

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER concerning the application by Studio Estates LLC for new Texas Pollutant Discharge Elimination System Permit No. WQ0015933001; TCEQ Docket No. 2021-1216-MWD.

On January 12, 2022, the Texas Commission on Environmental Quality (Commission) considered during its open meeting a request for hearing filed by the Guadalupe-Blanco River Authority (GBRA) concerning the application of Studio Estates LLC for new Texas Pollutant Discharge Elimination System Permit No. WQ0015933001, which seeks authorization to discharge treated domestic wastewater at a daily average flow not to exceed 150,000 gallons per day in the Final phase from a facility that will be located approximately 1.03 miles southeast of the intersection of Goforth Road and Niederwald Strasse Road, in Hays County, Texas. The request for hearing was evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code (TAC) Chapter 55. The Commission also considered the responses to the request for hearing filed by the Executive Director and the Office of Public Interest Counsel; GBRA's reply; all timely public comment; and the Executive Director's Response to Comment.

After evaluation of all relevant filings, the Commission determined that GBRA is an affected person under applicable law and its hearing request should be granted. The Commission next determined whether the request for hearing raised disputed issues of fact or mixed questions of fact and law that were raised by the affected person during the comment period, and which are relevant and material to its decision on the application. The Commission determined that the

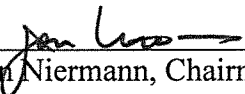
following issue met those requirements and directed that it be referred to the State Office of Administrative Hearings (SOAH): Whether the proposed effluent limitations contained in the draft permit are adequately protective of water quality in the receiving waters.

Finally, pursuant to 30 TAC § 50.115(d)(2), the Commission specified that the maximum duration of the contested case hearing shall be 180 days from the first day of the preliminary hearing to the date the proposal for decision is issued by SOAH.

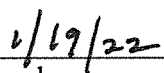
NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

- (1) The hearing request filed by the Guadalupe-Blanco River Authority is hereby GRANTED;
- (2) The following issue is REFERRED to SOAH for a contested case hearing on the application: Whether the proposed effluent limitations contained in the draft permit are adequately protective of water quality in the receiving waters;
- (3) This matter is referred to the Commission's Alternative Dispute Resolution Program concurrent with the SOAH scheduling process;
- (4) The maximum duration of the hearing is set at 180 days from the first day of the preliminary hearing to the date the proposal for decision is issued by SOAH; and
- (5) If any provision, sentence, clause or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY



Jon Niermann, Chairman



Date Signed