

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **AN INTERIM ORDER**

concerning the application by OurCalling, Inc., for new TPDES Permit No. WQ0016272001; TCEQ Docket No. 2025-0081-MWD.

On April 3, 2025, the Texas Commission on Environmental Quality (Commission) considered during its open meeting several requests for a contested case hearing concerning the application by OurCalling, Inc., (Applicant) for new TPDES Permit No. WQ0016272001. The application seeks authorization to discharge treated domestic wastewater at a daily average flow not to exceed 90,000 gallons per day (gpd) in the final phase. The wastewater treatment facility will be located at 231 Wickliffe Road, Ellis County, Texas.

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 and the Office of Public Interest Counsel; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that Ellis County is an affected person and granted its request for hearing. The Commission denied the remaining hearing requests.

The Commission next determined whether the granted request 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 meet 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: A) Whether the draft permit is protective of water quality, including the protection of the receiving waters, in accordance with applicable regulations including the Texas Surface Water Quality Standards; B) Whether the draft permit complies with applicable antidegradation requirements; C) Whether the draft permit contains sufficient provisions to ensure the facility will be operated and maintained by sewage plant operators with the expertise required by Commission rules; and D) Whether the Application is substantially complete and accurate and provides sufficient notice in accordance with applicable notice requirements.

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.

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

- 1) The hearing request of Ellis County is hereby GRANTED;
- 2) All 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:

Issue A - Whether the draft permit is protective of water quality, including the protection of the receiving waters, in accordance with applicable regulations including the Texas Surface Water Quality Standards;

Issue B - Whether the draft permit complies with applicable antidegradation requirements;

Issue C – Whether the draft permit contains sufficient provisions to ensure the facility will be operated and maintained by sewage plant operators with the expertise required by Commission rules; and

Issue D - Whether the Application is substantially complete and accurate and provides sufficient notice in accordance with applicable notice requirements.

- 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. Paup  
For the Commission

4/8/25  
Date Signed