

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER

concerning the application by The Oasis of Texas LP, for new TPDES Permit No. WQ0016436001; TCEQ Docket No. 2025-0079-MWD.

On March 13, 2025, the Texas Commission on Environmental Quality (Commission) considered during its open meeting requests for hearing concerning the application by The Oasis of Texas LP, (Applicant) for new TPDES Permit No. WQ0016436001. The application seeks authorization to discharge treated domestic wastewater at a daily average flow not to exceed 50,000 gallons per day (gpd). The wastewater treatment facility will be located at 14625 U.S. Highway 59 North in Polk County, Texas 75960.

The requests for hearing were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Tex. Admin. Code Chapter 55. The Commission also considered the responses to the requests for hearing filed by the Executive Director, the Office of Public Interest Counsel, and the Applicant; replies; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that Robert Miller is an affected person and granted his request for hearing. The Commission determined that the remaining hearing requests be denied.

The Commission next determined whether the granted requests for hearing raised disputed issues of fact or mixed questions of fact and law that were raised by an affected person during the comment period, and that are relevant and material to the decision on the application. The Commission

determined that the following issues met those requirements and directed that they be referred to the State Office of Administrative Hearings (SOAH) for a contested case hearing with a concurrent referral to the Commission's Alternative Dispute Resolution Program: 1) Whether the proposed discharge route is properly characterized in the application and will function properly as an operational feature of the facility; and 2) Whether the draft permit is protective of water quality in accordance with the Texas Surface Water Quality Standards, 30 Tex. Admin. Code Chapter 307. Finally, the Commission specified that the maximum duration of the contested case hearing shall be 180 days from the date of the preliminary hearing until the proposal for decision is issued by SOAH and that the matter be referred to the TCEQ's Alternative Dispute Resolution Program, concurrently with SOAH preliminary hearing scheduling.

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

- 1) The hearing request of Robert Miller is hereby GRANTED;
- 2) The remaining hearing requests are hereby DENIED;
- 3) The following issues are referred to SOAH for a contested case hearing on the application, with a concurrent referral to the Commission's Alternative Dispute Resolution Program:
 - A) Whether the proposed discharge route is properly characterized in the application and will function properly as an operational feature of the facility; and
 - B) Whether the draft permit is protective of water quality in accordance with the Texas Surface Water Quality Standards, 30 Tex. Admin. Code Chapter 307;
- 4) All issues not identified as being referred to SOAH in Ordering Provision No. 3 are hereby DENIED;
- 5) The maximum duration of the hearing is set at 180 days from the date of the preliminary hearing until the date the proposal for decision is issued by SOAH; and
- 6) If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Brooke J. Pay
For the Commission

3/18/25
Date Signed