

Brooke T. Paup, *Chairwoman*  
Bobby Janecka, *Commissioner*  
Catarina R. Gonzales, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 30, 2025

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC 105  
Austin, Texas 78711-3087

**Re: Application by JC Water Resource Recovery Facility, LLC, for New TPDES Permit No. WQ0016386001; TCEQ Docket No. 2025-0699-MWD**

Dear Ms. Gharis,

I have enclosed for filing the "Executive Director's Response to Hearing Requests." Please let me know if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Fernando Salazar Martinez".

Fernando Salazar Martinez,  
Staff Attorney  
Environmental Law Division  
Office of Legal Services  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Email: [fernando.martinez@tceq.texas.gov](mailto:fernando.martinez@tceq.texas.gov)  
Phone: (512) 239-3356

Enclosure

CC: Mailing List

**TCEQ DOCKET NO. 2025-0699-MWD**

**APPLICATION BY JC WATER  
RESOURCE RECOVERY FACILITY,  
LLC FOR NEW TPDES PERMIT  
NO. WQ0016386001**

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**BEFORE THE  
TEXAS COMMISSION  
ON  
ENVIRONMENTAL QUALITY**

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**EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS**

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**I. INTRODUCTION**

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Hearing Requests on the application of JC Water Resource Recovery Facility, LLC (Applicant) for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016272001 to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 108,000 gallons per day.

The Office of the Chief Clerk received timely requests for a contested case hearing request from the following individuals: Dana Collier; Gary Dempsey; C. H. Howell Jr.; Wileta D. Kretzchmar; Tony Neal; Curry Reagan; Grigette G. Townsend; Derek Townsend; and Rebecca Townsend. The Office of the Chief Clerk also received a timely request for reconsideration from Lyle Reagan.

The Executive Director recommends that the Commission find that Messrs. Curry Reagan and C. H. Howell, Jr. are affected persons and grant their hearing requests. The Executive Director recommends the Commission denial all remaining requests. Attached for Commission consideration is a satellite map of the area showing the locations of the proposed facility and requestors.<sup>1</sup>

**II. FACILITY DESCRIPTION**

JC Water Resource Recovery Facility, LLC (Applicant) submitted an application to TCEQ for a new permit, TPDES Permit No. WQ0016386001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 108,000 gallons per day. The Applicant operates JC Water Resource Recovery Wastewater Treatment Plant (WWTP).

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<sup>1</sup> The requestors' location on the Executive Director's map is the location of the physical address provided by the requestors in their hearing requests.

The proposed JC Water Resource Recovery WWTP is an activated sludge with nitrification process plant operated in the conventional mode. The treatment units in the Interim I phase will include two aeration basins, two secondary clarifiers, a chlorine contact chamber, and an aerated sludge storage tank. The treatment units in the Final phase will include three aeration basins, three secondary clarifiers, a chlorine contact chamber, and an aerated sludge storage tank.

If the draft permit is issued, the treated effluent will be discharged to an unnamed tributary, thence to Robinson Branch, thence to Lake Pat Cleburne in Segment No. 1228 of the Brazos River Basin. The designated uses for Segment No. 1228 are primary contact recreation, public water supply, and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

Geographic coordinates of the proposed outfall location in decimal degrees are provided in the table below:

**Outfall Coordinate Location**

<b>Outfall Number</b>	<b>Latitude</b>	<b>Longitude</b>
001	32.312506 N	-97.510017 W

**III. PROCEDURAL BACKGROUND**

The permit application was received on August 7, 2023, declared administratively complete on September 13, 2023, and declared technically complete on November 10, 2023. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on September 26, 2023, in the *Cleburne Times Review*. Publication of the Combined Notice of Public Meeting and Notice of Application and Preliminary Decision (NAPD) was published on March 16, 2024, in the *Cleburne Times Review*.

State Representative DeWayne Burns submitted a public meeting request for this application to TCEQ on September 27, 2023. A public meeting was held on April 22, 2024, at the Cleburne Conference Center (Cross Timbers Room), 1501 W. Henderson Street, Cleburne, Texas, 76033. The public comment period ended at the close of the meeting on April 22, 2024. The Executive Director's Response to

Comments was filed on March 7, 2025. The hearing request period ended on April 10, 2025.

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 Tex. Admin. Code 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. EVALUATION OF HEARING REQUESTS**

HB 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests. SB 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests. The evaluation process for hearing requests is discussed below.

##### **A. Response to Requests**

The Executive Director, the Public Interest Counsel, and the Applicant may each submit written responses to a hearing request.<sup>2</sup>

Responses to hearing requests must specifically address:

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

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<sup>2</sup> 30 Tex. ADMIN. CODE § 55.209(d).

<sup>3</sup> 30 TEX. ADMIN. CODE § 55.209(e).

## **B. Hearing Request Requirements**

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

A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided . . ., based only on the requester's timely comments, and not based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment.<sup>4</sup>

A hearing request must substantially comply with the following:

- (1) give the name, address, telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who is responsible for receiving all official communications and documents for the group;
- (2) identify the person's justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the facility or activity in a manner not common to members of the general public;
- (3) request a contested case hearing;
- (4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law; and
- (5) provide any other information specified in the public notice of application.<sup>5</sup>

## **C. Requirement that Requestor be an Affected Person**

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

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

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<sup>4</sup> 30 TEX. ADMIN. CODE § 55.201(c).

<sup>5</sup> 30 TEX. ADMIN. CODE § 55.201(d).

- (b) Governmental entities, including local governments and public agencies with authority under state law over issues raised by the application, may be considered affected persons.
- (c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
  - (1) whether the interest claimed is one protected by the law under which the application will be considered;
  - (2) distance restrictions or other limitations imposed by law on the affected interest;
  - (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
  - (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
  - (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and
  - (6) whether the requester timely submitted comments on the application which were not withdrawn; and
  - (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.
- (d) In making this determination, the commission may also consider, to the extent consistent with case law:
  - (1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
  - (2) the analysis and opinions of the ED; and
  - (3) any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requestor.<sup>6</sup>

Under 30 Tex. Admin. Code § 55.205(a), a group or association may request a contested case hearing only if the group or association meets the following requirements:

- (1) one or more members of the group or association would otherwise have standing to request a hearing in their own right;
- (2) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (3) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.<sup>7</sup>

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<sup>6</sup> 30 TEX. ADMIN. CODE § 55.203(a)-(d).

<sup>7</sup> 30 TEX. ADMIN. CODE § 55.205(a)(1)-(3).

Additionally, for applications filed on or after September 1, 2015, a hearing request by a group or association for a contested case may not be granted unless all of the following requirements are met:

- (1) comments on the application are timely submitted by the group or association;
- (2) the request identifies, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right;
- (3) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (4) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.<sup>8</sup>

**D. Referral to the State Office of Administrative Hearings**

When the Commission grants a request for a contested case hearing, the Commission shall issue an order specifying the number and scope of the issues to be referred to State Office of Administrative Hearing (SOAH) for a hearing.<sup>9</sup> The Commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

- (1) involves a disputed question of fact or a mixed question of law and fact;
- (2) was raised during the public comment period by an affected person; and
- (3) is relevant and material to the decision on the application.<sup>10</sup>

**V. ANALYSIS OF THE HEARING REQUESTS**

For this permit application, the public comment period ended on April 22, 2024, and the time for filing Requests for a Hearing or a Request for Reconsideration (RFR) ended on April 10, 2025. The Commission received timely hearing requests from: Dana Collier; Gary Dempsey; C. H. Howell Jr.; Wileta D. Kretzchmar; Tony Neal; Curry Reagan; Griggette G. Townsend; Derek Townsend; and Rebecca Townsend. The Commission also received a timely request for reconsideration from Lyle Reagan. The Executive Director's analysis determined whether the Request followed TCEQ rules, if the requestor qualifies as an affected person, what issues may be referred for a possible hearing, and the length of that hearing.

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<sup>8</sup> 30 TEX. ADMIN. CODE § 55.205(b)(1)-(4).

<sup>9</sup> 30 TEX. ADMIN. CODE § 50.115(b).

<sup>10</sup> 30 TEX. ADMIN. CODE § 55.203(d).

**A. Whether the Request complies with 30 Tex. Admin. Code §§ 55.201-205.**

**1. Persons Affected**

***Requestor No. 1 – Dana Collier***

Ms. Dana Collier submitted timely comments and a hearing request on June 3, 2024, containing her name, address, and telephone number as required under 30 Tex. Admin. Code § 55.201(d)(1) and (3). The submission also included the permit number as required in the notice and pursuant to 30 Tex. Admin. Code § 55.201(d)(4). Ms. Collier also submitted timely public comments to form the basis of her hearing request pursuant to 30 Tex. Admin. Code § 55.201(c).

Ms. Collier’s request raised concerns regarding odors, the proposed facility being located within a floodplain, the maintenance and operation of the proposed facility. According to the GIS Map, Ms. Collier’s property is located approximately 0.75 miles away from the proposed outfall and 0.59 miles away from the proposed facility.

Because Ms. Collier’s request states her concerns about odors, the proposed facility’s location within a floodplain, and the operation and maintenance requirements for the proposed facility, as well as her property’s proximity relative to the proposed outfall and facility locations, her request adequately articulates how these concerns are reasonably related to her legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public under 30 Tex. Admin. Code § 55.203. Therefore, the Executive Director recommends that the Commission find that Ms. Collier is an affected person and grant her hearing request.

***Requestor No. 3 – C.H. Howell, Jr.***

Mr. C.H. Howell, Jr. submitted timely comments and a hearing request on May 22, 2024, containing his name, address, and telephone number as required under 30 Tex. Admin. Code § 55.201(d)(1) and (3). The submission also included the permit number as required in the notice and pursuant to 30 Tex. Admin. Code § 55.201(d)(4). Mr. Howell also submitted timely public comments to form the basis of his hearing request pursuant to 30 Tex. Admin. Code § 55.201(c).

Mr. Howell’s request contained a brief description of his concerns related to the water quality of the receiving waters and his drinking water well.<sup>11</sup> According to the GIS

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<sup>11</sup> In his request, he states “creek polluted [and] my water well polluted (my drinking water).”



Map, Mr. Howell's property is located approximately 0.72 miles from the proposed outfall and 0.77 miles from the proposed facility.<sup>12</sup>

Because Mr. Howell's request states his concerns about the water quality of the receiving waters impacting his water well, as well as his property's proximity relative to the proposed outfall and facility locations, his request adequately articulates how these concerns are reasonably related to his legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public under 30 Tex. Admin. Code § 55.203. Therefore, the Executive Director recommends that the Commission find that Mr. Howell is an affected person and grant his hearing request.

***Requestor No. 5 – Tony Neal***

Mr. Tony Neal submitted timely comments and a hearing request on May 24, 2024, containing his name, address, and telephone number as required under 30 Tex. Admin. Code § 55.201(d)(1) and (3). The submission also included the permit number as required in the notice and pursuant to 30 Tex. Admin. Code § 55.201(d)(4). Mr. Neal also submitted timely public comments to form the basis of his hearing request pursuant to 30 Tex. Admin. Code § 55.201(c).

Mr. Neal's request raised concerns regarding odors and water quality. According to the GIS Map, Mr. Neal's property is located approximately 0.76 miles away from the proposed outfall and 0.59 miles away from the proposed facility.

Because Mr. Neal's request states his concerns about odors and water quality, as well as his property's proximity relative to the proposed outfall and facility locations, his request adequately articulates how these concerns are reasonably related to his legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public under 30 Tex. Admin. Code § 55.203. Therefore, the Executive Director recommends that the Commission find that Mr. Neal is an affected person and grant his hearing request.

***Requestor No. 6 – Curry Reagan***

Mr. Curry Reagan submitted timely comments and request for a contested case hearing on April 7, 2025, containing his name, address, and telephone number as

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<sup>12</sup> JC Water Resource Recovery Facility, LLC, Application for New TPDES Permit No. WQ0016386001, Attachment D.1 and D.2, Affected Landowner Map and List. The depicted locations of Mr. Howell's property in the Application and GIS map appear to be consistent.

required under 30 Tex. Admin. Code § 55.201(d)(1) and (3). The submission also included the permit number as required in the notice and pursuant to 30 Tex. Admin. Code § 55.201(d)(4). Mr. Reagan also submitted timely public comments to form the basis of his hearing request pursuant to 30 Tex. Admin. Code § 55.201(c).

In his request, Mr. Reagan states that the proposed discharge is approximately 200 yards from his fence line and will travel the entire length of his property. Mr. Reagan also states that the creek is active about eight to ten months of the year with pools of water year-round. Mr. Reagan raises concerns related to human health, wildlife, algal growth, and property values. Mr. Reagan also stated that the proposed facility would greatly affect him and his family.

According to the GIS Map and Appendix, the address provided by Mr. Reagan is located 0.29 miles from the proposed outfall location and 0.35 miles from the proposed facility. Mr. Reagan's property is also depicted as Landowner No. 2 on the Affected Landowner Map and List submitted with the Application.<sup>13</sup>

Because Mr. Reagan raises issues that are relevant and material to the application, specifically concerns about impacts to human health, wildlife, and water quality, as well as his property's proximity relative to the proposed outfall and facility locations, his request adequately articulates how these concerns are reasonably related to his legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public under 30 Tex. Admin. Code § 55.203. Therefore, the Executive Director recommends that the Commission find that Mr. Curry Reagan is an affected person and grant his hearing request.

## **2. Persons Not Affected**

### ***Individual Requestors***

The following individuals submitted timely comments and hearing requests: Requestor No. 1 - Dana Collier; Requestor No. 2 - Gary Dempsey; Requestor No. 4 - Wileta D. Kretzchmar; Requestor No. 5 - Tony Neal; Requestor No. 8 - Brigitte G.

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<sup>13</sup> JC Water Resource Recovery Facility, LLC, Application for New TPDES Permit No. WQ0016386001, Attachment D.1 and D.2, Affected Landowner Map and List. The Application contains a P.O. Box address for Mr. Reagan Curry. The depicted locations of his property in the Application and GIS map appear to be consistent.

Townsend; Requestor No. 9 – Derek Townsend; and Requestor No. 10 – Rebecca Townsend.

In these hearing requests, most ranging in length from a single sentence written on a public meeting registration form to a paragraph, the requestors expressed general concerns regarding impacts to their property due to the proposed discharge, odors, and flooding. The attached satellite map shows the location of the addresses provided by the requestors relative to the proposed facility and outfall, which are as follows:

- Requestor No. 2 – Gary Dempsey: 1.29 miles from outfall; 1.14 miles from facility
- Requestor No. 4 – Wileta D. Kretschmar: 1 mile from outfall; 0.83 miles from facility
- Requestor No. 8 – Briggette G. Townsend: 1.13 miles from outfall; 0.96 miles from facility
- Requestor No. 9 – Derek Townsend: 1.13 miles from outfall; 0.97 miles from facility
- Requestor No. 10 – Rebecca Townsend: 1.13 miles from outfall; 0.97 miles from facility

Upon review of these requests, none adequately articulated how they would be affected in a manner not common to the general public or described a personal justiciable interest that would likely be impacted by the proposed facility and discharge under the factors listed in 30 Tex. Admin. Code § 55.203(c). Further, their distances relative to the proposed facility and outfall do not corroborate their claims of affectedness. Therefore, the Executive Director recommends that the Commission find these requestors are not affected persons under 30 Tex. Admin. Code § 55.203 and denial of their hearing requests.

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

The Executive Director has analyzed issues raised in accordance with the regulatory criteria. The issues discussed were raised during the public comment period and addressed in the Response to Comments. None of the issues were withdrawn. For applications submitted on or after September 1, 2015, only those issues raised in a timely comment by a requester whose request is granted may be referred.<sup>14</sup> The issues

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<sup>14</sup> TEX. GOVT. CODE § 2003.047(e-1); 30 TEX. ADMIN. CODE § 55.211(c)(2)(A)(ii).

raised for this application and the Executive Director's analysis and recommendations are discussed below.

**Issue 1. Whether issuance of the Draft Permit will be protective of human health and wildlife, in accordance with the applicable regulations, including the Texas Surface Water Quality Standards under 30 Tex. Admin. Code Chapter 307.**

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 Dana Collier, C.H. Howell, Jr., Tony Neal, and Curry Reagan are affected persons and grant their hearing requests, the Executive Director recommends the Commission refers the issue to SOAH.

**Issue 2. Whether the Draft Permit is protective of water quality and the receiving waters in accordance with the applicable regulations, including the Texas Surface Water Quality Standards.**

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 Dana Collier, C.H. Howell, Jr., Tony Neal, and Curry Reagan are affected persons and grant their hearing requests, the Executive Director recommends the Commission refers the issue to SOAH.

**Issue 3. Whether the Draft Permit contains adequate provision to address nuisance odors in accordance with the applicable revisions in 30 Tex. Admin. Code Chapter 309.**

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 Dana Collier, C.H. Howell, Jr., Tony Neal, and Curry Reagan are affected persons and grant their hearing requests, the Executive Director recommends the Commission refers the issue to SOAH.

**Issue 4. Whether the Draft Permit contains adequate provisions regarding protection of the proposed facility from inundation in accordance with the applicable siting requirements under 30 Tex. Admin. Code Chapter 309.**

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 Dana Collier, C.H. Howell, Jr., Tony Neal, and Curry Reagan are affected persons and grant their hearing requests, the Executive Director recommends the Commission refers the issue to SOAH.

**Issue 5. Whether the Draft Permit contains adequate provisions regarding operation and maintenance of the proposed facility in accordance with the applicable requirements under 30 Tex. Admin. Code Chapter 305.**

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 Dana Collier, C.H. Howell, Jr., Tony Neal, and Curry Reagan are affected persons and grant their hearing requests, the Executive Director recommends the Commission refers the issue to SOAH.

**VI. ANALYSIS OF THE REQUESTS FOR RECONSIDERATION**

Requestor No. 7, Mr. Lyle Reagan, submitted a timely request for reconsideration on March 31, 2025. In his request, Mr. Reagan states that the proposed discharge is located approximately a quarter mile away from his property and the creek comes within 50 yards of his home. Mr. Reagan raises concerns related to flooding, odors, runoff, PFAS, and biosolids. Mr. Reagan also attached an article dated March 25, 2025, relating to the City of Fort Worth's takeover of a biosolids plant due to odors and dead livestock.

Although Mr. Reagan's request for reconsideration contains his concerns regarding the proposed facility and potential impacts to his property, his request does not contain any new factual information that was unavailable during the technical review of this application. Also, while Mr. Reagan raises concerns related to PFAS, TCEQ does not currently have any applicable rules or water quality standards criteria for PFAS.

Under 30 Tex. Admin. Code § 55.201(e), a request for reconsideration must give reasons why the decision should be reconsidered. Because this request for reconsideration does not raise any factual information that was not available during the Executive Director's technical review of the application and preparation of the Draft Permit, the Executive Director recommends that the Commission deny Mr. Lyle Reagan's request for reconsideration.

## **VII. EXECUTIVE DIRECTOR'S RECOMMENDATION**

The Executive Director recommends the following actions by the Commission:

1. Find that Dana Collier, C.H. Howell, Jr., Tony Neal, and Curry Reagan are affected persons and grant their hearing requests.
2. Find that all remaining requestors are not affected persons and deny their requests.
3. Deny Mr. Lyle Reagan's Request for Reconsideration.
4. Should the Commission decide to refer this case to SOAH:
  - a. refer the case to Alternative Dispute Resolution for a reasonable time; and
  - b. refer the identified issue above in Section V.B to SOAH for a contested case hearing.

Respectfully submitted,

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Kelly Keel, Executive Director

Phillip Ledbetter, Director  
Office of Legal Services

Charmaine Backens, Deputy Director  
Environmental Law Division



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Fernando Salazar Martinez, Staff Attorney  
Environmental Law Division  
State Bar No. 24136087  
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REPRESENTING THE EXECUTIVE DIRECTOR  
OF THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

### **VIII. CERTIFICATE OF SERVICE**

I certify that on June 30, 2025, the Executive Director's Response to Hearing Requests for TPDES Permit No. WQ0016386001 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, electronic delivery, inter-agency mail, or by deposit in the U.S. Mail.

A handwritten signature in black ink, appearing to read 'Fernando Salazar Martinez', is positioned above a horizontal line.

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Fernando Salazar Martinez, Staff Attorney  
State Bar No. 24136087

MAILING LIST  
JC Water Resource Recovery Facility, LLC  
TCEQ Docket No./TCEQ Expediente N.º 2025-0699-MWD;  
TPDES Permit No./TPDES Permiso N.º WQ0016386001

FOR THE APPLICANT/PARA EL  
SOLICITANTE

Helen S. Gilbert  
BARTON BENSON JONES, PLLC  
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Austin, Texas 78731

Jason Tuberville, General Partner  
JC Water Resource Recovery Facility, LLC  
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Denton, Texas 76205

Heather Goins, Project Manager  
Mead & Hunt  
6001 West Interstate 20, Suite 219  
Arlington, Texas 76017

FOR THE EXECUTIVE DIRECTOR/PARA  
LA DIRECTOR EJECUTIVA  
via electronic mail/vía correo electrónico:

Fernando Salazar Martinez, Staff Attorney  
Texas Commission on  
Environmental Quality  
Environmental Law Division, MC-173  
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Austin, Texas 78711

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Ryan Vise, Deputy Director  
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P.O. Box 13087  
Austin, Texas 78711

FOR PUBLIC INTEREST COUNSEL/PARA  
ABOGADOS DE INTERÉS PÚBLICO  
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 LA  
SECRETARIA OFICIAL  
via eFilings:

Docket Clerk  
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Austin, Texas 78711  
<https://www.tceq.texas.gov/goto/efilings>

REQUESTER(S)/ SOLICITANTE(S)/  
See attached list/Ver listado adjunto.



REQUESTER(S)/ SOLICITANTE(S)

Collier, Dana  
509 N County Road 1226  
Godley Tx 76044-4321

Dempsey, Gary  
1025 N County Road 1226  
Godley Tx 76044-4326

Howell Jr, Mr & Mrs C W  
200 Fm 2331  
Cleburne Tx 76033-8141

Kretzschmar, Wileta D  
857 N County Road 1226  
Godley Tx 76044-4319

Neal, Tony  
601 N County Road 1226  
Godley Tx 76044-4320

Reagan, Curry  
PO Box 1314  
Cleburne Tx 76033-1314

Reagan, Lyle  
PO Box 1931  
Cleburne, TX, 76033 -1931

Townsend, Brigitte G  
PO Box 733  
Cleburne Tx 76033-0733

Townsend, Derek & Rebecca  
PO Box 733  
Cleburne Tx 76033-0733

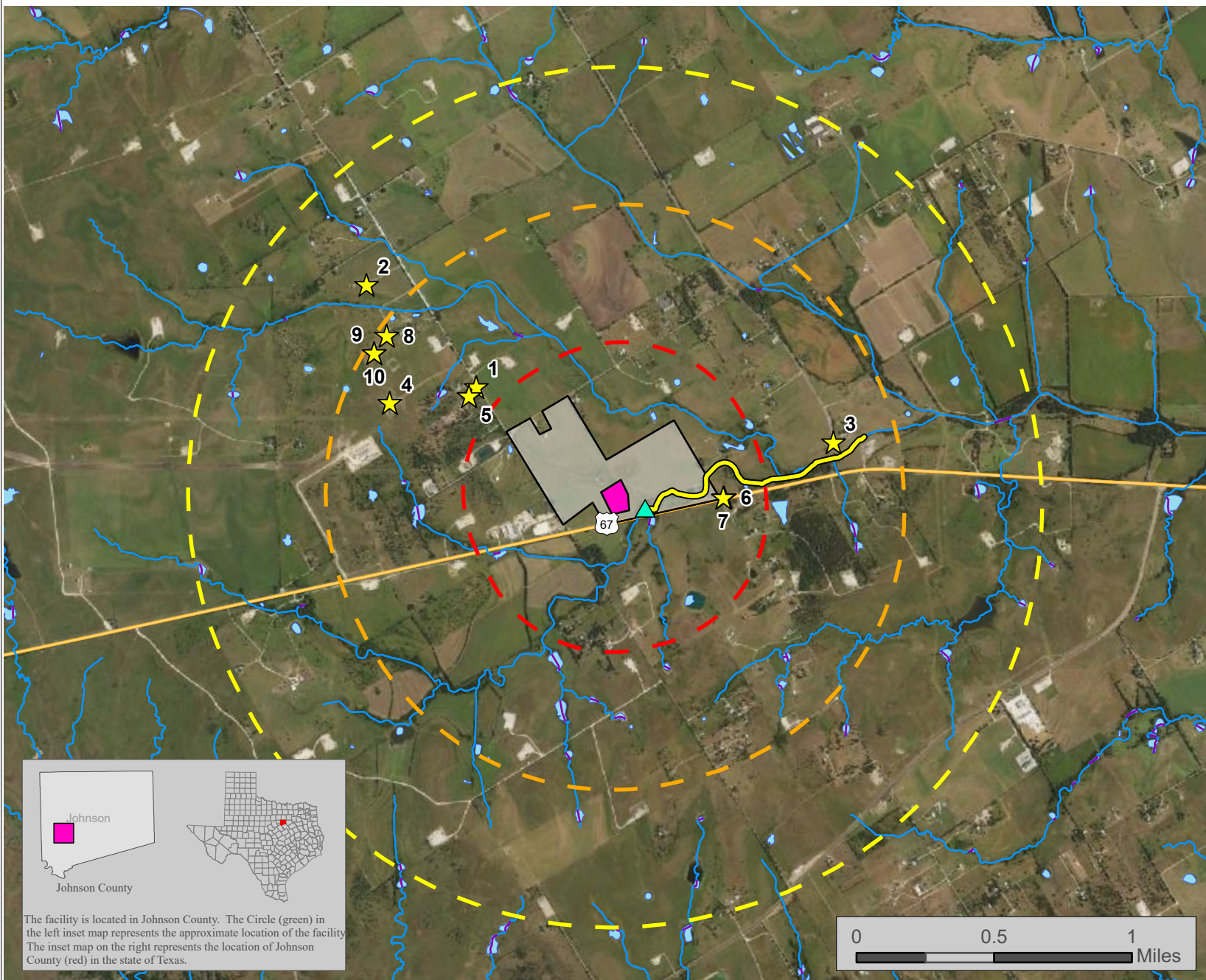
# Attachment A

# JC Water Resource Recovery Facility, LLC - TPDES Permit No. WQ0016386001



Protecting Texas by  
Reducing and  
Preventing Pollution

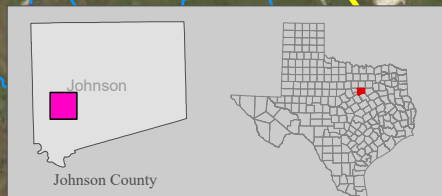
Texas Commission on Environmental Quality  
GIS Team (Mail Code 197)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Date: 6/5/2025  
CRF 0124193\_1  
Cartographer: RKukushk



- ★ Requestors
- ▲ Outfall
- DischargeRoute
- Facility Boundary
- Service Area
- - - 0.5 miles from Facility
- - - 1 mile
- - - 1.5 miles
- Stream/River
- Artificial Path
- Lake/Pond
- Reservoir
- Highway

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

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



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

## Appendix A for JC Water Resource Recovery Facility, LLC

No.	NAME	Latitude	Longitude	STATE	Distance from Outfall (Miles)	Distance from Facility (Miles)
1	Dana Collier	32.319014	-97.520347	TX	0.75	0.59
2	Gary Dempsey	32.324522	-97.527031	TX	1.29	1.14
3	C.H. Howell Jr.	32.315686	-97.498211	TX	0.72	0.77
4	Wileta D. Kretzchmar	32.318288	-97.525753	TX	1.00	0.83
5	Tony Neal	32.318551	-97.52081	TX	0.76	0.59
6	Curry Reagan	32.312921	-97.505081	TX	0.29	0.35
7	Lyle Reagan	32.312914	-97.505137	TX	0.29	0.35
8	Briggette G. Townsend	32.32182	-97.525843	TX	1.13	0.96
9	Derek Townsend	32.320919	-97.526647	TX	1.13	0.97
10	Rebecca Townsend	32.320919	-97.526647	TX	1.13	0.97