora

Patrick Nye and Brando Marks, on behalf of Ingleside on the Bay Coastal Watch

Errol Summerlin on behalf of Costal Alliance to protect the Environment

Eric Allmon on behalf of For the Greater Good

Neil McQueen on behalf of Neil McQueen on behalf of the Texas Costal Bend Chapter
of the Surf-rider Foundation

Alex Ortiz on behalf of Sierra Club Lone Star Chapter

Ava Ortiz on behalf of Sierra Club Lone Star Chapter

Attachment F

Names Attached to Texas Campaign for the Environment's Comment Letter dated February 23, 2023

Terence A	Michelle Mitchell
Kristin Aguilar	Irma Moreno
Brenda Alonzo	Desiree Morin
Beatriz Alvarado	Dorothy Pena
Jennifer Bray	Josh R
Ruby Buitron	Joseph Rodriguez
Eduardo Canales	
Paul Daniloff	
Ferol Dougherty	
Santiago Escareno	
Isabella Espinosa	
Guillermo Gallegos	
Rene Gonzalez	
Lisa Hernandez	
Manuel Hernandez	
Sara Ibarra	
Wallis Limuel	
Robert Lowe	
Kristen M	
Destinee Martina	
Bill May	
Jonathan McAda	
Michah McCandless	
Moira McCandless	
Tanya McCandless	
Arriana McDonald	