DOCKET NO. 2025-0114-IWD

APPLICATION BY THE CITY OF CORPUS CHRISTI FOR TPDES PERMIT NO. WQ0005289000	**§ § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUEST

and

REQUEST FOR RECONSIDERATION

I. Introduction

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) files this Response to Hearing Request (Response) on the application by the City of Corpus Christi for new Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0005289000 and the Executive Director's preliminary decision. The Office of the Chief Clerk received contested case hearing requests from Hillcrest Residents Association (HRA); Texas Campaign for the Environment (TCE), Indigenous Peoples of the Coastal Bend, Jomana Al-Abed, Isabel Araiza Ortiz, Howard Bishop, Shelley Bryan, Barbara Canales, Elida Castillo, Madelyn Chapman, Dr. Jalen Evans, Laramie Fain, Merida A. Forrest, Guillermo Gallegos, McKenzie Hahn, Jason R. Hale, Autum Hensiek-Fain, Norman Johnson, Monna L. Lytle, Matt Manning, Pamela A. Meyer, Ana Yvett Oreilly, Daniel Pena, Maggie Peacock, Conor Rice, Julie Travis Rogers, Ester Santee, Encarnacion Serna, Errol Alive Summerlin, Bruce Switalla, Dale Switalla, Taylor Thorpe, and Alberto Zertuche.

Attached for Commission consideration are satellite maps of the area.

II. Description of Facility

The City of Corpus Christi submitted an application to TCEQ for a new permit, TPDES Permit No. WQ0005289000 to authorize the discharge of water treatment waste at a daily average flow not to exceed 34,300,000 gallons per day (gpd) in the initial phase and 51,500,000 gpd in the final phase via Outfall 001. Corpus Christi proposes to operate the Inner Harbor Desalination Plant, a seawater desalination facility.

The wastewater system will consist of taking raw seawater and producing potable water. The wastestreams will be generated by pretreatment, membrane filtration, and desalination processes. The wastestreams from these processes will be comingled for discharge through Outfall 001. The initial phase of producing water is at 20 million gallons per day (MGD) with the final phase increase to 30 MGD. Because the proposed facility is a desalination facility there will not be any odor generating units.

The facility will be located at the intersection of Nueces Bay Boulevard and West Broadway Street, in the City of Corpus Christi, Nueces County, Texas 78401.

If the draft permit is issued, the treated effluent will be discharged directly to Corpus Christi Inner Harbor (Inner Harbor or Segment 2484) in Segment No. 2484 of

the Bays and Estuaries. The designated uses for Segment No. 2484 are non-contact recreation and intermediate aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses.

III. Procedural Background

The permit application was received on January 22, 2020, and declared administratively complete on May 22, 2020. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on May 31, 2020, in the *Corpus Christi Caller Times* and was published on June 12, 2020, in *El Tejano* magazine. The Notice of Application and Preliminary Decision (NAPD) was published on March 15, 2024, in the *Corpus Christi Caller Times* and *El Tejano* magazine.

A public meeting was scheduled for April 18, 2024. Publication of the Notice of Public Meeting was published on March 15, 2024 in the Corpus Christi Caller Times and El Tejano. A public meeting was held on April 18, 2024, at the American Bank Convention Center (Henry Garrett Ballroom B and C), 1901 North Shoreline Boulevard in Corpus Christi, Texas.

The public comment period ended at the close of the public meeting on April 18, 2024. This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55. The Texas Legislature enacted Senate Bill 709, effective September 1, 2015, amending the requirements for comments and contested case hearings This application is subject to those changes in the law.

IV. The Evaluation Process for Hearing Requests

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests. Senate Bill 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests. The evaluation process for hearing requests is as follows:

A. Response to Requests

The Executive Director, the Public Interest Counsel, and the Applicant may each submit written responses to hearing requests. 30 TAC § 55.209(d).

Responses to hearing requests must specifically address:

whether the requestor is an affected person;

which issues raised in the hearing request are disputed;

whether the dispute involves questions of fact or of law;

whether the issues were raised during the public comment period;

whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal

letter with the chief clerk prior to the filing of the Executive Director's Response to Comment;

whether the issues are relevant and material to the decision on the application; and

a maximum expected duration for the contested case hearing.

30 TAC § 55.209(c).

B. Hearing Request Requirements

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

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

30 TAC § 55.201(c).

A hearing request must substantially comply with the following:

I. give the name, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;

II. identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;

III. request a contested case hearing; and

IV. list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the Commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the Executive Director's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and provide any other information specified in the public notice of application.

30 TAC § 55.201(d).

C. Requirement that Requestor be an Affected Person/"Affected Person" Status

In order to grant a contested case hearing, the Commission must determine that a requestor is an "affected" person. 30 TAC § 55.203 sets out who may be considered an affected person. For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest. Except as provided by 30 TAC § 55.103, governmental entities, including local governments and public agencies with authority under state law over issues raised by the application may be considered affected persons.

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

> whether the interest claimed is one protected by the law under which the application will be considered;
>
> distance restrictions or other limitations imposed by law on the affected interest;
>
> whether a reasonable relationship exists between the interest claimed and the activity regulated;
>
> likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
>
> likely impact of the regulated activity on use of the impacted natural resource by the person;
>
> whether the requestor timely submitted comments on the application which were not withdrawn; and
>
> for governmental entities, their statutory authority over or interest in the issues relevant to the application.
>
> 30 TAC § 55.203.

In making affected person determinations, the commission may also consider, to the extent consistent with case law:

> the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
>
> the analysis and opinions of the Executive Director; and
>
> any other expert reports, affidavits, opinions, or data submitted by the Executive Director, the applicant, or hearing requestor.
>
> 30 TAC § 55.203(d).

D. Referral to the State Office of Administrative Hearings

"When the Commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to SOAH for a hearing." 30 TAC § 50.115(b). The Commission may not refer an

issue to SOAH for a contested case hearing unless the Commission determines that the issue:

> involves a disputed question of fact or a mixed question of law and fact;
>
> was raised during the public comment period by an affected person whose hearing request is granted; and
>
> is relevant and material to the decision on the application.
>
> 30 TAC § 50.115(c).

V. Analysis of Hearing Requests

The Executive Director has analyzed the hearing requests to determine whether they comply with Commission rules, if the requestors qualify as affected persons, what issues may be referred for a contested case hearing, and what is the appropriate length of the hearing.

A. Whether the Hearing Requests Complied with Section 55.201(c) and (d).

Analysis – Groups and Associations

In addition to the requirements in 30 TAC § 55.201 and 30 TAC § 55.203, a request for a contested case hearing by a group or association on an application filed on or after September 1, 2015, must meet the requirements in 30 TAC § 55.205(b). 30 TAC § 55.205(b) requires that the organization identify one or more members of the group or association who would otherwise have standing to request a hearing in their own right; the interests the group seeks to protect are germane to the organization's purpose; and neither the claim asserted, nor the relief requested requires the participation of the individual members in the case.

1. Hillcrest Residents Association (HRA) – Not Affected

Earthjustice submitted a timely hearing request and provided the correct contact information on behalf of HRA.[1] According to Earthjustice, HRA's purpose is to protect "public health, safety, the environment, and the quality of life for residents in the Hillcrest neighborhood and the immediately surrounding area, and to combat community deterioration. With this purpose as the focus, HRA intends to represent its members by participating in the decision-making process of local, state, and federal official on issues related to pollution and protection of natural resources and other quality of life issues. HRA will represent its member in government proceedings and in court, if necessary, in pursuit of HRA's stated purpose." [2] Thus, the interests the group seeks to protect are germane to the organizations purpose. However, HRA did not meet the requirement in 30 TAC § 55.205 to identify a person who would have standing in their own right.

The issues raised by Earth Justice and/or HRA include:

> Whether public notice was sufficient. (RTC Comment 20)

[1] HRA is represented by Erin Gaines, Marisa Perales, Zora Djenohan and Student Attorneys Corinne May and Stephen McCluskey. Errol Alive Summerlin also indicated that he represents HRA.
[2] EarthJustice Hearing Request, pg. 3.

Whether the representations in the Application are accurate and complete. (RTC Comments 16, 20, 22)

Whether the application includes all information necessary to be administratively and technically complete. (RTC Comment 20)

Whether the application complies with the applicable antidegradation requirements or will impair the existing uses of the receiving waters. (RTC comments 3, 4, 10, 18, 20, 23, 24, 6, 8,)

Whether the draft permit will adversely affect water quality in violation of applicable requirements. (RTC Comments 3, 4, 6, 7, 10, 18, 20, 22, 26)

Whether the draft permit will be protective of the hearing requestor's health. (RTC Comments 3, 4, 5, 6, 7, 14, 20, 21, 23)

Whether the draft permit will adversely affect aquatic and terrestrial life. (RTC comments 3, 4, 6, 7, 13, 18, 20, 22, 23, 24, 28)

Whether the Draft Permit will be protective of the Hearing Requestors' use and enjoyment of their property. (RTC comments 3, 4, 7, 14, 20, 21, 27, 29)

Whether the Draft Permit will exacerbate existing environmental injustices in an area already overburdened by industry. (RTC comments 7, 8, 29)

Whether the Draft Permit will violate Title VI of the Civil Rights act by exacerbating existing environmental and public health problems. (RTC comments 7, 8, 9)

Whether the Draft Permit has sufficiently definite terms and conditions to ensure compliance with all applicable water quality standards and regulations. (RTC comments 22, 23, 25)

Whether the Draft Permit includes sufficient monitoring and reporting requirements, including operational requirements, to ensure compliance with all applicable water quality standards and regulations. (RTC Comments 23, 24, 25, 26)

Whether all pollutants and constituents that will be treated and/or discharged by the Applicant have been identified, quantified, and addressed in the Application and Draft Permit. (RTC comments 25, 26)

Earth Justice identified several members that it believes have personal justiciable interests affected by the application and would have standing in their own right. However, none of the members would have standing in their own right. 30 TAC § 55.205.

Specifically:

Madelyn Chapman (Map # 8).

According to HRA Ms. Chapman owns property near the facility, and has recreational interests in enjoying her garden, home, community, and wildlife. According to HRA, Ms. Chapman is concerned about how increased traffic, noise, and pollution will adversely affect her regular walks and her ability to enjoy time in her garden.

Because the issues raised are outside TCEQ's jurisdiction to consider, Earth Justice did not demonstrate that Madelyn Chapman would have standing in her own right.

Norman Johnson (Map # 18).

According to HRA, Mr. Johnson owns several properties adjacent to the facility, and is concerned about negative impacts on his use and enjoyment of his properties, property values, and whether the City will construct the desalination facility on his property without his consent.

Because the issues raised are outside TCEQ's jurisdiction to consider, Earth Justice did not demonstrate that Norman Johnson would have standing in his own right.

Renior (LaMarcus) Knox, Sr. (Map # 13).

According to HRA, Mr. Knox enjoys daily walks around the neighborhood and enjoys gardening, and is concerned that the facility will interfere with the activities. Mr. Knox is also concerned that the noise from the facility will negatively impact his recreational activities and his use and enjoyment of his property. Finally, Mr. Knox enjoys fishing and catches bait fish from the canal downstream of the proposed outfall.

Because of the issues raised, Earth Justice did not demonstrate that Renior Knox, Sr. would have standing in his own right. The issues raised are either outside TCEQ's jurisdiction or do not show how the requestor would be impacted in a manner different from the general public.

Carrie Meyer (Map # 21 approx. 2.6 miles from the facility).

According to the address provided, Ms. Meyer resides approximately 2.6 miles upstream of the outfall. According to HRA, Ms. Meyer regularly swims, kayaks, kitesurfs, and paddle boards in Corpus Christi Bay near North Beach and the USS Lexington. Ms. Meyer also owns a kayak rental and tour guide business that is open year-round and is concerned about the impact of the proposed discharge on her business. Finally, Ms. Meyer is concerned about the public health impacts of the proposed discharge, including potential impacts to her son.

Because of her distance from the proposed facility and outfall, and the issues raised, Earth Justice did not demonstrate that Carrie Meyer would have standing in her own right.

Daniel Pena (Map # 25).

According to the address provided, Daniel Pena resides approximately 0.5 mile from the proposed facility. According to HRA, Mr. Pena is concerned that the construction and operation of the proposed facility will cause increased industrial truck traffic, dust, odors, noise, impact to the streets, traffic congestion, and slow emergency response. Additionally, according to HRA, Mr. Pena is concerned about how odors from the brine discharges will impact the area. Finally, Mr. Pena is concerned about the negative impact to his recreational activities, because he enjoys spending time fishing with his grandchildren. Mr. Pena is concerned that the increase in salinity will increase the red tide and will

thus negatively impact fishing. Finally, Mr. Pena enjoys grilling outside of his home with his family.

Because the proposed facility is a desalination facility there will not be any odor generating units. Additionally, the discharge of the treated effluent will be discharged directly to Corpus Christi Inner Harbor, which is not publicly accessible.

Because of the issues raised, the type of facility, and the discharge location, Earth Justice did not demonstrate that Daniel Pena would have standing in his own right.

Tommy Joe Rogers (Map # 29).

According to HRA, Mr. Rogers owns property within one-half mile of the proposed facility. According to HRA, Mr. Rogers has standing in his own right because he fishes downstream of the proposed outfall near Whataburger Field, which is over a mile from the location of the proposed facility. Additionally, Mr. Rogers is concerned about the impact to his property and health from the industrial trucks that pass by his house. According to HRA the trucks traffic has damaged his home and causes heavy dust, which is a health concern.

Because of the issues raised, Earth Justice did not demonstrate that Tommy Joe Rogers would have standing in his own right.

Reverend Henry J. Williams (Map # 37).

According to HRA, Reverend Williams owns property blocks from the location of the proposed facility. According to HRA, Reverend Williams is concerned for the future use and enjoyment of his home.

Because of the issues raised, Earth Justice did not demonstrate that Reverend Williams has standing in his own right.

Wendall Williams (Map # 38).

According to HRA, Mr. Williams is concerned about increased vibrations, noise and potential exposure to hazardous substances. According to HRA, Mr. Williams experiences near-constant shaking and rumbling in his home, which he attributes to nearby industry and industrial truck traffic. Mr. Williams is concerned that the City's proposed facility will increase the noise and negatively impact his enjoyment of his property. Mr. Williams is also concerned about the increase in truck traffic, particularly sludge tucks, because they pose an additional health risk, particularly for exposure to spills.

Because of the issues raised, Earth Justice did not demonstrate that Wendall Williams would have standing in his own right.

Summary

HRA did not demonstrate how any of the individuals it identified are affected in a manner not common to the general public. Therefore, HRA has not demonstrated associational standing pursuant to 30 TAC § 55.205(b), and its hearing request should not be granted.

The Executive Director recommends the Commission find that HRA is not an affected person.

2. Texas Campaign for the Environment (TCE)

TCE submitted a timely hearing request and noted that Lamont Taylor owns property and attends church in Hillcrest. However, TCE did not provide an address for Mr. Taylor or describe how he would have standing in his own right. According to the comment letter, TCE's purpose is to fight air and water pollution and the building of petrochemical facilities. TCE stated that the desalination facility would cause pollution. Thus, the interests the group seeks to protect are germane to the organizations purpose, however TCE did not demonstrate that any of its members is affected in a manner not common to the general public. Therefore, HRA has not demonstrated associational standing pursuant to 30 TAC § 55.205(b), and its hearing request should not be granted.

The Executive Director recommends the Commission find that Texas Campaign for the Environment is not an affected person.

3. Indigenous Peoples of the Coastal Bend (IPCB)

Dorothy Pena submitted a timely hearing request on behalf of the Indigenous Peoples of the Coastal Bend; however, Ms. Pena did not describe how any of the members of IPCB would have standing in their own right or the interests the group or association seeks to protect. Therefore, IPCB has not demonstrated associational standing pursuant to 30 TAC § 55.205(b), and its hearing request should not be granted.

The Executive Director recommends the Commission find that Indigenous Peoples of the Coastal Bend is not an affected person.

Analysis of Individuals

1. Jomana Al-Abed

According to the address provided Jomana Al-Abed lives over 17 miles from the proposed facility. Mr. Al-Abed raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will increase salinity in the receiving water; whether the proposed plant will be reliable; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility and whether the draft permit will impact the Vibro flesh-eating virus.

Due to the distance from the proposed facility and discharge route and the issues raised, Jomana Al-Abed did not demonstrate that he is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Jomana Al-Abed is not an affected person.

2. Isabel Araiza Ortiz

According to the address provided Isabel Araiza Ortiz lives over seven miles from the proposed facility. Isabel Araiza Oriz raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will cause an increase salinity in the receiving water; whether the draft permit will negatively impact human health and safety; whether the proposed plant will be reliable; whether EPA review and approval of the draft permit is required; and whether the Executive Director correctly classified the facility as a minor facility

Due to the distance from the proposed facility and discharge route and the issues raised, Isabel Araiza Ortiz did not demonstrate that she is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Isabel Araiza Ortiz is not an affected person.

3. Howard Bishop

According to the address provided Howard Bishop lives over three miles from the proposed facility. Mr. Bishop raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations

Due to the distance from the proposed facility and discharge route and the issues raised, Howard Bishop did not demonstrate that he is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Howard Bishop is not an affected person.

4. Shelley Bryan

According to the address provided Shelley Bryan lives over 25 miles from the proposed facility. Ms. Bryan raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; and whether the application is true and accurate

Due to the distance from the proposed facility and discharge route and the issues raised, Shelley Bryan did not demonstrate that she is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Shelley Bryan is not an affected person.

5. Barbara Canales

According to the address provided Barbara Canales lives over six miles from the proposed facility. Ms. Canales raised concerns during the comment period regarding: whether the application is true and accurate; whether the draft permit will cause an increase salinity in the receiving water; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the intake and outfall locations comply with applicable regulations; whether the applications should have included additional modeling; and whether the facility will cause nuisance odors.

Due to the distance from the proposed facility and discharge route and the issues raised, Barbara Canals did not demonstrate that she is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Barbara Canales is not an affected person.

6. Elida Castillo

According to the address provided Elida Castillo lives over 11 miles from the proposed facility. Elida Castillo raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether the draft permit will negatively impact voting or water rates; whether the proposed plant will be reliable; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the intake and outfall locations comply with applicable regulations; and whether the facility will be in the buffer zone between nearby residences and the current industrial complex

Due to the distance from the proposed facility and discharge route and the issues raised, Elida Castillo did not demonstrate that she is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Elida Catillo is not an affected person.

7. Madelyn Chapman

According to the address provided Madelyn Chapman lives approximately 0.5 mile from the proposed facility. Madelyn Chapman raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations

Due to the type of facility, along with Ms. Chapman's distance from the proposed facility and discharge route and the issues raised, Madelyn Chapman did not

demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find Madelyn Chapman is not an affected person.

8. Dr. Jalen Evans

According to the address provided Dr. Evans lives over four miles from the proposed facility. Dr. Evans raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the proposed plant will be reliable; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations.

Due to the distance from the proposed facility and discharge route and the issues raised, Dr. Evans did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Dr. Evans is not an affected person.

9. Laramie Fain

According to the address provided Ms. Fain over three miles from the proposed facility. Ms. Fain raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether a cumulative impact study should be performed; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations

Due to the distance from the proposed facility and discharge route and the issues raised, Laramie Fain did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Laramie Fain is not an affected person.

10. Merida A. Forrest

According to the address provided Merida Forrest lives over nine miles from the proposed facility. Ms. Forrest raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the application is true and accurate; whether the intake and outfall locations comply with applicable regulations; and whether the facility will be in the buffer zone between nearby residences and the current industrial complex

Due to the distance from the proposed facility and discharge route and the issues raised, Merida Forrest did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Merida Forrest is not an affected person.

11. Guillermo Gallegos

According to the address provided Guillermo Gallegos lives over nine miles from the proposed facility. Mr. Gallegos concerns during the comment period regarding: whether a cumulative impact study should be performed; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations.

Due to the distance from the proposed facility and discharge route and the issues raised, Guillermo Gallegos did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Guillermo Gallegos is not an affected person.

12. McKenzie Hahn

According to the address provided McKenzie Hahn lives over five miles from the proposed facility. Ms. Hahn raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; and whether the proposed discharge will negatively impact aquatic life.

Due to the distance from the proposed facility and discharge route and the issues raised, McKenzie Hahn did not demonstrate that she is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that McKenzie Hahn is not an affected person.

13. Jason R. Hale

According to the address provided Jason Hale lives over five miles from the proposed facility. Mr. Hale raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the permit will cause an increase in air emissions; whether the draft permit will negatively impact voting or water rates; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the draft permit will cause an increase in noise pollution; whether the application should have included additional salinity modeling; whether the facility will cause nuisance odors; whether the salinity values the Executive Director used in the modeling were correct;

whether the proposed diffuser will interfere with the ship channel; and whether the draft permit will negatively impact the economy or tourism.

Due to the distance from the proposed facility and discharge route and the issues raised, Jason Hale did not demonstrate that he is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Jason Hale is not an affected person.

14. Autum Hensiek-Fain

According to the address provided Autum Hensiek-Fain lives over three miles from the proposed facility. Ms. Hensiek-Fain raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact voting or water rates; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the intake and outfall locations comply with applicable regulations

Due to the distance from the proposed facility and discharge route and the issues raised, Autum Hensiek-Fain did not demonstrate that she is affected in a manner not common to the general public and is not an affected person.

The Executive Director recommends the Commission find that Autum Hensiek-Fain is not an affected person.

15. Norman Johnson

According to the address provided Norman Johnson lives approximately one-half mile from the proposed facility. Mr. Johnson raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations

Due to the issues raised, Norman Johnson did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Norman Johnson is not an affected person.

16. Monna L. Lytle

According to the address provided Monna Lytle lives approximately three-quarters of a mile from the facility. Ms. Lytle did not provide any specific concerns; she just requested a contested case hearing. She did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Monna L. Lytle is not an affected person.

17. Matt Manning

According to the address provided Matt Manning lives over a mile and a half from the proposed facility. Mr. Manning raised concerns during the comment period regarding: whether a cumulative impact study should be performed; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations

Due to the distance from the proposed facility and discharge route and the issues raised, Matt Manning did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Matt Manning is not an affected person.

18. Pamela A. Meyer

According to the address provided Pamela Meyer lives over 19 miles from the proposed facility. Ms. Meyer raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether the proposed plant will be reliable; whether EPA review and approval of the draft permit is required; and whether the Executive Director correctly classified the facility as a minor facility.

Due to the distance from the proposed facility and discharge route and the issues raised, Pamela Meyer did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Pamela Meyer is not an affected person.

19. Ana Yvett Oreilly

According to the address provided Anna Yvett Orielly lives over nine miles from the proposed facility. Ms. Oreilly raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations.

Due to the distance from the proposed facility and discharge route and the issues raised, Ann Yvett Oreilly did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Ana Yvett Orielly is not an affected person.

20. Daniel Pena

According to the address provided Daniel Pena lives approximately 0.5 mile from the proposed facility. Mr. Pena raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the permit will cause an increase in air emissions; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations.

Due to the issues raised, Daniel Pena did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Daniel Pena is not an affected person.

21. Maggie Peacock

According to the address provided Maggie Peacock lives over nine miles from the proposed facility. Ms. Peacock raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the draft permit will negatively impact the economy or tourism.

Due to the distance from the proposed facility and discharge route and the issues raised, Maggie Peacock did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Maggie Peacock is not an affected person.

22. Conor Rice

According to the address provided Conor Rice lives over six miles from the proposed facility. Mr. Rice raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility, whether the discharge will negatively impact aquatic life, and whether the intake and outfall locations comply with applicable regulations.

Due to the distance from the proposed facility and discharge route and the issues raised, Conor Rice did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Conor Rice is not an affected person.

23. Julie Travis Rogers

According to the address provided Julie Travis Rogers lives over 20 miles from the proposed facility. Ms. Rogers raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the intake and outfall locations comply with applicable regulations; whether the applications should have included additional modeling; and whether the draft permit should include salinity limits.

Due to the distance from the proposed facility and discharge route and the issues raised, Julie Rogers did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Julie Travis Rogers is not an affected person.

24. Ester Santee

According to the address provided Ester Santee lives over eight miles from the proposed facility. Ms. Santee raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; and whether the intake and outfall locations comply with applicable regulations.

Due to the distance from the proposed facility and discharge route and the issues raised, Ester Santee did not demonstrate that she is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Ester Santee is not an affected person.

25. Encarnacion Serna

According to the address provided Encarnacion Serna lives over 8 miles from the proposed facility. Mr. Serna raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; and whether the proposed discharge will negatively impact aquatic life

Due to the distance from the proposed facility and discharge route and the issues raised, Encarnacion Serna did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Encarnacion Serna is not an affected person.

26. Errol Alive Summerlin

According to the address provided Errol Summerlin lives over 7 miles from the proposed facility. Mr. Summerlin raised concerns during the comment period regarding: whether the permit will cause an increase in air emissions; whether the draft permit will cause an increase in noise pollution; whether the draft permit will cause nuisance odors; whether the sludge will be disposed of in accordance with the applicable regulations; whether a cumulative impact study should be performed; whether the draft permit will negatively impact human health and safety; and whether the EPA review and approval of the draft permit is required.

Due to the distance from the proposed facility and discharge route and the issues raised, Errol Alive Summerlin did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Errol Summerlin is not an affected person.

27. Bruce Switalla

According to the address provided Bruce Switalla lives within one-half mile of the proposed facility. Mr. Switalla raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the permit will cause an increase in air emissions; whether the draft permit will negatively impact voting or water rates; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the draft permit will cause an increase in noise pollution; and whether the draft permit will cause an increase in traffic.

Due to the issues raised, Bruce Switalla did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Bruce Switalla is not an affected person.

28. Dale Switalla

According to the address provided Dale Switalla lives within one-half mile of the proposed facility. Mr. Switalla raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the permit will cause an increase in air emissions; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic; life whether the draft permit will cause an increase in noise pollution; whether the salinity values the Executive Director used in the modeling were correct; whether the proposed diffuser will interfere with the ship channel; whether the draft permit should include salinity limits; and whether the facility will be in the buffer zone between nearby residences and the current industrial complex.

Due to the issues raised Dale Switalla did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Dale Switalla is not an affected person.

29. Taylor Thorpe

According to the address provided Taylor Thorpe lives over nine miles from the proposed facility. Taylor Trorpe raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; and whether the proposed discharge will negatively impact aquatic life

Due to the distance from the proposed facility and discharge route and the issues raised, Taylor Thorpe did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Taylor Thrope is not an affected person.

30. Alberto Zertuche

According to the address provided Alberto Zertuche lives over nine miles from the proposed facility. Mr. Zertuche raised concerns during the comment period regarding: whether an Environmental Impact Study should be required; whether the draft permit will negatively impact human health and safety; whether EPA review and approval of the draft permit is required; whether the Executive Director correctly classified the facility as a minor facility; whether the proposed discharge will negatively impact aquatic life; whether the application is true and accurate; and whether the draft permit will cause algae blooms

Due to the distance from the proposed facility and discharge route and the issues raised, Alberto Zertuche did not demonstrate that he is affected in a manner not common to the general public and is an affected person.

The Executive Director recommends the Commission find that Alberto Zertuche is not an affected person.

B. Whether Issues Raised Are Referable to SOAH for a Contested Case.

The following issues were raised during the public comment period:

Issues

1. **Whether an Environmental Impact Study Should have been required. (RTC Response No. 3)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

2. **Whether a Cumulative Impact Study should have been required. (RTC Comment 4)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

3. **Whether the permit, if issued, will case an increase in air emissions or odors. (RTC Comments 5, 21)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however, because the proposed facility is a desalination facility there will not be any odor generating units, thus it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

4. **Whether the Executive Director appropriately considered the impact of the increase in salinity on the receiving water, the aquatic environment, and the adjacent neighborhood. (RTC Comments 6, 15, 20, 22, 34)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If the Commission finds that there is an affected person, the Executive Director recommends referring this issue to SOAH.

5. **Whether the draft permit is adequately protective of human health, safety, and aquatic life in accordance with applicable TCEQ rules. (RTC Comments 7, 13, 17)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If the Commission finds that there is an affected person, the Executive Director recommends referring this issue to SOAH.

6. **Whether the permit, if issued, will negatively impact voting or water rates. (RTC Comment 9)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

7. **Whether the proposed facility will negatively impact human health. (RTC Comment 7)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If the Commission finds that there is an affected person, the Executive Director recommends referring this issue to SOAH.

8. **Whether EPA should have reviewed the application. (RTC Comment 11)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance

of the draft permit. However as noted in the Executive Director's Response to Comments, the EPA reviewed the application and draft permit after the close of the comment period. The draft permit was modified based on EPA's comments. If the Commission finds that there is an affected person, the Executive Director recommends not referring this issue to SOAH.

9. **Whether the facility was properly classified as a minor facility. (RTC Comment 12)**

   The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

10. **Whether the application is true, accurate and complete. (RTC Comments 16, 18)**

    The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If the Commission finds that there is an affected person, the Executive Director recommends referring this issue to SOAH.

11. **Whether the draft permit includes all necessary requirements. (RTC Comment 23, 27, and 32).**

    The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, and is relevant and material to the issuance of the draft permit. If the Commission finds that there is an affected person, the Executive Director recommends referring this issue to SOAH.

12. **Whether the location of the proposed diffuser will interfere with the ship channel. (RTC Comment 28)**

    The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

13. **Whether the permit, if issued, will negatively impact the economy, tourism, or traffic. (RTC Comment 29, 33)**

    The issue involves a disputed question of mixed fact and law, was raised during the comment period, was not withdrawn, however it is not relevant and material to the issuance of the draft permit. The Executive Director recommends not referring this issue to SOAH.

VI. Request for Reconsideration

TCEQ's rules provides that the request for reconsideration must expressly state that the person is requesting reconsideration of the executive director's decision and provide reasons why the decision should be reconsidered. 30 TAC § 55.201(e). None of the Requests for Reconsideration meet this standard.

The Commission received timely Request for Reconsideration from the persons in attachment A. After reviewing the Requests for Reconsideration, the Executive Director did not see any cause for changing the draft permit. The issues raised in the Request for Reconsideration, to the extent they are relevant and material to the application, were addressed in the RTC and considered by the Executive Director. The Executive Director recommends the Commission deny all Requests for Reconsideration.

VII. Contested Case Hearing Duration

If there is a contested case hearing on this application, the Executive Director recommends that the duration of the hearing be 180 days from the preliminary hearing to the presentation of a Proposal for Decision to the Commission.

VIII. Conclusion

The Executive Director recommends the following actions by the Commission:

1. Deny all hearing requests.
2. Deny all requests for reconsideration.

If the Commission finds that there is an Affected Person, refer the following issues to SOAH:

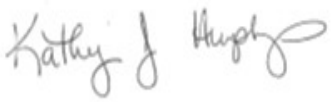
1. Whether the Executive Director appropriately considered the impact of the increase in salinity on the receiving water, the aquatic environment, and the adjacent neighborhood.
2. Whether the proposed facility will negatively impact human health.
3. Whether the application is true, accurate and complete.
4. Whether the draft permit includes all necessary requirements.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel,
Executive Director

Charmaine Backens, Deputy Director
Environmental Law Division



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REPRESENTING THE EXECUTIVE DIRECTOR OF
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Attachment A
Requests for Reconsideration

Concerned Citizen
Amber Abasacl
Genevieve Ali
Mary Alvarez
Jim Anderson
Benjamin Alpers
Mary Apolinar
Debra Atlas
Bo Baggs
Glyn Bailey
Loring Baker
Don Barnhill
Karen Baum
Mark Bedgood
David Bell
Donna Bening
Frank Blake
Tracey Bonner
Deborah Branch
Amanda Breland
Diane Brodsgaard
Winifred Burkett
Jared Burns
Elaine Bryne
Slyvia Campos
Madalynn Carey
Eric Casey
Diane Castro
Mary E. Cato
Paul Christmas
Whitney Cloud
Leona Coen
Amanda Colins
Kristi Collins
Ardis Cox
Stephen Crane
Marcia Lynne Curry
Tasneem Dawoodjee
Zora Djenohan
Blanca Delagarza
Janet Delaney
Rainbow Di Benedetto
Jamie Diamandopoulos
Margaret Ann Duran
Devin Ehlert
Chantal Eldridge
Jennifer Ellis
Stephen Englander
Jenelle Esparza
Henry Ewert
Karl Fickling
Merida A. Forrest
Ann Friedman
Linda Fielder
William Forbes
Charles Foreman
Stacey Francis
Roman Fruth
Joc Fuentes
Melanie Gibson
Bailey Glyn
Mark Goodman
Jordan Goodrich
Ramona Gray
Debra Guel
Judith Gurule
Linda Guy
Jason R. Hale (see attachment)
Mark Harrison
Kevin Hartley
Briana Hernandez
Gloria Henry
Brendan Heselton
Juan Huerta
Thomas S. Jaudzemis
Suzy Juncker
Brant Kotch
Suzy Nieland
Ellen Kaner
Robert Kelley
Robin Kendrick-Yates
Juli Kring
Jacky Kusterer
Sandra La Mont
Claire T Lawrence
Carol Lee
Matthew Lilyquist
Laura Long
Shelly Losee
Andrew Lyall
Carey Madalynn
Bill Maina
Brandt Mannchen
Melany McClurg
Susan McDevitt
Sandy Mellina
Kathryn Melton
Mary Miller
Pamela Miller
Margaret Mitchell
Peter Monie
David Mulcihy
Jerry Mylius
Thomas Nieland
Richard Ochoa
Stephanie Oviedo
Daniel Pena
Carol Pennington
Lori Peniche
Anil Prabhakar
Barbara Puett
Nicole Punday
Cyrus Reed
Tina Reed
Kathleen S. Robertson
Steven Rosenberg
Lawrence Sbar
William Schmidt
Margaret Schulenberg
Kurt Schultz
Julie Sears
Doyle Sebesta
Greg Sells
Brenna Sestak
Carol Shelton
Gary Shephard
Sue Simmons
Mary Louise Sims
Jay B. Smith
Sherolyn Smith
Evgenia Spears
Lisa Stone
Jim Summers
James Talbot
Vickie Tatum
Matthew Taylor
Jacquelyn Tleimat
Ashley Thomas
David Todd
Cardin Tran
Suzanne Tuttle
Bunnie Twidwell
Analyn Urpi
Jean Utico
Vanessa Van Doorne
Sophia Marie Vassilakidis
Joaquin Villarreal
Tatjana Walker
Todd Walker
John Stephen Weber
Lisa Wegman
Thomas West
Becky Wharton
Giselle Whitwell
Susan Witten
Joan Wolfe
Thomas Wolfsohn
Sandra Woodall

Attachment A
Requests for Reconsideration

Carol Woronow

Cyrus Reed on behalf of Sierra Club, Lone Star Chapter
Erin Gaines, Zora Djenohan on behalf of Hillcrest Residents Association
Marisa Perales and Zora Djenohan on behalf of Earth Justice - Hillcrest Residents Association

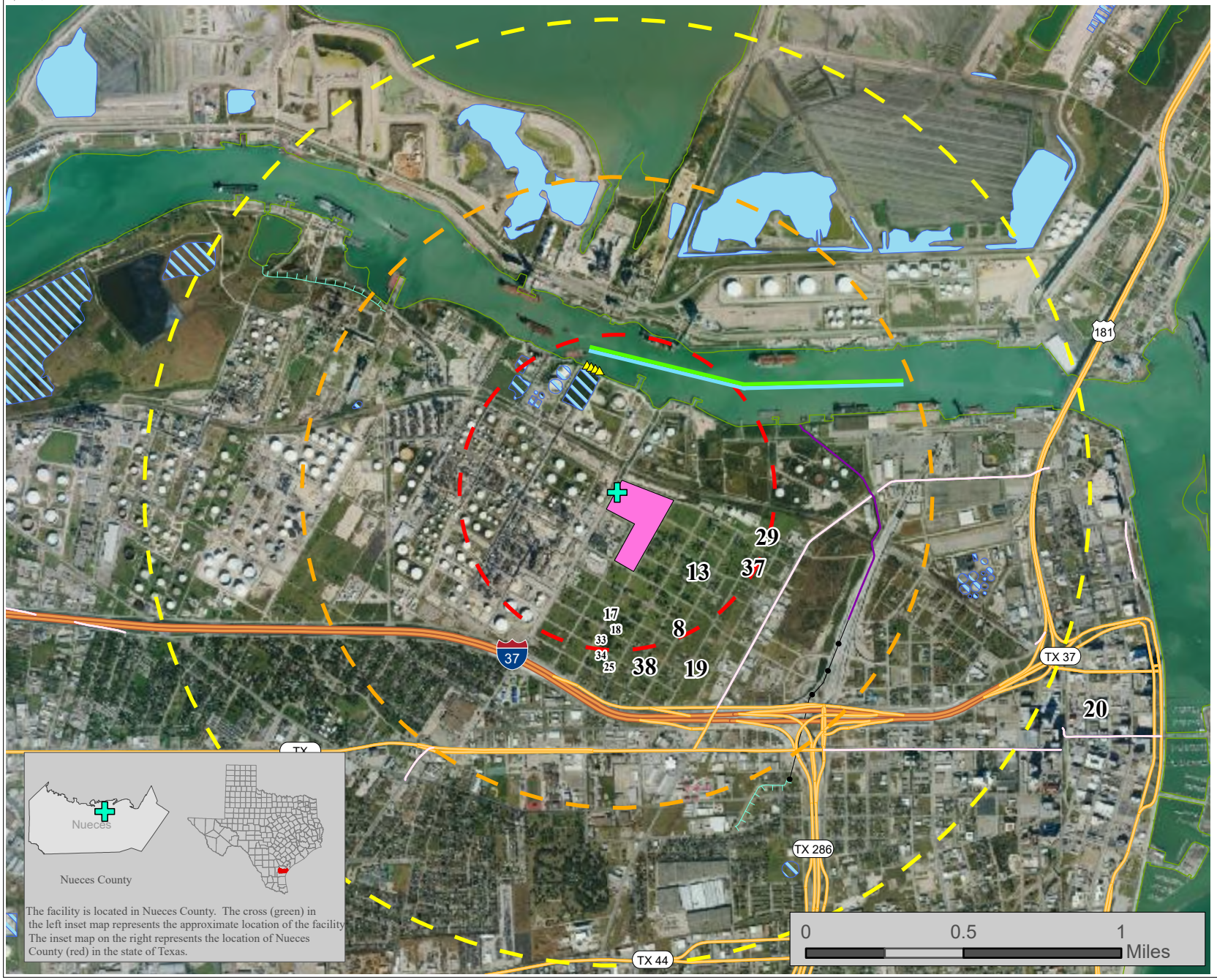
Attachment B

City of Corpus Christi

WQ0005289000

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

Protecting Texas by Reducing and Preventing Pollution



Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

Date: 1/29/2025
CRF 0117560
Cartographer: RKukushk

- Facility Point
- Facility Boundary
- Discharge Diffuser Ports/Outfall
- 1 mile Discharge Route
- 1.5 miles from Facility
- 1 mile
- 0.5 miles
- Lake/Pond
- Reservoir
- Interstate
- Highway
- Intermediate Roads
- Canal/Ditch
- Pipeline
- Artificial Path
- Coastline

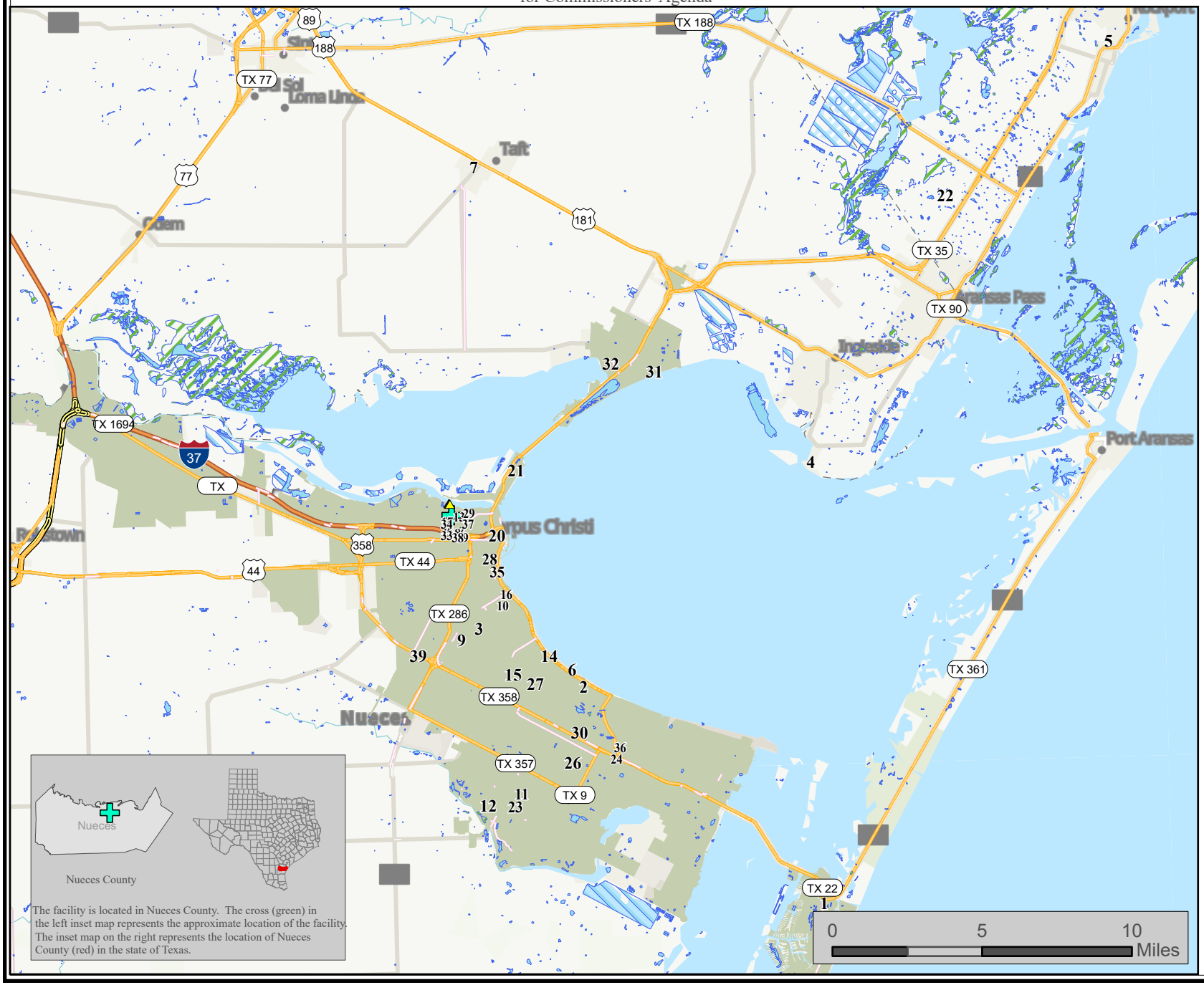
Requestors' locations correspond to their uniquely assigned numbers in the appendix.

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

City of Corpus Christi

WQ0005289000

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



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

Protecting Texas by Reducing and Preventing Pollution

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

Date: 1/29/2025
CRF 0117560
Cartographer: RKukushk

- Facility Point
- Discharge Diffuser Ports/Outfall
- City of Corpus Christi
- Lake/Pond
- Reservoir
- Swamp/Marsh
- Interstate
- Toll Road
- Highway
- Intermediate Roads

Requestors' locations correspond to their uniquely assigned numbers in the appendix.

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

Appendix

Requestor	Name	Miles from Facility Point
1	Jomana Al-Abed,	17.84
2	Isabel Araiza Ortiz	7.24
3	Howard Bishop	3.91
4	Charles Howard Boone	12.14
5	Shelly Bryan	27.08
6	Barbara Canales	6.66
7	Elida Castillo	11.63
8	Madelyn Chapman	0.47
9	Jalen Evans	4.20
10	Laramie Fain	3.32
11	Merida A. Forrest	9.79
12	Guillermo Gallegos	9.79
13	Renior Knox, Sr.	0.36
14	McKenzie Hahn	5.72
15	Jason R. Hale	5.72
16	Autum Hensiek-Fain	3.32
17	Marvin Johnson	0.41
18	Norman Johnson	0.41
19	Monna Lytle	0.61
20	Matt Manning	1.67
21	Carrie Robertson Meyer	2.62
22	Pamela Meyer	19.65
23	Anna Yvett O'Reilly	9.82
24	Maggie Peacock	9.67
25	Daniel Pena	0.53
26	Dorthy Pena	9.22
27	Conor B. Rice	6.29
28	Julie Travis Rogers	2.09
29	Tommy Joe Rogerts	0.50
30	Ester Santee	8.44
31	Encarnacion Serna	8.30
32	Errol Alive Summerlin	7.34
33	Bruce Switalla	0.49
34	Dale Switalla	0.49
35	Lamont Taylor	2.23
36	Taylor Thorpe	9.67
37	Reverend Henry J. Williams	0.48
38	Wendell Williams	0.56
39	Alberto Zertuche	4.82

MAILING LIST
City of Corpus Christi
TCEQ Docket No./TCEQ Expediente N.º 2025-0114-IWD
TPDES Permit No./TPDES Permiso N.º WQ0005289000

FOR THE APPLICANT/PARA EL SOLICITANTE

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City of Corpus Christi
P.O. Box 9277
Corpus Christi, Texas 78469
Steve Ramos, Water Resources Manager

City of Corpus Christi
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REQUESTER(S)/ SOLICITANTE(S)
See attached list/Ver listado adjunto

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

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Ryan Vise, Deputy Director
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via electronic mail/vía correo electrónico:

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

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

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

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

Docket Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711
https://www.tceq.texas.gov/goto/efilings

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Castillo, Elida I
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Hale, Jason R
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Manning, Matt
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Aransas Pass Tx 78336-6414

Oreilly, Ana Yvett
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Apt 3201
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Corpus Christi Tx 78412-4066

Pena, Daniel
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Pena, Dorothy
Indigenous Peoples Of The Coastal Bend
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Corpus Christi Tx 78414-2605

Perales, Marisa
Perales Allmon & Ice Pc
1206 San Antonio St
Austin Tx 78701-1834

Rice, Conor B
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Rogers, Julie Travis
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Santee, Esther
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6501 McArdle Rd
Corpus Christi Tx 78412-3603

Schneider, Robin
Texas Campaign For The Environment
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610 N Lower Broadway St
Corpus Christi Tx 78401-2321

Serna Jr, Encarnacion
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Portland Tx 78374-1449

Summerlin, Errol Alvie
Coastal Alliance To Protect Our Environment
1017 Diomede St
Portland Tx 78374-1914

Summerlin, Errol Alvie
Coastal Alliance To Protect Our Environment
1002 Bayshore Ct
Salisbury Md 21804-8684

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Switalla, Dale
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Corpus Christi Tx 78407-2602

Thorpe, Taylor
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Zertuche, Alberto
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