

Brooke T. Paup, *Chairwoman*
Catarina R. Gonzales, *Commissioner*
Tonya R. Miller, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 24, 2025

TO: All interested persons.

RE: Gulf Coast Growth Ventures LLC
TPDES Permit No. WQ0005228000

Decision of the Executive Director.

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any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov. A complete copy of the RTC (including the mailing list), complete application, draft permit and related documents, including public comments, are available for review at the TCEQ Central Office. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Bell Whittington Public Library, 2400 Memorial Parkway, Portland, in San Patricio County, Texas and at La Retama Central Library, 805 Comanche Street, Corpus Christi, in Nueces County, Texas.

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

How to Request a Contested Case Hearing.

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

The request must include the following:

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

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

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

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

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

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

Deadline for Submitting Requests.

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

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

Processing of Requests.

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

How to Obtain Additional Information.

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

Sincerely,



Laurie Gharis
Chief Clerk

LG/cb

Enclosure

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT
for
Gulf Coast Growth Ventures LLC
TPDES Permit No. WQ0005228000

The Executive Director has made the Response to Public Comment (RTC) for the application by Gulf Coast Growth Ventures LLC for TPDES Permit No. WQ0005228000 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:

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

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0005228000) and click the "Search" button. The search results will display a link to the RTC.

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

Additional Information

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

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Bell Whittington Public Library, 2400 Memorial Parkway, Portland, in San Patricio County, Texas and at La Retama Central Library, 805 Comanche Street, Corpus Christi, in Nueces County, Texas.



COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

Protegiendo a Texas reduciendo y previniendo la contaminación

24 de octubre de 2025

TO: Todas las personas interesadas.

RE: Gulf Coast Growth Ventures LLC
TPDES Permiso No. WQ0005228000

Decisión del Director Ejecutivo.

El director ejecutivo ha tomado la decisión de que la solicitud de permiso mencionada anteriormente cumple con los requisitos de la ley aplicable. **Esta decisión no autoriza la construcción u operación de ninguna instalación propuesta.** Esta decisión será considerada por los comisionados en una reunión pública programada regularmente antes de que se tome cualquier medida sobre esta solicitud, a menos que todas las solicitudes de audiencia o reconsideración de casos impugnados hayan sido retiradas antes de esa reunión.

Se adjuntan a esta carta las instrucciones para ver en Internet la Respuesta del Director Ejecutivo al Comentario Público (RTC). Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov. Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios públicos, están disponibles para su revisión en la Oficina Central de TCEQ. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en Bell Whittington Public Library, 2400 Memorial Parkway, Portland, en Condado de San Patricio, Texas y en La Retama Central Library, 805 Comanche Street, Corpus Christi, en Condado de Nueces, Texas.

Si no está de acuerdo con la decisión del director ejecutivo y cree que es una "persona afectada" como se define a continuación, puede solicitar una audiencia de caso impugnado. Además, cualquier persona puede solicitar la reconsideración de la decisión del director ejecutivo. Los procedimientos para la evaluación de la comisión de las solicitudes de audiencia/solicitudes de reconsideración se encuentran en 30 Código Administrativo de Texas, Capítulo 55, Subcapítulo F. A continuación, se presenta una breve descripción de los procedimientos para estas dos solicitudes.

Cómo solicitar una audiencia de caso impugnado.

Es importante que su solicitud incluya toda la información que respalde su derecho a una audiencia de caso impugnado. Su solicitud de audiencia debe demostrar que cumple con los requisitos legales aplicables para que se le conceda su solicitud de audiencia. La consideración de la comisión de su solicitud se basará en la información que usted

proporcione.

La solicitud debe incluir lo siguiente:

- (1) Su nombre, dirección, número de teléfono durante el día y, si es posible, un número de fax.
- (2) El nombre del solicitante, el número de permiso y otros números enumerados anteriormente para que su solicitud pueda procesarse adecuadamente.
- (3) Una declaración que exprese claramente que está solicitando una audiencia de caso impugnado. Por ejemplo, la siguiente declaración sería suficiente: "Solicito una audiencia de caso impugnado".
- (4) Si la solicitud es realizada por un grupo o asociación, la solicitud debe identificar:
 - (A) una persona por nombre, dirección, número de teléfono durante el día y, si es posible, el número de fax, de la persona que será responsable de recibir todas las comunicaciones y documentos para el grupo.;
 - (B) los comentarios sobre la solicitud presentada por el grupo que constituyen la base de la solicitud de audiencia; y
 - (C) por nombre y dirección física, uno o más miembros del grupo que de otro modo tendrían derecho a solicitar una audiencia por derecho propio. Los intereses que el grupo busca proteger deben estar relacionados con el propósito de la organización. Ni la reclamación alegada ni la reparación solicitada deben requerir la participación de los miembros individuales en el caso.

Además, su solicitud debe demostrar que usted es una "**persona afectada**". Una persona afectada es aquella que tiene un interés justiciable personal relacionado con un derecho, deber, privilegio, poder o interés económico legal afectado por la solicitud. Su solicitud debe describir cómo y por qué se vería afectado negativamente por la instalación o actividad propuesta de una manera que no sea común al público en general. Por ejemplo, en la medida en que su solicitud se base en estas preocupaciones, debe describir el impacto probable en su salud, seguridad o usos de su propiedad que puedan verse afectados negativamente por la instalación o las actividades propuestas. Para demostrar que tiene un interés personal justiciable, debe indicar, tan específicamente como pueda, su ubicación y la distancia entre su ubicación y la instalación o actividades propuestas.

Su solicitud debe plantear cuestiones de hecho controvertidas que sean relevantes y materiales para la decisión de la comisión sobre esta solicitud que fueron planteadas **por usted** durante el período de comentarios públicos. La solicitud no puede basarse únicamente en cuestiones planteadas en los comentarios que haya retirado.

Para facilitar la determinación por parte de la comisión del número y alcance de los asuntos que se remitirán a la audiencia, usted debe: 1) especificar cualquiera de las respuestas del director ejecutivo a **sus** comentarios que usted disputa; 2) la base fáctica de la disputa; y 3) enumerar cualquier cuestión de derecho en disputa.

Cómo solicitar la reconsideración de la decisión del Director Ejecutivo.

A diferencia de una solicitud de audiencia de caso impugnado, cualquier persona puede solicitar la reconsideración de la decisión del director ejecutivo. Una solicitud de

reconsideración debe contener su nombre, dirección, número de teléfono durante el día y, si es posible, su número de fax. La solicitud debe indicar que está solicitando la reconsideración de la decisión del director ejecutivo, y debe explicar por qué cree que la decisión debe ser reconsiderada.

Fecha límite para la presentación de solicitudes.

La oficina del Secretario Oficial debe **recibir** una solicitud de audiencia de caso impugnado o reconsideración de la decisión del director ejecutivo a más tardar **30 días calendario** después de la fecha de esta carta. Puede enviar su solicitud electrónicamente a www.tceq.texas.gov/agency/decisions/cc/comments.html o por correo a la siguiente dirección:

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

Procesamiento de solicitudes.

Las solicitudes oportunas para una audiencia de caso impugnado o para la reconsideración de la decisión del director ejecutivo se remitirán al Programa de Resolución Alternativa de Disputas de TCEQ y se incluirán en la agenda de una de las reuniones programadas regularmente de la comisión. Las instrucciones adicionales que explican estos procedimientos se enviarán a la lista de correo adjunta cuando se haya programado esta reunión.

Cómo obtener información adicional.

Si tiene alguna pregunta o necesita información adicional sobre los procedimientos descritos en esta carta, llame al Programa de Educación Pública, al número gratuito, 1-800-687-4040.

Atentamente,



Laurie Gharis
Secretaria Oficial

LG/cb

Recinto

RESPUESTA DEL DIRECTOR EJECUTIVO AL COMENTARIO DEL PÚBLICO
para
Gulf Coast Growth Ventures LLC
TPDES Permiso No. WQ0005228000

El Director Ejecutivo ha puesto a disposición de Internet la respuesta al comentario público (RTC) para la solicitud de Gulf Coast Growth Ventures LLC del permiso de TPDES No.

WQ0005228000

Puede ver e imprimir el documento visitando la Base de Datos Integrada de los Comisionados de TCEQ en el siguiente enlace:

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

Para ver el RTC en el enlace anterior, ingrese el número de identificación TCEQ para esta solicitud (WQ0005228000) y haga clic en el botón "Buscar". Los resultados de la búsqueda mostrarán un enlace al RTC.

Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov.

Información adicional

Para obtener más información sobre el proceso de participación pública, puede comunicarse con la Oficina del Asesor de Interés Público al (512) 239-6363 o llamar al Programa de Educación Pública, al número gratuito, (800) 687-4040.

Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios, están disponibles para su revisión en la Oficina Central de TCEQ en Austin, Texas. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en Bell Whittington Public Library, 2400 Memorial Parkway, Portland, en Condado de San Patricio, Texas y en La Retama Central Library, 805 Comanche Street, Corpus Christi, en Condado de Nueces, Texas.

MAILING LIST / LISTA DE CORREO
for / para
Gulf Coast Growth Ventures LLC
TPDES Permit No. WQ0005228000 / TPDES Permiso No. WQ0005228000

FOR THE APPLICANT /
PARA EL SOLICITANTE:

Denee Elwood, Water Advisor
Gulf Coast Growth Ventures LLC
P.O. Box 367
Gregory, Texas 78359

INTERESTED PERSONS /
PERSONAS INTERESADAS:

Elida Castillo
P.O. Box 50
Corpus Christi, Texas 78403

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

Ryan Vise, Deputy Director
Texas Commission on Environmental
Quality
External Relations Division
Public Education Program MC-108
P.O. Box 13087
Austin, Texas 78711-3087

Fernando Salazar Martinez, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Monica Baez, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

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

Garrett T. Arthur, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK /
PARA EL SECRETARIO OFICIAL
via electronic mail
por correo electrónico:

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

TPDES PERMIT NO. WQ0005228000

APPLICATION BY	§	BEFORE THE
GULF COAST GROWTH VENTURES	§	TEXAS COMMISSION
LLC FOR	§	ON
TPDES PERMIT NO. WQ0005228000	§	ENVIRONMENTAL
		QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (Response) on the application by Gulf Coast Growth Ventures LLC (Applicant) for a major amendment with renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005228000 and the Executive Director's preliminary decision on the application. As required by Title 30 of the Texas Administrative Code (30 TAC) Section (§) 55.156, before a permit is issued, the Executive Director prepares a response to all timely, significant or relevant and material comments.

The Office of the Chief Clerk received timely comments from Ms. Elida Castillo. This response addresses all timely public comments received, whether or not withdrawn.

This application is subject to the requirements in Senate Bill (SB) 709, effective September 1, 2015. SB 709 amended the requirements for comments and contested case hearings. One of the changes required by SB 709 is that the Commission may not find that a "hearing requestor is an affected person unless the hearing requestor timely submitted comments on the permit application." Texas Water Code (TWC) § 5.115(a-1)(2)(B).

If you need more information about the permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found at the following website:

www.tceq.texas.gov.

I. BACKGROUND

A. Description of Facility

The Applicant submitted an application to the TCEQ for a major amendment with renewal of TPDES Permit No. WQ0005228000 to add laboratory wastewater, utility wastewater from commissioning activities, and allowable non-stormwater to the authorized discharge list via Outfall 001; to add utility and other miscellaneous wastewaters to the authorized discharge list via Outfall 002; to add and modify definitions in Other Requirement No. 10; to add minimum analytical levels for oil and grease and biochemical oxygen demand, 5-day, to the list in Other Requirement No. 2; to remove the authorization to discharge via Outfalls 003, 004, and 005; to remove Other Requirement No. 11, which required re-test for the Interim and Final Phases for Outfall 001; to remove Other Requirement No. 12, which required re-test for Outfalls 002, 003, 004, and 005; to remove references to the Interim and Final Phases for Outfall 001; to update the sampling monitoring description for Outfall 001; to update the sampling point for Outfall 005, and to change the daily maximum effluent limitation for total organic carbon from 55 mg/L to 75 mg/L at Outfall 005.

The draft permit authorizes the discharge of treated process wastewater, cooling tower blowdown, maintenance wastewater, water treatment waste, railcar wash water, miscellaneous wastewater, wastewater from commissioning activities, laboratory wastewater, utility wastewater from commissioning activities, stormwater, and allowable non-stormwater at a daily average flow not to exceed 9,030,000 gallons per day (gpd) via Outfall 001; utility wastewater and other miscellaneous wastewater, stormwater, and allowable non-stormwater on an intermittent and flow-variable basis via Outfall 002; and stormwater, allowable non-stormwater, and emergency firefighting wastewater on an intermittent and flow-variable basis via Outfall 005.

The Applicant operates Gulf Coast Growth Ventures Project, a chemical manufacturing facility that produces ethylene, monoethylene glycol (MEG), and polyethylene (PE). The process units receive purchased oxygen and nitrogen from off-site via pipeline.

Water for industrial operations is supplied by the San Patricio Municipal Water District (SPMWD), a supplier of water for both industrial and potable uses. Industrial

water is supplied via the City of Corpus Christi O.N. Stevens Water Treatment Plant through a SPMWD pipeline. Potable water is also supplied by the City of Portland.

The wastewater treatment units consist of equalization, dissolved gas flotation (DGF), biological treatment, and oil and solids handling. The DGF was included in the original wastewater treatment plant (WWTP) design as an oil/water separation step. However, once the WWTP became fully operational, it was determined that the influent wastewater was essentially free of oil and grease, and consequently, the DGF was placed in standby mode to be used as needed. Oil recovered from the equalization tanks and DGF is sent to a slop oil tank. Sludge from the DGF and biological treatment is dewatered and transported for off-site disposal.

Process wastewaters routed to the WWTP include wastewaters from the olefins and MEG process units, stormwater (primarily first-flush runoff from process areas), and other wastewaters that could be potentially contaminated. Wastewaters from the process units include olefins, Benzene Waste Operations NESHAP stripper effluent, olefins dilution steam blowdown, ammonia vapor control wastewaters, MEG wastewater, and possibly olefins spent caustic.

Spent caustic from the olefins production may be sent to the WWTP if it is not shipped off-site to a third-party vendor. The spent caustic is oxidized and neutralized before being sent to the WWTP. Stormwater, firewater, and cooling water blowdown may be routed to the WWTP to maintain a designed wastewater influent quality.

First-flush stormwater considered potentially contaminated is routed to the WWTP. First-flush stormwater is collected primarily from the process unit area but may include other areas where stormwater could be potentially contaminated. Stormwater and other wastewaters that are potentially contaminated are routed to treatment along with process wastewaters and considered equivalent to process wastewater for the purpose of discharge allocations under the national effluent guidelines. There may be small amounts of stormwater from other non-process areas that are routed to the WWTP.

Miscellaneous wastewaters that are routed to the WWTP include contaminated cooling water and/or condensate, furnace decoking condensate, slop oil tank draws, flare drum wastewater, wastewater from upsets or spills, oily or contaminated wastewaters or contaminated first-flush stormwater, and firefighting wastewaters. Water draws from an off-site pyrolysis gasoline (Pygas) storage tank is transported to

the WWTP for treatment. Pygas is a byproduct of ethylene production and a Pygas storage tank is located at the dock facilities at the Port of Corpus Christi. Other wastewaters that may be routed to the WWTP, if potentially contaminated, include wash pad water, unit washdown, and equipment washdown; if not contaminated, they are routed directly to the Effluent Ponds.

Process wastewater from the PE Unit 1 includes wastewater containing pellets, condensate dump, and potentially contaminated first-flush stormwater. These wastewaters are routed to a polymer retention basin where solids pellets are removed. Discharge from the PE Unit 1 polymer retention basin is routed to the Effluent Ponds.

Process wastewater from the PE Unit 2 unit includes wastewater containing pellets, condensate dump, and potentially contaminated first-flush stormwater. These wastewaters are routed to a polymer retention basin where solids/pellets are removed. Discharge from the PE Unit 2 polymer retention basin is routed to the Effluent Ponds.

Wastewater from the WWTP and PE Units retention ponds are routed to Effluent Ponds 001 or 002. Other wastewaters that are routed directly to the Effluent Ponds include cooling tower blowdown, demineralizer wastewater, railcar wash water, fire water system test and flushing waters, and other miscellaneous wastewaters. The discharge from Effluent Pond 002 is the monitoring point for Outfall 001 prior to the effluent being transferred by pipeline for discharge in the La Quinta Channel.

Cooling tower blowdown is generated by the main cooling tower system for the production units. Supplied industrial water or supplied potable water is used directly in the cooling tower. Treatment chemicals are used in the cooling tower to maintain acceptable water quality to control corrosion and fouling.

To provide water for the boiler system, industrial water is demineralized to remove dissolved solids. Water treatment wastewaters from the demineralizer system include such wastewaters as reverse osmosis (RO) reject, membrane cleaning wastewaters, and maintenance. Treatment chemicals are used in the boiler system to maintain acceptable water quality. Boiler blowdown is routed to the main cooling tower system to serve as part of the system makeup water.

On-site rail yard operation includes receipt of raw materials as well as loading product PE. Empty rail hopper cars returning from off-site are washed to remove residual plastic pellets and dried before returning to the product loading facility. Railcar wash water and first-flush stormwater from the railcar wash is sent to the

railcar wash sump where solids are filtered out. The filtered water is then routed to the Effluent Ponds.

Other miscellaneous wastewaters that are routed to the Effluent Pond may include first-flush stormwater collected from utilities and non-process areas as well as uncontaminated wash pad water, unit wash down, and equipment washout/cleaning wastewaters.

There is an on-site laboratory testing facility owned and operated by the Applicant. Wastewater from the laboratory is routed to the City of Gregory Roloff Wastewater Treatment Plant. The laboratory wastewater may be routed to the Applicant's WWTP for treatment and discharge via Outfall 001.

There is an AEP Texas Central Company electric substation located on the eastern boundary of the property. Stormwater within the secondary containment area and any storage tank wastes are transported off-site.

Commissioning wastewaters are typically intermittent and variable in flow. Commissioning wastewater that does not require treatment will be discharged directly to the Effluent Ponds, or for certain wastewaters, to the stormwater outfalls. Wastewaters generated during commissioning that require treatment before discharge will be either treated in the WWTP or transported off-site.

Stormwater that is acceptable for discharge without treatment is discharged via Outfalls 002 and 005.

This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal. The facility is located at 4589 Farm-to-Market Road 2986, near the City of Gregory, San Patricio County, Texas 78359.

If the draft permit is issued, the treated effluent is discharged via Outfall 001 directly to Corpus Christi Bay in Segment No. 2481 of the Bays and Estuaries; via Outfall 002 to drainage ditches, thence to mud flats, thence to Copano Bay/Port Bay/Mission Bay in Segment No. 2472 of the Bays and Estuaries; and via Outfall 005 to drainage ditches, thence to Green Lake ditch, thence to Green Lake, thence to a tidal channel, thence to Corpus Christi Bay in Segment No. 2481 of the Bays and Estuaries. The unclassified receiving water uses are minimal aquatic life use for the drainage ditches, limited aquatic life use for Green Lake ditch, high aquatic life use for Green

Lake, and exceptional aquatic life use for the tidal channel. The designated uses for Segment Nos. 2472 and 2481 are primary contact recreation, exceptional aquatic life use, and oyster waters. 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.

Endangered Species Review

A priority watershed of critical concern has been identified in Segment Nos. 2472 and 2482 in Aransas and San Patricio Counties respectively. The piping plover, *Charadrius melodus* Ord, a threatened aquatic-dependent species, is found in the watersheds of Segment Nos. 2471 and 2481. The whooping crane, *Grus americana*, an endangered aquatic-dependent species, has been determined to occur in the watershed of Segment No. 2472. To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic-dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the United States Fish and Wildlife Service's (USFWS) biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. Since the facility is not a petroleum facility, its discharge is not expected to have an effect on the piping plover; however, the presence of the whooping crane requires EPA review, and if appropriate, consultation with USFWS.

Antidegradation Review

In accordance with 30 TAC § 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Green Lake, which has been identified as having high aquatic life use. Also, no significant degradation of water quality is expected in the tidal channel or Corpus Christi Bay, which have been identified as having exceptional aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

B. Procedural Background

The permit application was received on February 6, 2023, and declared administratively complete on March 8, 2023. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published in the *Corpus Christi Caller Times* on March 17, 2023, in the *News of San Patricio* on March 23, 2023, and in the *Tejano Y Gruperio News* on March 15, 2023. The Combined NORI and Notice of Application and Preliminary Decision (NAPD) was published in the *Corpus Christi Caller Times* on June 23, 2025, in the *News of San Patricio* on June 26, 2025, and in the *Tejano Y Gruperio News* on July 1, 2025.

The public comment period for this application ended on July 31, 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 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.

C. Access to Rules, Laws, and Records

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

- Secretary of State website: www.sos.state.tx.us;
- TCEQ rules in 30 TAC: www.sos.state.tx.us/tac;
- Texas statutes: www.statutes.legis.state.tx.us;
- TCEQ downloadable rules: https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=VIEW_TAC&part=1&title=30;
- Federal rules in Title 40 of the Code of Federal Regulations: <https://www.ecfr.gov/current/title-40>; and
- Federal environmental laws: <http://www.epa.gov/lawsregs>.

Commission records for the application are available for viewing and copying and are located at TCEQ's main office in Austin, 12100 Park 35 Circle, Building F, 1st Floor (Office of Chief Clerk). The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the following location: the Bell Whittington Public Library, 2400 Memorial Parkway, Portland, in San

Patricio County, Texas and at La Retama Central Library, 805 Comanche Street, Corpus Christi, in Nueces County, Texas.

II. COMMENTS AND RESPONSES

COMMENT 1:

Ms. Elida Castillo stated that adequate notice was not provided to the community and any changes to the water discharge permit should be heard and the public's input required.

RESPONSE 1:

For new permit and major amendment applications, the Applicant must provide a list of affected landowners and a map showing their location(s). 30 TAC § 39.413(1). Affected landowners are landowners located adjacent to the wastewater treatment plant site and landowners with property on either side of the receiving stream for approximately one mile downstream from the point of discharge. The applicant is required to certify that the submitted application is accurate. The TCEQ mails notice of the application to the affected landowners and others on the mailing list for the application, which is maintained by the Office of Chief Clerk.

NORI. TCEQ's rules require that the applicant publish the Notice of Receipt of Application and Intent to Obtain Permit (NORI) in the newspaper of largest circulation in the county in which the facility is located or proposed to be located or, if the facility is located or proposed to be located in a municipality, the applicant shall publish notice in any newspaper of general circulation in the municipality. 30 TAC § 39.405(f).

The NORI was published on March 17, 2023, in the *Corpus Christi Caller Times*, on March 23, 2023, in the *News of San Patricio*, and on March 15, 2023, in the *Tejano Y Gruperio News*. According to the Publisher's Affidavit that was submitted, the *Corpus Christi Caller Times* is a newspaper of largest circulation in San Patricio County, and the *News of San Patricio* is a newspaper of general circulation in Gregory. The *Tejano Y Gruperio News* is a newspaper of general circulation in San Patricio County and Gregory.

Public Posting Location: TCEQ's rules require the applicant to make a copy of the application available for review and copying at a public place in the county in

which the facility is located or proposed to be located. According to the applicant's public notice verification form, dated March 13, 2023, the complete water quality application was made available for viewing and copying at La Retama Central Library, 805 Comanche Street, Corpus Christi, Texas and at the Bell Whittington Public Library, 2400 Memorial Parkway, Portland, Texas. According to the applicant's public notice verification form, dated June 18, 2025, the complete water quality application and draft permit and all revisions to the application were made available for viewing and copying at the Bell Whittington Public Library, 2400 Memorial Parkway, Portland, Texas and on June 19, 2025, at La Retama Central Library, 805 Comanche Street, Corpus Christi, Texas.

NAPD and Public Meeting Notice. TCEQ's rules require the applicant to publish the Notice of Application and Preliminary Decision (NAPD) in a newspaper regularly published or circulated within each county where the proposed facility or discharge is located and affected by the discharge. TCEQ's rules require the notice of public meeting to be published in the newspaper of largest circulation in the county in which the facility is located or proposed to be located or, if the facility is located or proposed to be located in a municipality, the applicant shall publish notice in any newspaper of general circulation in the municipality.

The Combined NORI and NAPD was published on June 23, 2025, in the *Corpus Christi Caller Times*, on June 26, 2025, in the *News of San Patricio*, and on July 1, 2025, in the *Tejano Y Gruperio News*. According to the Publisher's Affidavit that was submitted, the *Corpus Christi Caller Times* is a newspaper of largest circulation in San Patricio County, and the *News of San Patricio* is a newspaper of general circulation in Gregory. The *Tejano Y Gruperio News* is a newspaper of general circulation in San Patricio County and Gregory.

The Executive Director has reviewed the notice documents and from the information provided, has determined that Applicant complied with all applicable requirements for publication of the notices.

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

No changes were made to the draft permit.

Respectfully submitted,

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Kelly Keel,
Executive Director

Phillip Ledbetter, Director
Environmental Law Division

Charmaine Backens, Deputy Director
Environmental Law Division



Fernando Salazar Martinez,
Staff Attorney
Environmental Law Division
State Bar No. 24136087
P.O. Box 13087, MC 173
Austin, Texas 78711-3087
Phone (512) 239-3356
Email: fernando.martinez@tceq.texas.gov

REPRESENTING THE EXECUTIVE DIRECTOR OF
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on October 21, 2025, the “Executive Director’s Response to Public Comment” for Permit No. WQ0005228000 was filed with the Texas Commission on Environmental Quality’s Office of the Chief Clerk.



Fernando Salazar Martinez
Staff Attorney
Environmental Law Division
State Bar No. 24136087