

TCEQ - Office of the Chief Clerk  
MC-105 Attn: SOAH Docket Clerk  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: PHAU - Lockhart 450, LLC  
TCEQ Docket Number: 2022-1700-MWD  
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §  
COUNTY OF: CALDWELL §

Before me, the undersigned authority, on this day personally appeared DANA K. GARRETT, who being by me duly (name of newspaper representative)

sworn, deposes and says that (s)he is the Publisher (title of newspaper representative)

of the LOCKHART POST-REGISTER; that said newspaper is (name of newspaper)

regularly published or generally circulated in CALDWELL (county/counties)

County/Counties, Texas; that the attached notice was published in said newspaper on the following date(s): APRIL 27, 2023 (date(s))

[Signature]  
Newspaper Representative's Signature

Subscribed and sworn to before me this the 27th day of April, 2023, to certify which witness my hand and seal of office.

[Signature]  
Notary Public in and for the State of Texas  
Terri Garrett  
Print or type Name of Notary Public





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING  
PHAU - Lockhart 450, LLC  
SOAH Docket No. 582-23-15497  
TCEQ Docket No. 2022-1700-MWD  
TPDES Permit No. WQ0016107001

APPLICATION.

PHAU-Lockhart 450 LLC, 9000 Gulf Freeway, Houston, Texas 77017, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016107001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 499,000 gallons per day. TCEQ received this application on February 2, 2022.

The facility will be located approximately 0.75 miles southeast of the intersection of Clark Loop and State Highway 142, in Caldwell County, Texas 78644. The treated effluent will be discharged to Clear Fork Plum Creek, thence to Plum Creek in Segment No. 1810 of the Guadalupe River Basin. The unclassified receiving water use is high aquatic life use for Clear Fork Plum Creek. The designated uses for Segment No. 1810 are primary contact recreation, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the 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 Clear Fork Plum Creek, which has been identified as having high 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. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.735277%2C29.874722&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas.

CONTESTED CASE HEARING.

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – May 31, 2023

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 729 9371

Password: TCEQ5497

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 161 729 9371

Password: 27293918

Visit the SOAH website for registration at: <http://www.soah.texas.gov/> or call SOAH at 512-475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on February 13, 2023. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from Phau-Lockhart 450 LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Issued: April 19, 2023

Laurie Gharis

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

# Shuelke Road development questioned by some residents

By Kyle Mooty  
LPR Editor

The Texas Commission on Environmental Quality (TCEQ) has asked for a discharge permit off Schuelke Road in northern Caldwell County for a possible development there, something some residents say would cause problems with water quality as well as traffic.

A resident addressed the Caldwell County Commissioners Court Tuesday morning, saying that developers "keep changing their mind," and had dropped an original plan of 435 lots on 91 acres to just 5 acres, but that TCEQ had asked for 350 water meters, which would cost between \$3 million and \$5 million.

The resident addressing Commissioners noted the water from the development would be forced into Plum Creek and that the area already floods on occasion. She also said adding all of that traffic that would come from the development would be difficult to imagine on Schuelke Road. "It's mind boggling," she said.

Commissioner Ed Theriot said he would contact Senator Judith Zaffirini and Representative Stan Gerdes in hope to force TCEQ into a public hearing. He also suggested that concerned residents send messages to TCEQ regarding water quality rather than traffic concerns.

Commissioner B.J.

Westmoreland noted that Plum Creek was already on the Impaired Water list on the Federal Registry.

In other business:

Andrew McClish of Prairie Lea addressed the court regarding his disappointment that some stop signs had not been removed in his community. He noted there had been two traffic studies and one was last July, yet no results had been received.

"Prolonging the removal is putting the citizens at risk and we deserve a brighter and safer future," McClish said.

Commissioners approved a development agreement for Oak Knoll RV Park on 10 acres off U.S. 183 south of Lockhart.

A final plat was approved for Tallen's Way -- 3 lots -- on Tinney Creek Road.

A final plat was also approved for Carpol Subdivision -- 4 lots -- on Political Road.

Emergency Management Chief Hector Rangel said the recent rains had been much appreciated in Caldwell County and more was expected this week, therefore asking and getting approval to keep the burn ban off for at least another two weeks. He did ask those that choose to burn on their property to do so safely.

Caldwell County Judge Hoppy Haden read a proclamation proclaiming Air Quality Awareness Week.

## CAT FIX From Page 3B

[www.CCACtx.org](http://www.CCACtx.org) for more information or to volunteer.

Lockhart Cause for Paws is proud to have been a part of CCAC's Operation Cat Fix," said LCFP President Leslie Banks. "Since 2008, LCFP has devoted its efforts to helping our county's low-income residents to care for their cats and dogs with low

cost spay and neuter services. I believe this consolidated effort of donors and trappers on April 18 was a big step forward in our community's struggle with overpopulation of unowned community cats. We invite every citizen and county and city leader to join us in this cause."



The recent clinic hosted by the Caldwell County Animal Coalition and Lockhart Cause for Paws sterilized 92 cats and 11 dogs. Courtesy photos





# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**STATE OF TEXAS** §

**COUNTY OF TRAVIS** §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for PHAU - Lockhart 450, LLC, SOAH Docket No. 582-23-15497, TCEQ Docket No. 2022-1700-MWD, was mailed on April 19, 2023.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 1999th day of April 2023.

A handwritten signature in cursive script that reads "Laurie Gharis".

---

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality

**SEAL**

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 19, 2023

**Via Certified and First Class Mail**

**Receipt #7021 0350 0000 2412 4748**

Derek McDonald, Attorney  
Molly Cagle, Attorney  
Baker Botts L.L.P.  
401 South 1st Street, Suite 1300  
Austin, Texas 78704

**Via Certified and First Class Mail**

**Receipt #7021 0350 0000 2412 4731**

Nick McIntyre, VP Land  
PHAU - Lockhart 450, LLC  
9000 Gulf Freeway  
Houston, Texas 77017

RE: Notice of Hearing Package  
Applicant Name: PHAU - Lockhart 450, LLC  
Facility Location: Caldwell County, Texas  
Permit Number: WQ0016107001  
Type of Authorization: New

Dear Mr. McDonald, Ms. Cagle, and Mr. McIntyre,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – May 31, 2023

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.



The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at 512-239-3300. If you have any other questions, please contact Michael Parr at 512-239-0611.

Sincerely,



Laurie Gharis  
Chief Clerk

LG/mt

Enclosures

cc: Ian Clements, P.E., Kimley-Horn, 5301 Southwest Parkway, Building 3, Suite  
100, Austin, Texas 78735

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
PHAU - Lockhart 450, LLC  
SOAH Docket No. 582-23-15497  
TCEQ Docket No. 2022-1700-MWD  
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available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas.

**CONTESTED CASE HEARING.**

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**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Further information may also be obtained from Phau-Lockhart 450 LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Issued: April 19, 2023

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## INSTRUCTIONS FOR PUBLIC NOTICE For Water Quality Permit

### NOTICE OF HEARING

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

#### **Please Review Notice**

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

#### **Newspaper Notice**

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing at least once and at your expense, in a newspaper that is regularly published or circulated in each county where, by virtue of the county's geographical relation to the subject matter of the hearing, a person may reasonably believe persons reside who may be affected by the action that may be taken as a result of the hearing. A list of the appropriate counties provided by the executive director is described in the cover letter.

#### **Proof of Publication**

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, the copy must be on standard-size 8½" x 11" paper and must show

the actual size of the published notice (do not reduce the image when making copies). Published notices longer than 11" must be copied onto multiple 8½" x 11" pages. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.

- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of notice.
- The **publisher's affidavit** and **proof of publication of the published notice** may be filed with the Chief Clerk electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or mailed to:

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: SOAH Docket Clerk  
P.O. Box 13087  
Austin, Texas 78711-3087

- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.

### **Failure to Publish and Submit Proof of Publication**

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication on time**, the TCEQ may suspend further processing of your application or take other actions.

### **General Information**

When contacting the Commission regarding this application, please refer to the permit number and TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.



## **MAILING LIST**

PHAU - Lockhart 450, LLC

TCEQ Docket No. 2022-1700-MWD; SOAH Docket No. 582-23-15497

### **FOR THE APPLICANT**

Derek McDonald, Attorney  
Molly Cagle, Attorney  
Baker Botts L.L.P.  
401 South 1st Street, Suite 1300  
Austin, Texas 78704

Nick McIntyre, VP Land  
Phau-Lockhart 450, LLC  
9000 Gulf Freeway  
Houston, Texas 77017

Ian Clements, P.E.  
Kimley-Horn  
5301 Southwest Parkway  
Building 3, Suite 100  
Austin, Texas 78735

### **INTERESTED PERSON(S)**

Justin C. Adkins  
Guadalupe Blanco River Authority  
933 East Court Street  
Seguin, Texas 78155

Dana Garrett  
1893 Borchert Loop  
Lockhart, Texas 78644

Courtney Kerr-Moore  
Guadalupe Blanco River Authority  
933 East Court Street  
Seguin, Texas 78155

Shalaina Walker  
3575 Borchert Loop  
Lockhart, Texas 78644

### **FOR THE EXECUTIVE DIRECTOR**

via electronic mail:

Michael Parr, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division, MC-173  
P.O. Box 13087  
Austin, Texas 78711

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

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

### **FOR PUBLIC INTEREST COUNSEL**

via electronic mail:

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

FOR ALTERNATIVE DISPUTE  
RESOLUTION

via electronic mail:

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

FOR THE CHIEF CLERK

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

THE HONORABLE JUDITH ZAFFIRINI  
TEXAS SENATE  
DISTRICT 21 ROOM 1E.14  
TEXAS STATE CAPITOL  
Judith.zaffirini@senate.texas.gov

THE HONORABLE STAN GERDES  
TEXAS HOUSE OF REPRESENTATIVES  
DISTRICT ROOM E2.318  
TEXAS STATE CAPITOL  
stan.gerdes@house.texas.gov



CITY OF LOCKHART  
HEALTH OFFICIAL  
PO BOX 239  
LOCKHART TX 78644-0239

CITY OF LOCKHART  
MAYOR  
PO BOX 239  
LOCKHART TX 78644-0239

CALDWELL COUNTY JUDGE  
110 S MAIN ST  
LOCKHART TX 78644-2701

CAPITAL AREA COUNCIL OF GOVERN  
6800 BURLESON RD STE 165  
AUSTIN TX 78744-2325

GUADALUPE-BLANCO RIVER AUTHORI  
933 E COURT ST  
SEGUIN TX 78155-5819

PUBLIC HEALTH REGION 7  
TEXAS DEPARTMENT OF STATE HEAL  
2408 S 37TH ST  
TEMPLE TX 76504-7168

US ARMY CORPS OF ENGINEERS REG  
CESWS-PER-R  
PO BOX 17300  
FORT WORTH TX 76102-0300

FIELD SUPERVISOR  
US FISH & WILDLIFE SERVICE  
10711 BURNET RD STE 200  
AUSTIN TX 78758-4460

J FREDERIC BELL  
PLUM CREEK CONSERVATION DISTRI  
PO BOX 328  
LOCKHART TX 78644-0328

JOHN T DUPNIK GENERAL MANAG  
BARTON SPRINGS-EDWARDS AQUIFER  
STE A  
1124 REGAL ROW  
AUSTIN TX 78748-3701

JOHNIE HALLIBURTON MANAGER  
PLUM CREEK CONSERVATION DISTRI  
PO BOX 328  
LOCKHART TX 78644-0328

JAMES OWEN SANITATION  
CALDWELL COUNTY HEALTH AUTHORI  
1ST FL  
405 E MARKET ST  
LOCKHART TX 78644-2872

ROLAND RUIZ GENERAL MANGER  
EDWARDS AQUIFER AUTHORITY  
900 E QUINCY ST  
SAN ANTONIO TX 78215-1440

GREG SENNELMANN GENERAL MA  
GONZALES COUNTY UNDERGROUND WA  
PO BOX 1919  
GONZALES TX 78629-1419

JUSTIN C ADKINS  
GUADALUPE BLANCO RIVER AUTHORITY  
933 E COURT ST  
SEGUIN TX 78155-5819

TOM BOHL GENERAL COUNSEL  
GUADALUPE BLANCO RIVER AUTHORITY  
933 E COURT ST  
SEGUIN TX 78155-5819

DAVID J DAVENPORT GEN MGR  
CANYON REGIONAL WATER AUTHORITY  
850 LAKESIDE PASS  
NEW BRAUNFELS TX 78130-8282

DANA GARRETT  
1893 BORCHERT LOOP  
LOCKHART TX 78644-4800

MR NATHAN M GLAVY  
GREATER EDWARDS AQUIFER ALLIANCE  
1809 BLANCO RD  
SAN ANTONIO TX 78212-2616

MR NATHAN M GLAVY  
GREATER EDWARDS AQUIFER ALLIANCE  
PO BOX 15618  
SAN ANTONIO TX 78212-8818

JOHNIE HALLIBURTON  
PLUM CREEK CONSERVATION DISTRICT  
PO BOX 328  
LOCKHART TX 78644-0328

THE HONORABLE DANIEL R HEIDEMAN  
MAYOR OF UHLAND  
15 N OLD SPANISH TRL  
UHLAND TX 78640-9338

JOHN HOHN  
HOHN & JANSSEN  
110 E SAN ANTONIO ST  
SAN MARCOS TX 78666-5509

COURTNEY KERR-MOORE  
GUADALUPE BLANCO RIVER AUTHORITY  
933 E COURT ST  
SEGUIN TX 78155-5819

PATRICK LACKEY  
TRIHEDRO CORPORATION  
STE 315  
1672 INDEPENDENCE DR  
NEW BRAUNFELS TX 78132-3898

SUSAN MECKEL  
LOWER COLORADO RIVER AUTHORITY  
L106  
PO BOX 220  
AUSTIN TX 78767-0220

LOUIS T ROSENBERG  
LAW OFFICE OF LOUIS T ROSENBERG PC  
1024 C ST  
FLORESVILLE TX 78114-2224

SALLIE ANN SATAGAJ  
715 GRAPEVINE TRL  
LOCKHART TX 78644-4540

SHALAINA WALKER  
3575 BORCHERT LOOP  
LOCKHART TX 78644-4826

VOGEL EDGAR L & JUNE  
1528 TWIN ISLAND DR  
LOCKHART, TX, 78644-3808

GLENVOIR FARM & GAMBLE  
WILLIAM  
9103 FIRE WATER  
SAN ANTONIO, TX, 78255-2142

WALKER DENNIS R & SHALAINA T  
3575 BORCHERT LOOP  
LOCKHART, TX, 78644-4826

BURKEEN JEFF LEE & ROSANA S  
606 BARABARA DR  
SAN MARCOS, TX, 78666-7902

MARTINEZ ISMAEL RENTERIA &  
BAUTISTA CATALIND GORRUSQUIE  
11716 MORNING VIEW  
DEL VALLE, TX, 78617-3628

GONZALEZ MARK JAMES  
127 ARMAMENT LN  
SAN MARCOS, TX, 78666-2019

MENN DIANA (ATCHISON)  
2028 KAISER DR  
AUSTIN, TX, 78748-3409

CLARK WILLIAM R & ANNE J  
1212 W LIVE OAK ST  
LOCKHART, TX, 78644-2906

KING LISA KAY JOLLEY  
6125 JANNEY DR  
AUSTIN, TX, 78757-4435

CARDENAS JOSE ALBERTO &  
CARMEN  
5521 HWY 142  
LOCKHART, TX, 78644

WILLENBERG KENNETH D  
2810 W SAN ANTONIO ST  
LOCKHART, TX, 78644-3309

SCHROEDER KYLE R &  
SCHROEDER RUDOLPH E  
2742 FM 1322  
LOCKHART, TX, 78644-4078

CHEEK JAY S & BRENDA A  
2814 BORCHERT LOOP  
LOCKHART, TX 78644-4823

LUCIO JOHN A & SYLVIA  
2770 BORCHERT LOOP  
LOCKHART, TX 78644-4823

SCHNAUTZ KEVIN DWANE  
PO BOX 2727  
KYLE, TX 78640-2727

HOLM HOLLIE M & BAKER LAURA A  
PO BOX 3593  
AUSTIN, TX 78764

SCHNAUTZ DOUGLAS L & SARAH  
LOUISE (TILL)  
7252 CAMINO REAL  
MAXWELL, TX 78656-9634

GARRETT DANA K  
1893 BORCHERT LOOP  
LOCKHART, TX 78644-4800

## WQ STANDARD MAIL LIST

APPLICANT:

Other Applicant Representatives:

PERMIT #:

BASIN:

REGION:

COUNTY:

PERMITTEE:

TO BE PUBLISHED BY:

DATE NOTICE MAILED:

CCO #:

NOTICE TECH INITIALS:

EVELYN ROSBOROUGH  
USEPA REGION 6  
1445 ROSS AVE STE 1200  
MAIL CODE 6WQ  
DALLAS TX 75202-2733  
[rosborough.evelyn@epa.gov](mailto:rosborough.evelyn@epa.gov)  
**(Rosborough only gets notices with TPDES language.)**

CYRUS REED PHD  
LONE STAR CHAPTER SIERRA CLUB  
PO BOX 4998  
AUSTIN TX 78765  
[cyrus.reed@sierrclub.org](mailto:cyrus.reed@sierrclub.org)

MYRON J HESS  
1705 MARGARET ST  
AUSTIN TX 78704  
[myron@myronhess.com](mailto:myron@myronhess.com)

AMANDA FULLER  
NATIONAL WILDLIFE FEDERATION  
505 E HUNTLAND DR STE 485  
AUSTIN TX 78752  
[fullera@nwf.org](mailto:fullera@nwf.org)

ANNE ROGERS  
COASTAL FISHERIES DIVISION – FPP  
TEXAS PARKS AND WILDLIFE  
**INTERAGENCY MAIL**  
[wqnotice@tpwd.state.tx.us](mailto:wqnotice@tpwd.state.tx.us)

SARA THORNTON  
LLOYD GOSSELINK ROCHELLE & TOWNSEND  
816 CONGRESS AVE STE 1900  
AUSTIN TX 78701  
[sthornton@lglawfirm.com](mailto:sthornton@lglawfirm.com)

RAILROAD COMMISSION OF TEXAS  
TECHNICAL PERMITTING, ENVIRONMENTAL SUPPORT  
**INTERAGENCY MAIL**

DONNA MCCARVER  
ARCHEOLOGY DIVISION  
TEXAS HISTORICAL COMMISSION  
**INTERAGENCY MAIL**  
[donna.mccarver@thc.texas.gov](mailto:donna.mccarver@thc.texas.gov)

NICHOLE SAUNDERS  
ENVIRONMENTAL DEFENSE FUND  
5400 MUSKET RDG  
AUSTIN, TX 78759  
[nsaunders@edf.org](mailto:nsaunders@edf.org)

DAVID T VILLARREAL PH.D.  
ENVIRONMENTAL QUALITY PROGRAM  
TEXAS DEPARTMENT OF AGRICULTURE  
**INTERAGENCY MAIL**

HEIDI BOJES PH.D.  
TEXAS DEPARTMENT OF STATE HEALTH SERVICES  
**INTERAGENCY MAIL**  
[heidi.bojes@dshs.state.tx.us](mailto:heidi.bojes@dshs.state.tx.us)  
**(Bojes gets IHW, MSW, and WQ notices.)**

TONY WILLIAMS  
GRANT PROGRAM AND SUPPORT DIVISION  
COASTAL RESOURCES PROGRAM  
TEXAS GENERAL LAND OFFICE  
**INTERAGENCY MAIL**  
[federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov)  
**(WILLIAMS only gets notices with CMP language.)**

MICHAEL BOOTH  
5701 W SLAUGHTER A130-404  
AUSTIN TX 78749



TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
PO BOX 13087  
AUSTIN TX 78711-3087

APPLICANT NAME: PHAU-LOCKHART  
450 LLC  
PERMIT NO.: WQ0016107001  
CCO#: 127239  
NOTICE OF APPLICATION AND  
PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT  
FOR ALL APPLICATIONS FOR WATER QUALITY PERMITS  
OTHER THAN RENEWALS**

STATE OF TEXAS §

COUNTY OF CALDWELL §

Before me, the undersigned authority, on this day personally appeared

DANA K. Garrett, who being by me duly  
(name of person representing newspaper)

sworn, deposes and says that (s)he is the Publisher  
(title of person representing newspaper)

of the Lockhart Post-Register; that this newspaper is  
(name of newspaper)

regularly published or circulated in CALDWELL County/Countries, Texas,  
(same county as proposed facility)

and that the enclosed notice was published in said newspaper on the following date(s):

JUNE 23, 2022  
(date or dates, of publication in the newspaper)

[Signature]  
Newspaper Representative's Signature

Subscribed and sworn to before me this the 23<sup>rd</sup> day of JUNE,  
2022, to certify which witness my hand and seal of office.

(Seal)



[Signature]  
Notary Public in and for the State of Texas

Terri Garrett  
Print or Type Name of Notary Public

My Commission Expires 02/28/2026

# Obituaries

Thursday, June 23, 2022

Post-Register

5A

## Rosemarie M. Thomas Ellis



On Wednesday, June 1, 2022, Rosemarie M. Thomas Ellis, loving mother, grandmother, sister, and church Elder, passed away at the youthful age of sixty-two after a six-year battle with cancer.

Rose was born in Buffalo, NY in 1959. She attended Clarence High School and graduated from Williamsville East High school in Amherst NY. Her artistic talent emerged early. She won numerous awards for her art and poetry, including national recognition for the Nova art and literature anthology. She went on to graduate from Case Western Reserve University, Cleveland OH. Rose was a gifted painter, photographer, and writer. She worked a variety of jobs during her career, including Cabela's where her beautiful murals graced the walls.

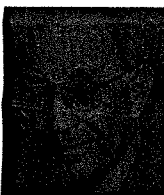
Her greatest pride was serving God and community for over 20 years at PromiseLand church. She was an active church member at the United Church of Christ in Parma, Ohio before moving to Austin, Texas. Austin became the place of active ministry for her. At PromiseLand church she helped with the children's ministry for several years. In the early 2000s, Rose and her family were part of the first founding members of PromiseLand San Marcos where she helped with a variety of outreach ministries including Angel Food and Angel Tree. She was also co-appointed to launch PromiseLand Waco during its infancy. No matter how far the distance, Rose was always willing to extend a helping hand. She is commended for her faithfulness, perseverance, and hard work. In her last months on earth, she was ordained an Elder at PromiseLand Lockhart. Rose carried her love for God with her everywhere she went and touched the lives of many people with her wisdom, artistry, kindness, and grace.

Rose was predeceased by her father Bynum Earnest Thomas. Rose is survived by her beloved mother Mary Laurine Thomas; her three cherished children, Christopher Ellis II, Olivia Jones and husband DeMico, and Nicholas Ellis; granddaughters Amia and Alani Jones; siblings Richard Thomas, Brenda Thomson, Robin Harold, Bynum Thomas, Alan Thomas; and many aunts and uncles, cousins, nieces, and nephews. Rose was an avid animal lover, rescuer, and pet mom to her fur babies, Ruby, Scout, Sam, Kayla, Gracie and dozens of others she fostered and adopted through the years.

Funeral services will be held on Friday, June 17, 2022 at noon, PromiseLand San Marcos, 1650 Lime Kiln Rd, San Marcos, TX 78666, and will be streamed on Facebook and YouTube.

The family gives special thanks to Hospice Austin for their wonderful care assistance. In lieu of flowers, donations can be made to <https://gofund.me/c6d5ae89> to assist with funeral expenses.

## Luis German Delgadillo



Luis German Delgadillo, 89, of Maxwell, TX, passed away in his home on June 15, 2022, of natural causes.

Luis was born on April 11, 1933 to Jose Carlos Delgadillo and Guadalupe Delgadillo (nee Arreola) in Nuevo Laredo, Tamaulipas, Mexico.

Luis married the love of his life, Wilma Jean Tirey, on August 17, 1963. Luis and Jean

went on to have three children and remained married until her death in November 2021.

Luis devoted his career to teaching English, French, Latin, and Spanish. Known as "Mr. D" to his students, Luis was a favored teacher by virtue of his kind, generous, and comical demeanor. Throughout his career, he taught in Levelland, Lorenzo, Port Arthur, San Marcos (SMHS Bilingual Director from 1972 to 1987), and Seguin, Texas.

In addition to raising a family and teaching, Luis enjoyed being an active member of Saint John the Evangelist Catholic Church, where he served as a CCD educator, Eucharistic minister, lector, and choir member.

Luis was predeceased by his wife of 58 years, "Jean", and his siblings, Francisco "Pepe" Delgadillo, Jr, Javier Delgadillo, Jorge Delgadillo, Ruben Delgadillo, Victor Delgadillo, Marcela (Delgadillo) Laird, and Bibi (Delgadillo) Phillips. He is survived by his sisters, Judith Elena Delgadillo Moreno, Maria

## Texas Commission on Environmental Quality



### NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER

NEW

PERMIT NO. WQ0016107001

**APPLICATION AND PRELIMINARY DECISION.** Phau-Lockhart 450 LLC, 9000 Gulf Freeway, Houston, Texas 77017, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016107001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 499,000 gallons per day. TCEQ received this application on February 2, 2022.

The facility will be located approximately 0.75 miles southeast of the intersection of Clark Loop and State Highway 142, in Caldwell County, Texas 78644. The treated effluent will be discharged to Clear Fork Plum Creek, thence to Plum Creek in Segment No. 1810 of the Guadalupe River Basin. The unclassified receiving water use is high aquatic life use for Clear Fork Plum Creek. The designated uses for Segment No. 1810 are primary contact recreation, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the 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 Clear Fork Plum Creek, which has been identified as having high 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. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc48b6dd360f8168250f&marker=-97.735277%2C29.874722&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.

00019

by his sisters, Juana Elena Delgado Moreno, Maria Del Carmen Delgado Moreno, Esther Delgado, his children Patrick, Michelle, and Luis "David" Delgado, his daughter-in-law Anne-Marie, and his six grandchildren, Gwendolyn, Gabriel, Emily, Bethany, Joshua, and Maria.

A funeral mass will be announced and held at a later date. In lieu of flowers, please consider a donation to Luis' burial fund at [everloved.com/life-of/luis-delgado/donate/](http://everloved.com/life-of/luis-delgado/donate/)

## Farm Service Agency accepting nominations to serve locally

### USDA

COLLEGE STATION  
- The U.S. Department of Agriculture (USDA) Farm Service Agency

(FSA) is now accepting nominations for county committee members. Elections will occur in certain Local Administrative Areas (LAAs) for members. LAAs are elective areas for FSA committees in a single county or multi-county jurisdiction. This may include LAAs that are focused on an urban or suburban area.

County committee members make important decisions about how Federal farm programs are administered locally. All nomination forms

for the 2022 election must be postmarked or received in the local FSA office by Aug. 1, 2022.

"It is a priority for USDA to integrate equity into its decision-making and policymaking, and that starts with our local FSA county committees," said Kelly Atkins State Executive Director for FSA in Texas. "We need enthusiastic, diverse leaders to serve other agricultural producers on these committees as we work to build equitable systems and programming inclusive of all employees and all of our customers."

Learn more at [farmers.gov/urban](http://farmers.gov/urban).

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Phau-Lockhart 450 LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Issuance Date: June 10, 2022



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Application and Preliminary Decision**  
**(NAPD)**  
**Water Quality Permit**

---

**All applicants must complete this page.**

Applicant Name: PHAU-LOCKHART 450 LLC

Site or Facility Name: CLEAR FORK RANCH WWTP

Water Quality Permit Number: WQ0016107001

Regulated Entity Number: RN111427118 Customer Number: CN605982743

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application and draft permit, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings (SOAH).

Name of Public Place: Dr. Eugene Clark Library

Address of Public Place: 217 South Main Street, Lockhart, Texas

Applicant or Applicant Representative Signature: *Sam M. Clements*

Title: Project Engineer Date: 7/5/2022





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Notice of Application and Preliminary Decision  
(NAPD)  
Water Quality Permit

Complete this page only if you are required to publish in an alternative language and are not able to do so.

Applicant Name: PHAU-LOCKHART 450 LLC

Site or Facility Name: CLEAR FORK RANCH WWTP

Water Quality Permit Number: WQ0016107001

Regulated Entity Number: RN111427118 Customer Number: CN605982743

ALTERNATIVE LANGUAGE EXEMPTION

I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- ☒ A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- ☐ The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

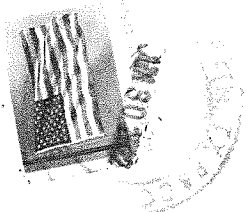
Newspaper Name: \_\_\_\_\_

Language: \_\_\_\_\_

Applicant or Applicant Representative Signature: *L. M. Clements*

Title: Project Engineer Date: 7/5/2022

Post-Register  
111 SOUTH CHURCH STREET  
LOCKHART TX 78644-2641  
Caldwell County  
Guardian



Connor J. Tabarok, EIT  
5301 Southwest Bulwark  
Building 21 Suite 100  
Austin, TX 78735

## Paul Worrall

---

**From:** Tabarrok, Connor <Connor.Tabarrok@kimley-horn.com>  
**Sent:** Tuesday, July 5, 2022 7:01 PM  
**To:** PROOFS  
**Cc:** Clements, Ian  
**Subject:** WQ0016107001 - Clear Fork Ranch WWTP - Proof of publication and Public Notice Verification Form (NAPD)  
**Attachments:** WQ0016107001\_NAPD Proof\_v1.pdf; WQ0016107001\_TCEQ-20244\_Signed\_flat.pdf; WQ0016107001\_NAPD Affidavit.pdf

Hello, please see attached publisher's affidavits and tear sheets of published notices, published Thursday, June 23<sup>rd</sup>, 2022, as well as the public notice verification form pages 1 and 2 for the NAPD stage of permit WQ0016107001.

Thanks and have a great day!

**Connor J. Tabarrok, EIT** | Analyst

**Kimley-Horn** | 5301 Southwest Parkway, Building 2, Suite 100 | Austin, Texas 78735

Direct: 737-400-6986

## WQ STANDARD MAIL LIST

**APPLICANT:**

MR IAN CLEMENTS

KIMLEY-HORN

5301 SOUTHWEST PKWY STE 100

AUSTIN, TX 78735-8986

**Other Applicant Representatives:**

MR NICK MCINTYRE

PHAU-LOCKHART 450 LLC

9000 GULF FWY

HOUSTON, TX 77017-7018

PERMIT #: WQ0016107001

BASIN:

REGION: 11

COUNTY: CALDWELL

PERMITTEE:

PHAU-LOCKHART 450 LLC

TO BE PUBLISHED BY:

MR IAN CLEMENTS

DATE NOTICE MAILED: June 10, 2022

CCO #: 127239

NOTICE TECH INITIALS: KIMOORE

EVELYN ROSBOROUGH  
USEPA REGION 6  
1445 ROSS AVE STE 1200  
MAIL CODE 6WQ  
DALLAS TX 75202-2733  
[rosborough.evelyn@epa.gov](mailto:rosborough.evelyn@epa.gov)

(Rosborough only gets notices with TPDES language.)

CYRUS REED PHD  
LONE STAR CHAPTER SIERRA CLUB  
PO BOX 4998  
AUSTIN TX 78765  
[cyrus.reed@sierraclub.org](mailto:cyrus.reed@sierraclub.org)

MYRON J HESS  
1705 MARGARET ST  
AUSTIN TX 78704  
[myron@myronhess.com](mailto:myron@myronhess.com)

ANNIE SCHMITT  
NATIONAL WILDLIFE FEDERATION  
505 E HUNTLAND DR STE 485  
AUSTIN TX 78752  
[schmitta@nwf.org](mailto:schmitta@nwf.org)

ANNE ROGERS  
COASTAL FISHERIES DIVISION - FPP  
TEXAS PARKS AND WILDLIFE  
INTERAGENCY MAIL  
[wqnotice@tpwd.state.tx.us](mailto:wqnotice@tpwd.state.tx.us)

SARA THORNTON  
LLOYD GOSSELINK ROCHELLE & TOWNSEND  
816 CONGRESS AVE STE 1900  
AUSTIN TX 78701  
[sthornton@lglawfirm.com](mailto:sthornton@lglawfirm.com)

RAILROAD COMMISSION OF TEXAS  
TECHNICAL PERMITTING, ENVIRONMENTAL SUPPORT  
INTERAGENCY MAIL

DONNA MCCARVER  
ARCHEOLOGY DIVISION  
TEXAS HISTORICAL COMMISSION  
INTERAGENCY MAIL  
[donna.mccarver@thc.texas.gov](mailto:donna.mccarver@thc.texas.gov)

NICHOLE SAUNDERS  
ENVIRONMENTAL DEFENSE FUND  
5400 MUSKET RDG  
AUSTIN, TX 78759  
[nsaunders@edf.org](mailto:nsaunders@edf.org)

DAVID T VILLARREAL PH.D.  
ENVIRONMENTAL QUALITY PROGRAM  
TEXAS DEPARTMENT OF AGRICULTURE  
INTERAGENCY MAIL

HEIDI BOJES PH.D.  
TEXAS DEPARTMENT OF STATE HEALTH SERVICES  
INTERAGENCY MAIL  
[heidi.bojes@dshs.state.tx.us](mailto:heidi.bojes@dshs.state.tx.us)  
(Bojes gets IHW, MSW, and WQ notices.)

TONY WILLIAMS  
GRANT PROGRAM AND SUPPORT DIVISION  
COASTAL RESOURCES PROGRAM  
TEXAS GENERAL LAND OFFICE  
INTERAGENCY MAIL  
[federal.consistency@glc.texas.gov](mailto:federal.consistency@glc.texas.gov)  
(WILLIAMS only gets notices with CMP language.)

MICHAEL BOOTH  
5701 W SLAUGHTER A130-404  
AUSTIN TX 78749



Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 10, 2022

MR IAN CLEMENTS  
KIMLEY-HORN  
5301 SOUTHWEST PKWY STE 100  
AUSTIN, TX 78735-8986

RE: Applicant Name: PHAU-LOCKHART 450 LLC  
Facility Location: CALDWELL COUNTY  
Permit Number: WQ0016107001  
Customer Reference Number: CN605982743  
Regulated Entity Number: RN111427118  
Type of Authorization: NEW

DEAR MR CLEMENTS:

The executive director has completed the technical review of the above referenced application and has prepared a preliminary decision and draft permit.

You are now required to publish another notice of your proposed activity. To help you meet the requirements associated with this notice, we have included the following items:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Publisher's Affidavit
- Draft Permit
- Executive Director's Preliminary Decision
- Public Notice Verification Form

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)

printed on recycled paper

MR IAN CLEMENTS

June 10, 2022

Page 2 of 2

- You must publish the enclosed notice as soon as possible, but no later than 45 days from the date on the cover letter. **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
- On or before the date you publish notice, you must place the following items in a public place in the county where the facility is or will be located: (a) a copy of your permit application, including any subsequent revisions; (b) the executive director's preliminary decision as contained in the technical summary and fact sheet; and (c) the draft permit, including any subsequent revisions. These items must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.
- For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
- Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,

*Laurie Gharis*

Laurie Gharis  
Chief Clerk

Enclosures (3)

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®	
Certified	TCEQ: MC 105.....
\$	PHAU-LOCKHART 450 LLC
Extra Ser	127239
<input type="checkbox"/> Return	WQ0016107001
<input type="checkbox"/> Return	CN605982743
<input type="checkbox"/> Certified	
<input type="checkbox"/> Adult S	
<input type="checkbox"/> Adult S	
Postage	MR IAN CLEMENTS
\$	KIMLEY-HORN
Total Pos	5301 SOUTHWEST PKWY STE 100
\$	AUSTIN TX 78735-8986
Sent To	
Street and	
City, State, ZIP+4®	00027
PS Form 3800, April 2015 PSN 7530-02-000-9027 See Reverse for Instructions	

## SENDER: COMPLETE THIS SECTION

TCEQ: MC 105.....  
PHAU-LOCKHART 450 LLC  
127239  
WQ0016107001  
CN605982743

MR IAN CLEMENTS  
KIMLEY-HORN  
5301 SOUTHWEST PKWY STE 100  
AUSTIN TX 78735-8986



9590 9402 7012 1225 1632 44

2. Article Number (Transfer from sender label)  
7021 0350 0000 4953 0593

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

6/15/22

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery

(over \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted

Delivery

☐ Signature Confirmation™☐ Signature Confirmation

Restricted Delivery

**Texas Commission on Environmental Quality**  
**Instructions for Public Notice for a Water Quality Permit**  
**Notice of Application and Preliminary Decision (NAPD)**

The executive director has completed the technical review of your application and issued a preliminary decision. You must comply with the following instructions. There are seven (7) steps involved in publishing notice. Complete each step.

**1. REVIEW THE NOTICE FOR ACCURACY**

**Read the enclosed notice carefully and notify the Wastewater Permitting Section at 512-239-4671 immediately if it contains any errors or omissions.** You are responsible for ensuring the accuracy of all information published. Do not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ. Changing the text or formatting of the notice may require new publication at your expense and delay processing of your application.

**2. PUBLISH THE NOTICE IN THE NEWSPAPER**

**You must publish the enclosed notice as soon as possible, but no later than 45 days from the date on the cover letter.**

For renewal applications, you must publish at least once in the same newspaper that you published the Notice of Receipt of Application and Intent to Obtain Permit.

For all other applications, you must publish at least once in a newspaper regularly published or circulated within each county where the facility and discharge point are located or proposed to be located.

The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., bold, italics). Failure to do so may require re-notice.

**3. PUBLISH THE NOTICE IN AN ALTERNATIVE LANGUAGE**

**You must publish notice in an alternative language IF:** either the elementary or middle school nearest to the facility or proposed facility is required to provide a "bilingual education program" (BEP) as required by Texas Education Code (TEC), Chapter 29, Subchapter B, and 19 Tex. Admin. Code §89.1205(a) AND one of the following conditions is met:

- students are enrolled in a program at that school;
- students from that school attend a bilingual education program at another location; or
- the school that otherwise would be required to provide a bilingual education program has been granted an exception from the requirements to provide the program as provided for in 19 Tex. Admin. Code §89.1207(a).

A "bilingual education program" is different from an "English as a second language program" (ESL). An ESL program alone, will not require public notice in an alternative language.

If triggered, you must publish the notice in a newspaper or publication primarily published in the alternative language taught in the bilingual education program. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these

requirements. The newspaper or publication must be of general circulation in the county in which the facility and discharge point are located or proposed to be located. If the facility and discharge point are located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. You have the burden to demonstrate compliance with these requirements.

If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. The Spanish templates are available on the TCEQ website at [www.tceq.texas.gov/permitting/wastewater/review/napd/wqspanish\\_napd.html](http://www.tceq.texas.gov/permitting/wastewater/review/napd/wqspanish_napd.html). If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

#### **4. PUT THE APPLICATION IN A PUBLIC PLACE**

**You must put a copy of the following documents in the public place identified in the enclosed notice:**

- the complete application,
- the executive director's preliminary decision as contained in the technical summary and fact sheet,
- the draft permit, and
- any subsequent revisions to these documents.

This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.

For confidential information contained in the application, you must indicate which specific portions of the application cannot be made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

#### **5. PROVIDE PROOF OF PUBLICATION**

**For each newspaper in which you published, you must submit proof of publication.** Proof of publication must include the following:

- a completed Publisher's Affidavit (enclosed); and
- a copy of the published notice which shows the notice, the date published, and the newspaper name. The copy must be on standard-size 8½ x 11" paper and must show the actual size of the published notice. Do not reduce the image when making copies. Published notices longer than 11" must be



copied onto multiple 8½ x 11" pages. Or you can submit the original newspaper clipping.

**If you are required to publish notice in an alternative language and are unable to do so, complete and submit the Alternative Language Exemption form (enclosed).**

**6. PROVIDE PROOF OF APPLICATION VIEWING LOCATION**

**You must submit a completed Public Notice Verification Form (enclosed), which certifies that the complete application and draft permit were placed at the public place identified in the enclosed notice.**

**7. SUBMIT PROOFS TO TCEQ**

**Scan and email the proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) within 30 days of publication to [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov);**

**Or Mail to:**

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

**Additional Information**

**If you fail to publish the notice or submit proofs within the timeframes noted above, the TCEQ may suspend further processing on your application or take other actions in accordance with 30 Tex. Admin. Code §39.405(a).**

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the Wastewater Permitting Section at 512-239-4671. When contacting TCEQ regarding this application, please refer to the permit number at the top of the enclosed notice.

If you wish to obtain an electronic copy of the notice, please visit our web site at [www.tceq.texas.gov/agency/decisions/cc/cc\\_db.html](http://www.tceq.texas.gov/agency/decisions/cc/cc_db.html) or [www.tceq.texas.gov/agency/decisions/cc/eda.html](http://www.tceq.texas.gov/agency/decisions/cc/eda.html). Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.

# Texas Commission on Environmental Quality



## NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER

NEW

**PERMIT NO. WQ0016107001**

**APPLICATION AND PRELIMINARY DECISION.** Phau-Lockhart 450 LLC, 9000 Gulf Freeway, Houston, Texas 77017, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016107001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 499,000 gallons per day. TCEQ received this application on February 2, 2022.

The facility will be located approximately 0.75 miles southeast of the intersection of Clark Loop and State Highway 142, in Caldwell County, Texas 78644. The treated effluent will be discharged to Clear Fork Plum Creek, thence to Plum Creek in Segment No. 1810 of the Guadalupe River Basin. The unclassified receiving water use is high aquatic life use for Clear Fork Plum Creek. The designated uses for Segment No. 1810 are primary contact recreation, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the 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 Clear Fork Plum Creek, which has been identified as having high 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. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.  
<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36of816825of&marker=-97.735277%2C29.874722&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.** If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Phau-Lockhart 450 LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Issuance Date: June 10, 2022

TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
PO BOX 13087  
AUSTIN TX 78711-3087

APPLICANT NAME: PHAU-LOCKHART  
450 LLC  
PERMIT NO.: WQ0016107001  
CCO#: 127239  
NOTICE OF APPLICATION AND  
PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT  
FOR ALL APPLICATIONS FOR WATER QUALITY PERMITS  
OTHER THAN RENEWALS**

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_, who being by me duly  
*(name of person representing newspaper)*

sworn, deposes and says that (s)he is the \_\_\_\_\_  
*(title of person representing newspaper)*

of the \_\_\_\_\_; that this newspaper is  
*(name of newspaper)*

regularly published or circulated in \_\_\_\_\_ County/Counties, Texas,  
*(same county as proposed facility)*

and that the enclosed notice was published in said newspaper on the following date(s):

\_\_\_\_\_  
*(date or dates, of publication in the newspaper)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_, to certify which witness my hand and seal of office.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

My Commission Expires \_\_\_\_\_

TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
PO BOX 13087  
AUSTIN TX 78711-3087

APPLICANT NAME: PHAU-LOCKHART  
450 LLC  
PERMIT NO.: WQ0016107001  
CCO#: 127239  
NOTICE OF APPLICATION AND  
PRELIMINARY DECISION

### ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_, who being by me duly  
*(name of person representing newspaper)*

sworn, deposes and says that (s)he is the \_\_\_\_\_  
*(title of person representing newspaper)*

of the \_\_\_\_\_; that this newspaper is  
*(name of newspaper)*

generally circulated in \_\_\_\_\_ County, Texas,  
*(same county as proposed facility)*

and is published primarily in \_\_\_\_\_ language;  
*(alternative language)*

the enclosed notice was published in said newspaper on the following date(s):

\_\_\_\_\_  
*(date or dates, of publication in the newspaper)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_, to certify which witness my hand and seal of office.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

My Commission Expires \_\_\_\_\_





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Notice of Application and Preliminary Decision  
(NAPD)  
Water Quality Permit

---

All applicants must complete this page.

Applicant Name: PHAU-LOCKHART 450 LLC

Site or Facility Name: CLEAR FORK RANCH WWTP

Water Quality Permit Number: WQ0016107001

Regulated Entity Number: RN111427118 Customer Number: CN605982743

---

**PUBLIC VIEWING LOCATION**

---

I certify that a copy of the complete water quality application and draft permit, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings (SOAH).

Name of Public Place: \_\_\_\_\_

Address of Public Place: \_\_\_\_\_

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Application and Preliminary Decision**  
**(NAPD)**  
**Water Quality Permit**

**Complete this page only if you are required to publish in an alternative language and are not able to do so.**

Applicant Name: PHAU-LOCKHART 450 LLC

Site or Facility Name: CLEAR FORK RANCH WWTP

Water Quality Permit Number: WQ0016107001

Regulated Entity Number: RN111427118 Customer Number: CN605982743

**ALTERNATIVE LANGUAGE EXEMPTION**

I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- ☐ A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- ☐ The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

Newspaper Name: \_\_\_\_\_

Language: \_\_\_\_\_

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

VOGEL EDGAR L & JUNE  
1528 TWIN ISLAND DR  
LOCKHART, TX, 78644-3808

GLENVOIR FARM & GAMBLE  
WILLIAM  
9103 FIRE WATER  
SAN ANTONIO, TX, 78255-2142

WALKER DENNIS R & SHALAINA T  
3575 BORCHERT LOOP  
LOCKHART, TX, 78644-4826

BURKEEN JEFF LEE & ROSANA S  
606 BARABARA DR  
SAN MARCOS, TX, 78666-7902

MARTINEZ ISMAEL RENTERIA &  
BAUTISTA CATALIND GORRUSQUIE  
11716 MORNING VIEW  
DEL VALLE, TX, 78617-3628

GONZALEZ MARK JAMES  
127 ARMAMENT LN  
SAN MARCOS, TX, 78666-2019

MENN DIANA (ATCHISON)  
2028 KAISER DR  
AUSTIN, TX, 78748-3409

CLARK WILLIAM R & ANNE J  
1212 W LIVE OAK ST  
LOCKHART, TX, 78644-2906

KING LISA KAY JOLLEY  
6125 JANEY DR  
AUSTIN, TX, 78757-4435

CARDENAS JOSE ALBERTO &  
CARMEN  
5521 HWY 142  
LOCKHART, TX, 78644

WILLENBERG KENNETH D  
2810 W SAN ANTONIO ST  
LOCKHART, TX, 78644-3309

SCHROEDER KYLE R &  
SCHROEDER RUDOLPH E  
2742 FM 1322  
LOCKHART, TX, 78644-4078

CHEEK JAY S & BRENDA A  
2814 BORCHERT LOOP  
LOCKHART, TX 78644-4823

LUCIO JOHN A & SYLVIA  
2770 BORCHERT LOOP  
LOCKHART, TX 78644-4823

SCHNAUTZ KEVIN DWANE  
PO BOX 2727  
KYLE, TX 78640-2727

HOLM HOLLIE M & BAKER LAURA A  
PO BOX 3593  
AUSTIN, TX 78764

SCHNAUTZ DOUGLAS L & SARAH  
LOUISE (TILL)  
7252 CAMINO REAL  
MAXWELL, TX 78656-9634

GARRETT DANA K  
1893 BORCHERT LOOP  
LOCKHART, TX 78644-4800

THE HONORABLE JUDITH ZAFFIRINI  
TEXAS SENATE  
DISTRICT 21 ROOM 1E.14  
TEXAS STATE CAPITOL  
Judith.zaffirini@senate.texas.gov

THE HONORABLE JOHN CYRIER  
TEXAS HOUSE OF REPRESENTATIVES  
DISTRICT ROOM E2.310  
TEXAS STATE CAPITOL  
John.Cyrier@house.texas.gov

1Q 0016157001

State

00040  
06/10/2022

CITY OF LOCKHART  
HEALTH OFFICIAL  
PO BOX 239  
LOCKHART TX 78644-0239

CITY OF LOCKHART  
MAYOR  
PO BOX 239  
LOCKHART TX 78644-0239

*city*

CALDWELL COUNTY JUDGE  
110 S MAIN ST  
LOCKHART TX 78644-2701

CAPITAL AREA COUNCIL OF GOVERN  
6800 BURLESON RD STE 165  
AUSTIN TX 78744-2325

GUADALUPE-BLANCO RIVER AUTHORI  
933 E COURT ST  
SEGUIN TX 78155-5819

PUBLIC HEALTH REGION 7  
TEXAS DEPARTMENT OF STATE HEAL  
2408 S 37TH ST  
TEMPLE TX 76504-7168

US ARMY CORPS OF ENGINEERS REG  
CESWS-PER-R  
PO BOX 17300  
FORT WORTH TX 76102-0300

FIELD SUPERVISOR  
US FISH & WILDLIFE SERVICE  
10711 BURNET RD STE 200  
AUSTIN TX 78758-4460

J FREDERIC BELL  
PLUM CREEK CONSERVATION DISTRI  
PO BOX 328  
LOCKHART TX 78644-0328

JOHN T DUPNIK GENERAL MANAG  
BARTON SPRINGS-EDWARDS AQUIFER  
STE A  
1124 REGAL ROW  
AUSTIN TX 78748-3701

JOHNIE HALLIBURTON MANAGER  
PLUM CREEK CONSERVATION DISTRI  
PO BOX 328  
LOCKHART TX 78644-0328

JAMES OWEN SANITATION  
CALDWELL COUNTY HEALTH AUTHORI  
1ST FL  
405 E MARKET ST  
LOCKHART TX 78644-2872

ROLAND RUIZ GENERAL MANGER  
EDWARDS AQUIFER AUTHORITY  
900 E QUINCY ST  
SAN ANTONIO TX 78215-1440

GREG SENGLMANN GENERAL MA  
GONZALES COUNTY UNDERGROUND WA  
PO BOX 1919  
GONZALES TX 78629-1419

*county*

TOM BOHL GENERAL COUNSEL  
GUADALUPE BLANCO RIVER AUTHORITY  
933 E COURT ST  
SEGUIN TX 78155-5819

DAVID J DAVENPORT GEN MGR  
CANYON REGIONAL WATER AUTHORITY  
850 LAKESIDE PASS  
NEW BRAUNFELS TX 78130-8282

DANA GARRETT  
1893 BORCHERT LOOP  
LOCKHART TX 78644-4800

JOHNIE HALLIBURTON  
PLUM CREEK CONSERVATION DISTRICT  
PO BOX 328  
LOCKHART TX 78644-0328

THE HONORABLE DANIEL R HEIDEMAN  
MAYOR OF UHLAND  
15 N OLD SPANISH TRL  
UHLAND TX 78640-9338

LORAIN HOANE  
4920 N INTERSTATE 35  
AUSTIN TX 78751-2716

JOHN HOHN  
HOHN & JANSSEN  
110 E SAN ANTONIO ST  
SAN MARCOS TX 78666-5509

PATRICK LACKEY  
TRIHEDRO CORPORATION  
STE 315  
1672 INDEPENDENCE DR  
NEW BRAUNFELS TX 78132-3898

SUSAN MECKEL  
LOWER COLORADO RIVER AUTHORITY  
L106  
PO BOX 220  
AUSTIN TX 78767-0220

LOUIS T ROSENBERG  
LAW OFFICE OF LOUIS T ROSENBERG PC  
1024 C ST  
FLORESVILLE TX 78114-2224

SALLIE ANN SATAGAJ  
715 GRAPEVINE TRL  
LOCKHART TX 78644-4540

STEVEN SMELTZER  
ALAMO AREA COUNCIL OF GOVERNMENTS  
STE 110  
2700 NE LOOP 410  
SAN ANTONIO TX 78217-4840

*02 0016 107001*

*1P1PLOT*

00041  
*06/10/2022*

STEVEN SMELTZER  
ALAMO AREA COUNCIL OF GOVERNMENTS  
STE 160  
8700 TESORO DR  
SAN ANTONIO TX 78217-6208

SHALAINA WALKER  
3575 BORCHERT LOOP  
LOCKHART TX 78644-4826



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

**Complete this page only if you are required to publish in an alternative language and are not able to do so.**

Applicant Name: PHAU Lockhart 450, LLC

Site or Facility Name: Clear Fork Ranch WWTP

Water Quality Permit Number: WQ0016107001

Regulated Entity Number: RN 11142118 Customer Number: CN 603298068

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**ALTERNATIVE LANGUAGE EXEMPTION**

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I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- ☒ A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- ☐ The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

Newspaper Name: N/A

Language: N/A

Applicant or Applicant Representative Signature: \_\_\_\_\_

*San Clemente*

Title: Project Engineer Date: 4/14/2022



## Paul Worrall

---

**From:** Tabarrok, Connor <Connor.Tabarrok@kimley-horn.com>  
**Sent:** Thursday, April 14, 2022 12:00 PM  
**To:** PROOFS  
**Cc:** Rachel Ximenez; Clements, Ian  
**Subject:** RE: NORI-PHAU-LOCKHART 450 LLC-WQ0016107001  
**Attachments:** NORI Public Notice Verification (PN) Form (Page 2).pdf

Please see attached the NORI PNV form page 2.  
Thank you for alerting us to the issue

**Connor J. Tabarrok, EIT | Analyst**  
**Kimley-Horn** | 5301 Southwest Parkway, Building 3, Suite 100 | Austin, Texas 78735  
Direct: 737-400-6986

**From:** Rachel Ximenez <Rachel.Ximenez@Tceq.Texas.Gov>  
**Sent:** Thursday, April 14, 2022 11:36 AM  
**To:** Tabarrok, Connor <Connor.Tabarrok@kimley-horn.com>  
**Cc:** Erwin Madrid <Erwin.Madrid@tceq.texas.gov>; Clements, Ian <Ian.Clements@kimley-horn.com>  
**Subject:** NORI-PHAU-LOCKHART 450 LLC-WQ0016107001

Some people who received this message don't often get email from [rachel.ximenez@tceq.texas.gov](mailto:rachel.ximenez@tceq.texas.gov). [Learn why this is important](#)

Good Morning:

The Texas Commission on Environmental Quality (TCEQ), Office of the Chief Clerk (OCC), received the following documents on 04/12/2022:

- Completed Original Publisher's Affidavit
- Completed NORI Public Notice Verification (PN) Form (Page 1)
- Newspaper Tearsheet-(Incomplete- Listed published Notice for permit number 2383 should be **WQ0016107001 PHAU-LOCKHART 450 LLC.**)
- English Newspaper Tearsheet with Spanish Notice -(Incomplete- Notice should be published in Spanish newspaper)
- Alternative Language Publisher's Affidavit-(Incomplete- Notice should be published in Spanish newspaper)

Please send the following documents to complete the NORI process:

- **Alternative Language Publisher's Affidavit**
- **Spanish Newspaper Tearsheet with Spanish Notice**
- **Newspaper Tearsheet**

OR

- **NORI Public Notice Verification (PN) Form (Page 2)**-(This form will replace the Spanish notice in the English Newspaper and Completed Alt Lang Affidavit)

# 50 Lions Who Can Cook a smashing success

By Kyle Mooty  
LPR Editor  
The Education  
Foundation for Lock-  
hart ISD not only hit a  
home run but smacked a  
grand slam at its second  
annual attempt of the 50 Lions  
Who Can Cook event.

The event, which  
included 25 teams  
of two-person teams  
making everything from  
entrees, appetizers,  
and desserts, enjoyed a  
packed Lockhart Lions  
Club on Friday, April 1.  
"I think with the

people walking in the  
door with tickets, the  
volunteers and all, we  
had right at 500 people,"  
said Jeffrey Michelson, a  
co-chair for the event.  
"I had no idea what to  
expect, but we didn't  
expect this. It was pretty

incredible. Eight months  
ago, we had between  
200 and 250."  
The top three places  
were awarded in three  
categories: Entrée,  
Dessert, and Appetizer.  
Here are the results:  
ENTRÉE: 1 - Lock-

hart Chamber of  
Commerce (Chicken;  
Chicken); 2 - Caldwell  
County (Gator Bites); 3  
- Lockhart ISD Business  
Office (Chicken Fettucini  
Alfredo)  
APPEZIZERS: 1 -  
Greater Caldwell County  
Hispanic Chamber  
of Commerce (Poppin'  
Queso); 2 - Lockhart  
Police Department (Hot

Call Mac n' Cheese);  
3 - Lockhart Downtown  
Business Association  
(Brisket Nachos)  
DESSERT: 1 - Clear  
Fork Elementary (Pe-  
can Pie Cheesecake);  
2 - Lockhart ISD Board  
(Churronitos Rollys);  
3 - Lockhart Knights  
of Columbus (Lemon  
Truffles)

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



### NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

PROPOSED PERMIT NO. WQ0016107001

**APPLICATION.** PHAU - Lockhart 450, LLC, 9000 Gulf Freeway, Houston, Texas 77017, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016107001 (EPA I.D. No. TX144499) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 499,000 gallons per day. The domestic wastewater facility will be located approximately 0.75 miles southeast of the intersection of Clark Loop and State Highway 142, in Caldwell County, Texas 78644. The discharge route will be from the plant site to Clear Fork Plum Creek; thence to Plum Creek. TCEQ received this application on February 2, 2022. The permit application is available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.  
<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=d85bae443f0c468b0dd460f8168250f8&marker=-97.735277&C29.874722&level=12>

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.

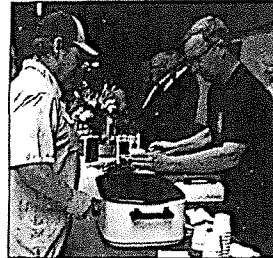
**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cih](https://www.tceq.texas.gov/goto/cih). Search the database using the permit number for this application, which is provided at the top of this notice.

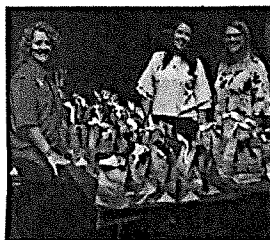
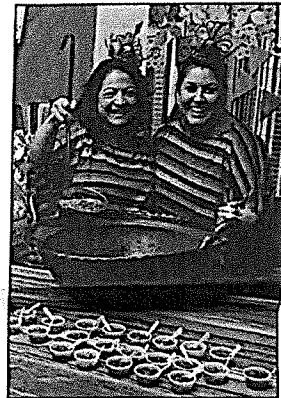
**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/rpic/cComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-109, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](https://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from PHAU - Lockhart 450, LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Issuance Date: March 23, 2022



All photos by Adrian Gutierrez



## SCHOOL From Page 1A

GT teacher. There is also a push for a Bi-Lingual Academic Cohort Leader.

Aside from 118 elementary GT students, there are also 230 GT students at the junior high/high school level in Lockhart.

"We're having to prioritize, but these are priorities we feel we need to get started on," Estrada said.

There will be a public hearing on May 26 for the proposed tax rate.

The board voted

unanimously to extend Estrada's contract for four years.

"The board had all the confidence in the world in Mr. Estrada," Board President Michael Wright said. "We look forward to everything that comes after this."

Estrada replied, "I am extremely proud to be a part of this team."

The only current COVID-19 case listed on the Lockhart ISD Dashboard is from Lockhart Junior High.

## Paul Worrall

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**From:** Tabarrok, Connor <Connor.Tabarrok@kimley-horn.com>  
**Sent:** Tuesday, May 3, 2022 1:12 PM  
**To:** Rachel Ximenez  
**Cc:** PROOFS  
**Subject:** RE: NORI-PHAU-LOCKHART 450 LLC-WQ0016107001  
**Attachments:** Lockhart Permit revised.pdf

Rachel, my apologies, I scanned the wrong side of the tear sheet page. Here is the correct side. Let me know if there's anything else pending.

Thank you!

**Connor J. Tabarrok, EIT | Analyst**  
**Kimley-Horn** | 5301 Southwest Parkway, Building 2, Suite 100 | Austin, Texas 78735  
Direct: 737-400-6986

**From:** Rachel Ximenez <Rachel.Ximenez@Tceq.Texas.Gov>  
**Sent:** Tuesday, May 3, 2022 11:42 AM  
**To:** Tabarrok, Connor <Connor.Tabarrok@kimley-horn.com>  
**Cc:** Clements, Ian <Ian.Clements@kimley-horn.com>  
**Subject:** FW: NORI-PHAU-LOCKHART 450 LLC-WQ0016107001

Good Afternoon,

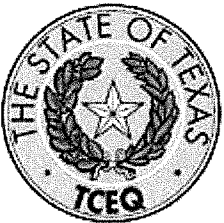
We are still lacking the newspaper tearsheet with date/heading of newspaper, it should match with the Affidavit received.

I attached the email sent on 04/14/2022 for you convivence.

Let me know if you need anything else.

Thank you

**Rachel L Ximenez**  
Notice Team  
Office of the Chief Clerk  
[Rachel.Ximenez@tceq.texas.gov](mailto:Rachel.Ximenez@tceq.texas.gov)



**From:** Rachel Ximenez <[Rachel.Ximenez@Tceq.Texas.Gov](mailto:Rachel.Ximenez@Tceq.Texas.Gov)>  
**Sent:** Thursday, April 14, 2022 11:36 AM



TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

Applicant Name: PHAU – Lockhart 450,  
LLC  
Permit No.: WQ0016107001

**PUBLISHER'S AFFIDAVIT  
FOR WATER QUALITY PERMITS**

STATE OF TEXAS §  
COUNTY OF Caldwell §

Before me, the undersigned authority, on this day personally appeared  
DANA GARRETT who being by me duly sworn, deposes  
(name of person representing newspaper)

and says that (s)he is the Publisher  
(title of person representing newspaper)

of the Lockhart Post-Register; that this newspaper is a newspaper of  
(name of newspaper)

largest circulation in Caldwell County, Texas or is  
(name of county)

a newspaper of general circulation in Lockhart,  
(name of municipality)

Texas; and that the enclosed notice was published in said newspaper on the following  
date(s):

April 7, 2022

[Signature]  
(newspaper representative's signature)

Subscribed and sworn to before me this the 7 day of April,  
2022.

(Seal)

[Signature]  
Notary Public in and for the State of Texas

Terri Garrett  
Print or Type Name of Notary Public

My Commission Expires 02/28/2026



## CCCM FOOD PANTRY GARDENING

## Hard work rewards apparent in community

**By Sue Bussa**  
Our two weeks of Spring temperatures and rain inspired some collaborative energy at the Food Pantry Garden. Back in the winter of February, Texas A&M students had laid cardboard and woodchips in the paths between vegetable rows for weed control. The city had set an electric pole and augured two holes for peach trees while they were at it.

With warmer weather, some new volunteer interest budded, which is always welcome. Cattle tubs were donated for our flower planting to attract pollinators without taking up vegetable-growing space.

The Community Restitution kids moved the growing grass and weeds, shoveled dirt, and planted one of the peach trees.

Volunteers planted seeds of spinach, radish, bok choy (not a favorite on the survey, but so delicious), chives, kale, collards, beets, and cantaloupe (in a raised bed for drainage). The tomato, pepper, and eggplant seedlings had been in the ground a week when the hail hit. They were pretty battered, with some broken branches, but are sprouting anew. The peach trees were unscathed, thankfully. The green onions were harvested despite having their tops torn up.

The accompanying rainstorm made the fire

ant mounds obvious. We drenched them with beneficial nematode solution. Some died, some didn't. We will re-drench, but in the meantime, a new volunteer applied diatomaceous earth quite heavily to the mound areas. We will see what happens.

Last Saturday's workday, we attempted to answer the squash vine borer problem. The moth lays her eggs on your baby squash plants. Upon hatching, the larvae burrow into the stem and eat its way up your plant, killing it, or at least diminishing its yield. So, we draped row cover fabric over our just-sprouted seedlings, with a soaker hose on the row, allowing sun and rain to penetrate, but keeping the moth out! Hopefully, wait and see is the name of our game. —Crisie by 694 N. Medina to see our professional look.

We anticipate putting a refrigerator in the shed for cold water, seed storage, and harvest preservation. The greenhouse will be an October project. Meanwhile, thinning seedlings, weeding, transplanting, garden maintenance and harvesting will keep us busy.

You can join in this productive labor, feeding the food insecure (and yourself), by calling the food pantry at 512-376-6661. We have Saturday workdays for the employed,

but there's much to do during the week also.

As summer approaches, of sweating off calories. there's the added benefit. Don't be shy. You'll look

good in our green T shirt.

## Texas Commission on Environmental Quality



## Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment

## Proposed Limited Scope Amendment to Permit No. 2383

**Application.** 130 Environmental Park, LLC, 5200 N. U.S. Highway 183 (NB), Lockhart, Texas 78644, a waste management company, has applied to the Texas Commission on Environmental Quality (TCEQ) for a limited-scope major permit amendment to authorize expanding the operating hours of the 130 Environmental Park Type I municipal solid waste landfill facility to 24 hours per day, seven days per week. The facility is located at 5200 N. U.S. Highway 183 (NB), Lockhart, Texas 78644, north of FM 1185 between U.S. Highway 183 and Homannville Trail, about two miles north of Lockhart in Caldwell County, Texas. The TCEQ received this application on December 23, 2021. The permit application is available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Caldwell County, Texas 78644, and may be viewed online at <<https://www.biggsandmatthews.com/on-line-documents/permits-v2/category/7-130-environmental-park>>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <<https://arcg.is/1Wrl4G1>>. For exact location, refer to application.

**Additional Notice.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

**Public Comment/Public Meeting.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**Opportunity for a Contested Case Hearing.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**To Request a Contested Case Hearing, You Must Include The Following Items in Your Request:** your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "I/we request a contested case hearing." If the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

**Mailing List.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a Clerk. In addition, you may request to be placed on: (2) the mailing list for a specific specific applicant name and permit number; and/or the county mailing list, clearly specify county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**Information Available Online.** For details about the status of the application, visit the Commission's Integrated Database (CID) at <[www.tceq.texas.gov/gotocid](http://www.tceq.texas.gov/gotocid)>. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

**Agency Contacts and Information.** All public comments and requests must be submitted either electronically at <[www.tceq.texas.gov/epic/eComment/](http://www.tceq.texas.gov/epic/eComment/)> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-1087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program. Toll free, at 800-687-4649 or visit their website at <[www.tceq.texas.gov/gotopub](http://www.tceq.texas.gov/gotopub)>. Si desea información en español, puede llamar al 800-687-4649.

Further information may also be obtained from 130 Environmental Park, LLC at the address stated above or by calling Mr. Brent Ryan, Attorney, at (512) 327-8111.

Issued Date: March 7, 2022



These are gorgeous green onions before they received hail damage at the Food Pantry Garden in Lockhart. Photo by Sue Bussa

## CALDWELL COUNTY MARCH GRAND JURY FINDINGS

Caldwell County District Attorney's Office

Grand Jury

March 13, 2022

DEFENDANT, AGE,

OFFENSE, TOWN

Valentine Castro, 19,

P.O.C.S., Lockhart

Mark Stacy Dean, P35,

O.C.S., Round Rock

Zachary Lee DeLaRosa,

31, P.O.C.S., Lock-

hart

Zachary Lee DeLaRosa,

31, C. 1 - Burglary of a

Building, Lockhart

Steven Mark Sepulveda,

31, C. 1 - Burglary of a

Building, Lockhart

Wesley Red Smith, 23,

P.O.C.S., Austin

Padon Douglas Cook,

24, P.O.C.S., Dale

Clifford Nelson Lockin,

III (AKA: Clifford Nelson

Lockin, III, 27, P.O.C.B.

Dale

Orlando Acuña, Jr.

40, P.O.C.S., Houston

Orlando, 19, P.O.C.S.,

Lockhart

Cory Nelson Campbell,

36, P.O.C.S., Dale

Casey David Hopson,

35, P.O.C.S., Rockdale

Jason Andrew Longoria,

49, Aggravated Assault

with a Deadly Weapon,

San Marcos

Keith Brainerd Monroe,

49, P.O.C.S., Dale

Guadalupe Renteria, III,

49, Driving While Intox-

icated - 3rd or more,

Lockhart

Jacobi Lewis Stovall, Jr.,

37, P.O.C.S., Lockhart

Aura Tormerlin (AKA:

Brittany Turbin), 29,

P.O.C.S., Austin

TCEQ-OFFICE OF THE CHIEF CLERK  
MC-105 Attn: Notice Team  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

Applicant Name: PHAU – Lockhart 450,  
LLC  
Permit No.: WQ0016107001

**ALTERNATIVE LANGUAGE  
PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS §  
COUNTY OF Caldwell §

Before me, the undersigned notary public, on this day personally appeared  
DANA Garrett, who being by me duly sworn, deposes  
(name of person representing newspaper)  
and says that (s)he is the Publisher of the  
(title of person representing newspaper)  
Lockhart Post-Register; that said newspaper is  
(name of newspaper)  
generally circulated in Caldwell County, Texas and  
(same county as proposed facility)  
legal notice  
is published primarily in Spanish language; that the  
(alternative language)

enclosed notice was published in said newspaper on the following date(s):

April 7, 2022

Subscribed and sworn to before me this the 7 day of April,

2022, by [Signature]  
(newspaper representative's signature)

(Seal)

[Signature]  
Notary Public in and for the State of Texas

Terri Garrett  
Print or Type Name of Notary Public

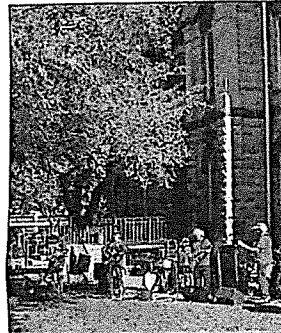
My Commission Expires 02/28/2026



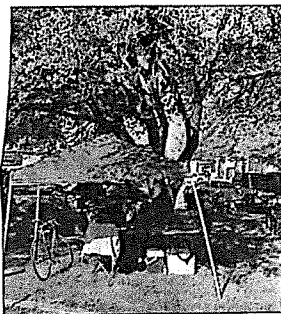




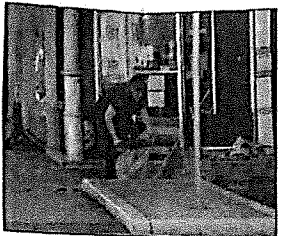
Retired Nurses of Lockhart soil treats on the sidewalk during First Friday festivities.  
All photos by Kyle Mooty



The Fossils not only provided musical entertainment on the courthouse lawn for Saturday's Sip & Stroll in Lockhart, but the group also donated tips and earnings from the event to support aid efforts in Ukraine.



Mary Patsley Hultz, an employee of Loop and Life's Path, poses with the Keep Lockhart Beautiful cleanup prior to last weekend's multiple events.



Christine Orndorff picks up leaves for the Keep Lockhart Beautiful cleanup on March 31.

## Trash Mobs keeping Lockhart beautiful

**KLB** Keep Lockhart Beautiful is known for its Fall Cleanup when students and community members come together to

rid the downtown area of trash. But, given that trash happens on a regular basis, the Keep Lockhart Beautiful group is creating more opportu-

nities for the public to get involved with KLB to clean up our streets and neighborhoods. Last week's "Trash Mob" was the first of

many targeted, quick and spontaneous mini-cleanups. Stay tuned for additional projects and program rollouts coming soon.

### Comisión de Calidad Ambiental del Estado de Texas



#### AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO PROPUESTO NO. WQ0016107001

**SOLICITUD.** PHAU- Lockhart 450, LLC, 9000 Gulf Freeway, Houston, Texas 77017 ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ0016107001 (EPA I.D. No. TX142409) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 499,000 galones por día. La planta está ubicada aproximadamente 0.75 millas al suroeste de la intersección de Clark Loop y State Highway 142, en el Condado de Caldwell, Texas 78644. La ruta de descarga es del sitio de la planta a Clear Fork Plum Creek; de allí a Plum Creek. La TCEQ recibió esta solicitud el 2 de febrero de 2022. La solicitud para el permiso está disponible para leerla y copiarla en Biblioteca Dr. Eugene Clark, 217 South Main Street, Lockhart, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.  
<https://cen.maps.arcgis.com/apps/whatsview/index.html?appid=5bac44afbc4c68bbdd360f8168252&marker=92.73527792C29.8747276&level=17>

**AVISO ADICIONAL.** El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. El aviso de la solicitud y la decisión preliminar serán publicados y enviados a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

**COMENTARIO PUBLICO / REUNION PUBLICA.** Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes, o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

**PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS:** su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información incluida anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y por qué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración a para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a los temas pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.

**LISTA DE CORREO.** Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correo siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envíe por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

**CONTACTOS E INFORMACIÓN A LA AGENCIA.** Todos los comentarios públicos y solicitudes deben ser presentados electrónicamente vía <http://www.tceq.texas.gov/eplc/etcomment/> o por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficina de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro de permisos de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional del PHAU - Lockhart 450, LLC a la dirección indicada arriba o llamando a Sr. Nick McIntyre al 713-948-7841.

Fecha de emisión 23 de marzo de 2022



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Notice of Receipt of Application and Intent to Obtain Permit  
(NORI)  
Water Quality Permit

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All applicants must complete this page.

Applicant Name: PHAU Lockhart 450, LLC

Site or Facility Name: Clear Fork Ranch WWTP

Water Quality Permit Number: WQ0016107001

Regulated Entity Number: RN 11142118 Customer Number: CN 603298068

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication of the NORI until the end of the designated comment period. I further understand that the copy will be updated with any revisions to the application.

Name of Public Place: Dr. Eugene Clark Library

Address of Public Place: 217 South Main Street, Lockhart, Texas 78644

Applicant or Applicant Representative Signature: *[Signature]*, P.E.

Title: Project Engineer Date: 4/7/2022

## Paul Worrall

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**From:** Tabarrok, Connor <Connor.Tabarrok@kimley-horn.com>  
**Sent:** Tuesday, April 12, 2022 11:00 AM  
**To:** PROOFS  
**Cc:** Clements, Ian  
**Subject:** WQ0016107001 - Clear Fork Ranch WWTP - Proof of publication and Public Notice Verification Form  
**Attachments:** Public Notice Verification.pdf; Public Notice Scans.pdf; Publisher's Affidavit.pdf

Hello, please see attached publisher's affidavits and published notices, published Thursday, April 7<sup>th</sup>, 2022, as well as the public notice verification form for WQ0016107001.

Thanks and have a great day!

**Connor J. Tabarrok, EIT** | Analyst  
**Kimley-Horn** | 5301 Southwest Parkway, Building 3, Suite 100 | Austin, Texas 78735  
Direct: 737-400-6986

## WQ STANDARD MAIL LIST

**APPLICANT:**

MR IAN CLEMENTS

KIMLEY-HORN

5301 SOUTHWEST PKWY STE 100

AUSTIN, TX 78735-8986

**Other Applicant Representatives:**

MR NICK MCINTYRE

PHAU-LOCKHART 450 LLC

9000 GULF FWY

HOUSTON, TX 77017-7018

PERMIT #: WQ0016107001

BASIN:

REGION: 11

COUNTY: CALDWELL

PERMITTEE:

PHAU-LOCKHART 450 LLC

TO BE PUBLISHED BY:

MR IAN CLEMENTS

DATE NOTICE MAILED: 04/01/2022

CCO #: 127239

NOTICE TECH INITIALS: KIMOORE

EVELYN ROSBOROUGH  
USEPA REGION 6  
1445 ROSS AVE STE 1200  
MAIL CODE 6WQ  
DALLAS TX 75202-2733  
[rosborough.evelyn@epa.gov](mailto:rosborough.evelyn@epa.gov)

(Rosborough only gets notices with TPDES language.)

CYRUS REED PHD  
LONE STAR CHAPTER SIERRA CLUB  
PO BOX 4998  
AUSTIN TX 78765  
[cyrus.reed@sierraclub.org](mailto:cyrus.reed@sierraclub.org)

MYRON J HESS  
1705 MARGARET ST  
AUSTIN TX 78704  
[myron@myronhess.com](mailto:myron@myronhess.com)

ANNIE SCHMITT  
NATIONAL WILDLIFE FEDERATION  
505 E HUNTLAND DR STE 485  
AUSTIN TX 78752  
[schmitta@nwf.org](mailto:schmitta@nwf.org)

ANNE ROGERS  
COASTAL FISHERIES DIVISION - FPP  
TEXAS PARKS AND WILDLIFE  
INTERAGENCY MAIL  
[wqnotice@tpwd.state.tx.us](mailto:wqnotice@tpwd.state.tx.us)

SARA THORNTON  
LLOYD GOSSELINK ROCHELLE & TOWNSEND  
816 CONGRESS AVE STE 1900  
AUSTIN TX 78701  
[sthornton@lglawfirm.com](mailto:sthornton@lglawfirm.com)

RAILROAD COMMISSION OF TEXAS  
TECHNICAL PERMITTING, ENVIRONMENTAL SUPPORT  
INTERAGENCY MAIL

DONNA MCCARVER  
ARCHEOLOGY DIVISION  
TEXAS HISTORICAL COMMISSION  
INTERAGENCY MAIL  
[donna.mccarver@thc.texas.gov](mailto:donna.mccarver@thc.texas.gov)

NICHOLE SAUNDERS  
ENVIRONMENTAL DEFENSE FUND  
5400 MUSKET RDG  
AUSTIN, TX 78759  
[nsaunders@edf.org](mailto:nsaunders@edf.org)

DAVID T VILLARREAL PH.D.  
ENVIRONMENTAL QUALITY PROGRAM  
TEXAS DEPARTMENT OF AGRICULTURE  
INTERAGENCY MAIL

HEIDI BOJES PH.D.  
TEXAS DEPARTMENT OF STATE HEALTH SERVICES  
INTERAGENCY MAIL  
[heidi.bojes@dshs.state.tx.us](mailto:heidi.bojes@dshs.state.tx.us)  
(Bojes gets IHW, MSW, and WQ notices.)

KATE ZULTNER  
GRANT PROGRAM AND SUPPORT DIVISION  
COASTAL RESOURCES PROGRAM  
TEXAS GENERAL LAND OFFICE  
INTERAGENCY MAIL  
[federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov)  
(Zultner only gets notices with CMP language.)

MICHAEL BOOTH  
5701 W SLAUGHTER A130-404  
AUSTIN TX 78749

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

**PROPOSED PERMIT NO. WQ0016107001**

**APPLICATION.** PHAU – Lockhart 450, LLC, 9000 Gulf Freeway, Houston, Texas 77017, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016107001 (EPA I.D. No. TX142409) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 499,000 gallons per day. The domestic wastewater facility will be located approximately 0.75 miles southeast of the intersection of Clark Loop and State Highway 142, in Caldwell County, Texas 78644. The discharge route will be from the plant site to Clear Fork Plum Creek; thence to Plum Creek. TCEQ received this application on February 2, 2022. The permit application is available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.735277%2C29.874722&level=12>

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide**

**instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from PHAU – Lockhart 450, LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Issuance Date: March 23, 2022

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 23, 2022

Mr. Ian Clements, P.E.  
Kimley-Horn  
5301 Southwest Parkway, Suite 100, Building 3  
Austin, Texas 78735

RE: Declaration of Administrative Completeness  
Applicant Name: PHAU - Lockhart, 450 LLC (CN603298068)  
Permit No.: WQ0016107001 (EPA I.D. No. TX0142409)  
Site Name: Clear Fork Ranch WWTP (RN111427118)  
Type of Application: New

Dear Mr. Clements:

The executive director has declared the above referenced application, received on February 2, 2022, administratively complete on March 23, 2022.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Public Notice Verification Form
- Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.



Declaration of Administrative Completeness

Page 2

March 23, 2022

3. For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended, or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of Legal Services at (512) 239-0600. If you have any questions regarding the content of the notice, please contact Ms. Leah Whallon at (512) 239-0084.

Sincerely,



Erika Crespo, Assistant Deputy Director  
Water Quality Division

EC/lcw

Enclosures

**Texas Commission on Environmental Quality**  
**Instructions for Public Notice for a Water Quality Permit**  
**Notice of Receipt of Application and Intent to Obtain Permit (NORI)**

Your application has been declared administratively complete. You must comply with the following instructions. There are seven (7) steps involved in publishing notice. Complete each step.

**1. REVIEW THE NOTICE FOR ACCURACY**

**Read the enclosed notice carefully and notify the Application Review and Processing Team at 512-239-4671 immediately if it contains any errors or omissions.** You are responsible for ensuring the accuracy of all information published. Do not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ. Changing the text or formatting of the notice may require new publication at your expense and delay processing of your application.

**2. PUBLISH THE NOTICE IN THE NEWSPAPER**

**You must publish the enclosed notice within 30 days after the date of administrative completeness.** Refer to the cover letter for the date of administrative completeness.

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., bold, italics). Failure to do so may require re-notice.

**3. PUBLISH THE NOTICE IN AN ALTERNATIVE LANGUAGE**

**You must publish notice in an alternative language IF:** either the elementary or middle school nearest to the facility or proposed facility is required to provide a "bilingual education program" (BEP) as required by Texas Education Code (TEC), Chapter 29, Subchapter B, and 19 Tex. Admin. Code §89.1205(a) AND one of the following conditions is met:

- students are enrolled in a program at that school;
- students from that school attend a bilingual education program at another location; or
- the school that otherwise would be required to provide a bilingual education program has been granted an exception from the requirements to provide the program as provided for in 19 Tex. Admin. Code §89.1207(a).

A "bilingual education program" is different from an "English as a second language program" (ESL). An ESL program alone, will not require public notice in an alternative language.

If triggered, you must publish the notice in a newspaper or publication primarily published in the alternative language taught in the bilingual education program. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements. The newspaper or publication must be of general circulation in the county in which the facility and discharge point are located or proposed to be located. If the facility and discharge point are located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. You have the burden to demonstrate compliance with these requirements.

If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. The Spanish templates are available on the TCEQ website at

[http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish\\_nori.html](http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish_nori.html). If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

#### **4. PUT THE APPLICATION IN A PUBLIC PLACE**

**You must put a copy of the administratively complete application in the public place identified in the enclosed notice.**

This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place for the publication's designated comment period.

During the technical review, you must update the publicly available application so that it includes all application revisions within 10 business days from the date the revision is transmitted to the TCEQ.

For confidential information contained in the application, you must indicate which specific portions of the application cannot be made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

#### **5. PROVIDE PROOF OF PUBLICATION**

**For each newspaper in which you published, you must submit proof of publication. Proof of publication must include the following:**

- a completed Publisher's Affidavit (enclosed); and
- a copy of the published notice which shows the notice, the date published, and the newspaper name. The copy must be on standard-size 8½ x 11" paper and must show the actual size of the published notice. Do not reduce the

image when making copies. Published notices longer than 11" must be copied onto multiple 8½ x 11" pages. Or you can submit the original newspaper clipping.

**If you are required to publish notice in an alternative language and are unable to do so, complete and submit the Alternative Language Exemption form (enclosed).**

**6. PROVIDE PROOF OF APPLICATION VIEWING LOCATION**

**You must submit a completed Public Notice Verification Form (enclosed) which certifies that the administratively complete application was placed at the public place identified in the enclosed notice.**

**7. SUBMIT PROOFS TO TCEQ**

**The proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) must be submitted to TCEQ within 30 days of publication.**

By email to: [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov)

OR by mail at:

TCEQ

Office of the Chief Clerk, MC 105

Attn: Notice Team

P.O. Box 13087

Austin, Texas 78711-3087

NOTE: If proofs are submitted by email, you do not have to mail in the original documents.

**Additional Information**

**If you fail to publish the notice or submit proofs within the timeframes noted above, the TCEQ may suspend further processing on your application or take other actions in accordance with 30 Tex. Admin. Code §39.405(a).**

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the Wastewater Permitting Section at 512-239-4671. When contacting TCEQ regarding this application, please refer to the permit number at the top of the enclosed notice.

If you wish to obtain an electronic copy of the notice, please visit our web site at [http://www.tceq.texas.gov/agency/cc/cc\\_db.html](http://www.tceq.texas.gov/agency/cc/cc_db.html) or <http://www.tceq.texas.gov/agency/cc/eda.html>. Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

---

**All applicants must complete this page.**

Applicant Name:

Site or Facility Name:

Water Quality Permit Number:

Regulated Entity Number: RN  Customer Number: CN

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication of the NORI until the end of the designated comment period. I further understand that the copy will be updated with any revisions to the application.

Name of Public Place:

Address of Public Place:

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

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Complete this page only if you are required to publish in an alternative language and are not able to do so.

Applicant Name: [REDACTED]

Site or Facility Name: [REDACTED]

Water Quality Permit Number: [REDACTED]

Regulated Entity Number: RN [REDACTED] Customer Number: CN [REDACTED]

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**ALTERNATIVE LANGUAGE EXEMPTION**

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I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- ☐ A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- ☐ The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

Newspaper Name: [REDACTED]

Language: [REDACTED]

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Name: PHAU – Lockhart 450, LLC  
Permit No.: WQ0016107001

[illegible]

00065

Applicant Name: PHAU – Lockhart 450, LLC  
Permit No.: WQ0016107001

STATE OF TEXAS                               §  
COUNTY OF \_\_\_\_\_ §

00066



# Comisión de Calidad Ambiental del Estado de Texas



## AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO PROPUESTO NO. WQoo\_\_\_\_\_

**SOLICITUD.** \_\_\_\_\_ *[Applicant's name and address]* ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQoo\_\_\_\_\_ (EPA I.D. No. TX \_\_\_\_\_) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de \_\_\_\_\_ *[daily average flow in gallons per day]* galones por día. La planta está ubicada \_\_\_\_\_ *[plant site location]* en el Condado de \_\_\_\_\_ *[County]*, Texas. La ruta de descarga es del sitio de la planta a \_\_\_\_\_ *[description of the discharge route]*. La TCEQ recibió esta solicitud el \_\_\_\_\_ *[date application received by TCEQ]*. La solicitud para el permiso está disponible para leerla y copiarla en \_\_\_\_\_ *[street address of public place where application is available in the county]*. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.  
[Insert web link from English notice]

*[Include the following non-italicized sentence if the facility is located in the Coastal Management Program boundary. The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of México as depicted on the map in 31 TAC §503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson y Orange.]* El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes del CMP.

**AVISO ADICIONAL.** El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

**COMENTARIO PUBLICO / REUNION PUBLICA.** Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud.** Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

**PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS:** su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.

**LISTA DE CORREO.** Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la

solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

**CONTACTOS E INFORMACIÓN A LA AGENCIA.** Todos los comentarios públicos y solicitudes deben ser presentadas electrónicamente vía

**<http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficial de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087.** Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional del \_\_\_\_\_ [name of applicant] a la dirección indicada arriba o llamando a \_\_\_\_\_ [name of applicant's representative] al \_\_\_\_\_ [applicant's telephone number].

Fecha de emisión \_\_\_\_\_ [Date notice issued]

PROPERTY ID: 1  
VOGEL EDGAR L & JUNE  
1528 TWIN ISLAND DR  
LOCKHART, TX, 78644-3808

PROPERTY ID: 2  
GLENVOIR FARM & GAMBLE  
WILLIAM  
9103 FIRE WATER  
SAN ANTONIO, TX, 78255-2142

PROPERTY ID: 3  
WALKER DENNIS R & SHALAINA T  
3575 BORCHERT LOOP  
LOCKHART, TX, 78644-4826

PROPERTY ID: 4  
BURKEEN JEFF LEE & ROSANA S  
606 BARABARA DR  
SAN MARCOS, TX, 78666-7902

PROPERTY ID: 5  
MARTINEZ ISMAEL RENTERIA &  
BAUTISTA CATALIND GORRUSQUIE  
11716 MORNING VIEW  
DEL VALLE, TX, 78617-3628

PROPERTY ID: 6  
GONZALEZ MARK JAMES  
127 ARMAMENT LN  
SAN MARCOS, TX, 78666-2019

PROPERTY ID: 7  
MENN DIANA (ATCHISON)  
2028 KAISER DR  
AUSTIN, TX, 78748-3409

PROPERTY ID: 8  
CLARK WILLIAM R & ANNE J  
1212 W LIVE OAK ST  
LOCKHART, TX, 78644-2906

PROPERTY ID: 9  
KING LISA KAY JOLLEY  
6125 JANEY DR  
AUSTIN, TX, 78757-4435

PROPERTY ID: 10  
CARDENAS JOSE ALBERTO &  
CARMEN  
5521 HWY 142  
LOCKHART, TX, 78644

PROPERTY ID: 11  
WILLENBERG KENNETH D  
2810 W SAN ANTONIO ST  
LOCKHART, TX, 78644-3309

PROPERTY ID: 12  
SCHROEDER KYLE R &  
SCHROEDER RUDOLPH E  
2742 FM 1322  
LOCKHART, TX, 78644-4078

PROPERTY ID: 13  
CHEEK JAY S & BRENDA A  
2814 BORCHERT LOOP  
LOCKHART, TX 78644-4823

PROPERTY ID: 14  
LUCIO JOHN A & SYLVIA  
2770 BORCHERT LOOP  
LOCKHART, TX 78644-4823

PROPERTY ID: 15  
SCHNAUTZ KEVIN DWANE  
PO BOX 2727  
KYLE, TX 78640-2727

PROPERTY ID: 16  
HOLM HOLLIE M & BAKER LAURA A  
PO BOX 3593  
AUSTIN, TX 78764

PROPERTY ID: 17  
SCHNAUTZ DOUGLAS L & SARAH  
LOUISE (TILL)  
7252 CAMINO REAL  
MAXWELL, TX 78656-9634

PROPERTY ID: 18  
GARRETT DANA K  
1893 BORCHERT LOOP  
LOCKHART, TX 78644-4800

THE HONORABLE JUDITH ZAFFIRINI  
TEXAS SENATE  
DISTRICT 21 ROOM 1E.14  
TEXAS STATE CAPITOL  
Judith.zaffirini@senate.texas.gov

THE HONORABLE JOHN CYRIER  
TEXAS HOUSE OF REPRESENTATIVES  
DISTRICT ROOM E2.310  
TEXAS STATE CAPITOL  
John.Cyrier@house.texas.gov

CITY OF LOCKHART  
HEALTH OFFICIAL  
PO BOX 239  
LOCKHART TX 78644-0239

CITY OF LOCKHART  
MAYOR  
PO BOX 239  
LOCKHART TX 78644-0239

*city*

CALDWELL COUNTY JUDGE  
110 S MAIN ST  
LOCKHART TX 78644-2701

CAPITAL AREA COUNCIL OF GOVERN  
6800 BURLESON RD STE 165  
AUSTIN TX 78744-2325

GUADALUPE-BLANCO RIVER AUTHORI  
933 E COURT ST  
SEGUIN TX 78155-5819

PUBLIC HEALTH REGION 7  
TEXAS DEPARTMENT OF STATE HEAL  
2408 S 37TH ST  
TEMPLE TX 76504-7168

US ARMY CORPS OF ENGINEERS REG  
CESWS-PER-R  
PO BOX 17300  
FORT WORTH TX 76102-0300

FIELD SUPERVISOR  
US FISH & WILDLIFE SERVICE  
10711 BURNET RD STE 200  
AUSTIN TX 78758-4460

J FREDERIC BELL  
PLUM CREEK CONSERVATION DISTRI  
PO BOX 328  
LOCKHART TX 78644-0328

JOHN T DUPNIK GENERAL MANAG  
BARTON SPRINGS-EDWARDS AQUIFER  
STE A  
1124 REGAL ROW  
AUSTIN TX 78748-3701

JOHNIE HALLIBURTON MANAGER  
PLUM CREEK CONSERVATION DISTRI  
PO BOX 328  
LOCKHART TX 78644-0328

JAMES OWEN SANITATION  
CALDWELL COUNTY HEALTH AUTHORI  
1ST FL  
405 E MARKET ST  
LOCKHART TX 78644-2872

ROLAND RUIZ GENERAL MANGER  
EDWARDS AQUIFER AUTHORITY  
900 E QUINCY ST  
SAN ANTONIO TX 78215-1440

GREG SENGLMANN GENERAL MA  
GONZALES COUNTY UNDERGROUND WA  
PO BOX 1919  
GONZALES TX 78629-1419

*county*

TOM BOHL GENERAL COUNSEL  
GUADALUPE BLANCO RIVER AUTHORITY  
933 E COURT ST  
SEGUIN TX 78155-5819

DAVID J DAVENPORT GEN MGR  
CANYON REGIONAL WATER AUTHORITY  
850 LAKESIDE PASS  
NEW BRAUNFELS TX 78130-8282

JOHNIE HALLIBURTON  
PLUM CREEK CONSERVATION DISTRICT  
PO BOX 328  
LOCKHART TX 78644-0328

THE HONORABLE DANIEL R HEIDEMAN  
MAYOR OF UHLAND  
15 N OLD SPANISH TRL  
UHLAND TX 78640-9338

LORAIN HOANE  
4920 N INTERSTATE 35  
AUSTIN TX 78751-2716

JOHN HOHN  
HOHN & JANSSEN  
110 E SAN ANTONIO ST  
SAN MARCOS TX 78666-5509

PATRICK LACKEY  
TRIHEDRO CORPORATION  
STE C  
1011 W COUNTY LINE RD  
NEW BRAUNFELS TX 78130-8339

SUSAN MECKEL  
LOWER COLORADO RIVER AUTHORITY  
L106  
PO BOX 220  
AUSTIN TX 78767-0220

LOUIS T ROSENBERG  
LAW OFFICE OF LOUIS T ROSENBERG PC  
1024 C ST  
FLORESVILLE TX 78114-2224

SALLIE ANN SATAGAJ  
715 GRAPEVINE TRL  
LOCKHART TX 78644-4540

STEVEN SMELTZER  
ALAMO AREA COUNCIL OF GOVERNMENTS  
STE 110  
2700 NE LOOP 410  
SAN ANTONIO TX 78217-4840

STEVEN SMELTZER  
ALAMO AREA COUNCIL OF GOVERNMENTS  
STE 160  
8700 TESORO DR  
SAN ANTONIO TX 78217-6208

*2 0016167001*

*1P/PROT*

00072  
*03/30/2022*

bcc: TCEQ Region 11, Water Program Manager

## Leah Whallon

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**From:** Leah Whallon  
**Sent:** Wednesday, March 23, 2022 4:55 PM  
**To:** Clements, Ian  
**Cc:** nick.mcintyre@perryhomes.com  
**Subject:** Notice Information for Permit No. WQ0016107001 PHAU - Lockhart 450 LLC  
**Attachments:** WQ0016107001 Letter.pdf; 20244-NORI INSTRUCTIONS3-2021.docx; WQ0016107001 NORI.docx; WQ0016107001 Affidavits.docx; 20244-NORI PNV Form5-2017.docx; Municipal Discharge New Spanish NORI.docx

Good Afternoon,

Permit No. WQ0016107001

Applicants are required to publish the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit within 30 days of the application being declared administratively complete.

Attached is:

- ☐ Letter of Declaration of Administrative Completeness
- ☐ Instructions of Public Notice
- ☐ Notice of Receipt of Application and Intent to Obtain a Water Quality Permit
- ☐ Affidavit of Publication
- ☐ Public Notice Verification Form
- ☐ Template for Notice of Receipt of Application and Intent to Obtain a Water Quality Permit in Spanish Language

The original documents will be sent by the Office of the Chief Clerk via regular mail.

Please let me know if you have any questions.

Thank you,



**Leah Whallon**  
Texas Commission on Environmental Quality  
Water Quality Division  
Application Review & Processing Team  
☎: 512-239-0084  
✉: [leah.whallon@tceq.texas.gov](mailto:leah.whallon@tceq.texas.gov)

How is our customer service? Fill out our online customer satisfaction survey at [www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)



Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 23, 2022

Mr. Ian Clements, P.E.  
Kimley-Horn  
5301 Southwest Parkway, Suite 100, Building 3  
Austin, Texas 78735

RE: Declaration of Administrative Completeness  
Applicant Name: PHAU - Lockhart, 450 LLC (CN603298068)  
Permit No.: WQ0016107001 (EPA I.D. No. TX0142409)  
Site Name: Clear Fork Ranch WWTP (RN111427118)  
Type of Application: New

Dear Mr. Clements:

The executive director has declared the above referenced application, received on February 2, 2022, administratively complete on March 23, 2022.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Public Notice Verification Form
- Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.

March 23, 2022

3. For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended, or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of Legal Services at (512) 239-0600. If you have any questions regarding the content of the notice, please contact Ms. Leah Whallon at (512) 239-0084.

Sincerely,



Erika Crespo, Assistant Deputy Director  
Water Quality Division

EC/lcw

Enclosures

bcc: TCEQ Region 11, Water Program Manager

**Texas Commission on Environmental Quality**  
**Instructions for Public Notice for a Water Quality Permit**  
**Notice of Receipt of Application and Intent to Obtain Permit (NORI)**

Your application has been declared administratively complete. You must comply with the following instructions. There are seven (7) steps involved in publishing notice. Complete each step.

**1. REVIEW THE NOTICE FOR ACCURACY**

**Read the enclosed notice carefully and notify the Application Review and Processing Team at 512-239-4671 immediately if it contains any errors or omissions.** You are responsible for ensuring the accuracy of all information published. Do not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ. Changing the text or formatting of the notice may require new publication at your expense and delay processing of your application.

**2. PUBLISH THE NOTICE IN THE NEWSPAPER**

**You must publish the enclosed notice within 30 days after the date of administrative completeness.** Refer to the cover letter for the date of administrative completeness.

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., bold, italics). Failure to do so may require re-notice.

**3. PUBLISH THE NOTICE IN AN ALTERNATIVE LANGUAGE**

**You must publish notice in an alternative language IF:** either the elementary or middle school nearest to the facility or proposed facility is required to provide a “bilingual education program” (BEP) as required by Texas Education Code (TEC), Chapter 29, Subchapter B, and 19 Tex. Admin. Code §89.1205(a) AND one of the following conditions is met:

- students are enrolled in a program at that school;
- students from that school attend a bilingual education program at another location; or
- the school that otherwise would be required to provide a bilingual education program has been granted an exception from the requirements to provide the program as provided for in 19 Tex. Admin. Code §89.1207(a).

A “bilingual education program” is different from an “English as a second language program” (ESL). An ESL program alone, will not require public notice in an alternative language.

If triggered, you must publish the notice in a newspaper or publication primarily published in the alternative language taught in the bilingual education program. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements. The newspaper or publication must be of general circulation in the county in which the facility and discharge point are located or proposed to be located. If the facility and discharge point are located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. You have the burden to demonstrate compliance with these requirements.

If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. The Spanish templates are available on the TCEQ website at

[http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish\\_nori.html](http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish_nori.html). If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

#### **4. PUT THE APPLICATION IN A PUBLIC PLACE**

**You must put a copy of the administratively complete application in the public place identified in the enclosed notice.**

This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place for the publication's designated comment period.

During the technical review, you must update the publicly available application so that it includes all application revisions within 10 business days from the date the revision is transmitted to the TCEQ.

For confidential information contained in the application, you must indicate which specific portions of the application cannot be made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

#### **5. PROVIDE PROOF OF PUBLICATION**

**For each newspaper in which you published, you must submit proof of publication.** Proof of publication must include the following:

- a completed Publisher's Affidavit (enclosed); and
- a copy of the published notice which shows the notice, the date published, and the newspaper name. The copy must be on standard-size 8½ x 11" paper and must show the actual size of the published notice. Do not reduce the

image when making copies. Published notices longer than 11" must be copied onto multiple 8½ x 11" pages. Or you can submit the original newspaper clipping.

**If you are required to publish notice in an alternative language and are unable to do so, complete and submit the Alternative Language Exemption form (enclosed).**

**6. PROVIDE PROOF OF APPLICATION VIEWING LOCATION**

**You must submit a completed Public Notice Verification Form (enclosed) which certifies that the administratively complete application was placed at the public place identified in the enclosed notice.**

**7. SUBMIT PROOFS TO TCEQ**

**The proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) must be submitted to TCEQ within 30 days of publication.**

By email to: [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov)

OR by mail at:

TCEQ

Office of the Chief Clerk, MC 105

Attn: Notice Team

P.O. Box 13087

Austin, Texas 78711-3087

NOTE: If proofs are submitted by email, you do not have to mail in the original documents.

**Additional Information**

**If you fail to publish the notice or submit proofs within the timeframes noted above, the TCEQ may suspend further processing on your application or take other actions in accordance with 30 Tex. Admin. Code §39.405(a).**

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the Wastewater Permitting Section at 512-239-4671. When contacting TCEQ regarding this application, please refer to the permit number at the top of the enclosed notice.

If you wish to obtain an electronic copy of the notice, please visit our web site at [http://www.tceq.texas.gov/agency/cc/cc\\_db.html](http://www.tceq.texas.gov/agency/cc/cc_db.html) or <http://www.tceq.texas.gov/agency/cc/eda.html>. Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

**PROPOSED PERMIT NO. WQ0016107001**

**APPLICATION.** PHAU – Lockhart 450, LLC, 9000 Gulf Freeway, Houston, Texas 77017, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016107001 (EPA I.D. No. TX142409) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 499,000 gallons per day. The domestic wastewater facility will be located approximately 0.75 miles southeast of the intersection of Clark Loop and State Highway 142, in Caldwell County, Texas 78644. The discharge route will be from the plant site to Clear Fork Plum Creek; thence to Plum Creek. TCEQ received this application on February 2, 2022. The permit application is available for viewing and copying at Dr. Eugene Clark Library, 217 South Main Street, Lockhart, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36of816825of&marker=-97.735277%2C29.874722&level=12>

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide**

**instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.



Further information may also be obtained from PHAU – Lockhart 450, LLC at the address stated above or by calling Mr. Nick McIntyre at 713-948-7841.

Issuance Date: March 23, 2022



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

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**All applicants must complete this page.**

Applicant Name: [REDACTED]

Site or Facility Name: [REDACTED]

Water Quality Permit Number: [REDACTED]

Regulated Entity Number: RN [REDACTED] Customer Number: CN [REDACTED]

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication of the NORI until the end of the designated comment period. I further understand that the copy will be updated with any revisions to the application.

Name of Public Place: [REDACTED]

Address of Public Place: [REDACTED]

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

**Complete this page only if you are required to publish in an alternative language and are not able to do so.**

Applicant Name: \_\_\_\_\_

Site or Facility Name: \_\_\_\_\_

Water Quality Permit Number: \_\_\_\_\_

Regulated Entity Number: RN \_\_\_\_\_ Customer Number: CN \_\_\_\_\_

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**ALTERNATIVE LANGUAGE EXEMPTION**

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I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- ☐ A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- ☐ The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

Newspaper Name: \_\_\_\_\_

Language: \_\_\_\_\_

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Name: PHAU – Lockhart 450, LLC  
Permit No.: WQ0016107001

**STATE OF TEXAS** §  
**COUNTY OF \_\_\_\_\_** §

*(newspaper representative's signature)*

(Seal)

My Commission Expires \_\_\_\_\_

Applicant Name: PHAU – Lockhart 450, LLC  
Permit No.: WQ0016107001

**STATE OF TEXAS** §  
**COUNTY OF \_\_\_\_\_** §

00087

# Comisión de Calidad Ambiental del Estado de Texas



## AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO PROPUESTO NO. WQoo \_\_\_\_\_

**SOLICITUD.** \_\_\_\_\_ *[Applicant's name and address]* ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQoo \_\_\_\_\_ (EPA I.D. No. TX \_\_\_\_\_) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de \_\_\_\_\_ *[daily average flow in gallons per day]* galones por día. La planta está ubicada \_\_\_\_\_ *[plant site location]* en el Condado de \_\_\_\_\_ *[County]*, Texas. La ruta de descarga es del sitio de la planta a \_\_\_\_\_ *[description of the discharge route]*. La TCEQ recibió esta solicitud el \_\_\_\_\_ *[date application received by TCEQ]*. La solicitud para el permiso está disponible para leerla y copiarla en \_\_\_\_\_ *[street address of public place where application is available in the county]*. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.  
[Insert web link from English notice]

*[Include the following non-italicized sentence if the facility is located in the Coastal Management Program boundary. The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of México as depicted on the map in 31 TAC §503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson y Orange.]* El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes del CMP.

**AVISO ADICIONAL.** El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

**COMENTARIO PUBLICO / REUNION PUBLICA.** Usted puede presentar **comentarios públicos o pedir una reunión pública sobre esta solicitud.** El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

**PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS:** su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.

**LISTA DE CORREO.** Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la

solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envíe por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

**CONTACTOS E INFORMACIÓN A LA AGENCIA. Todos los comentarios públicos y solicitudes deben ser presentadas electrónicamente vía**

**<http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficial de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087.** Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional del \_\_\_\_\_ *[name of applicant]* a la dirección indicada arriba o llamando a \_\_\_\_\_ *[name of applicant's representative]* al \_\_\_\_\_ *[applicant's telephone number]*.

Fecha de emisión \_\_\_\_\_ *[Date notice issued]*