

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **AN INTERIM ORDER**

concerning the application by Blizexas, LLC for new TCEQ Permit No. WQ0016111001; TCEQ Docket No. 2025-0543-MWD.

On August 6, 2025, the Texas Commission on Environmental Quality (Commission) considered during its open meeting several requests for hearing and reconsideration concerning the application by Blizexas, LLC (Applicant) for new TCEQ Permit No. WQ0016111001 to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 12,000 gallons per day via subsurface drip irrigation system with a minimum area of 2.75 acres of public access land. The wastewater treatment facility and disposal site will be located approximately 0.25 of a mile east of the intersection of Crumley Ranch Road and Fitzhugh Road, in Hays County, Texas 78737.

The requests for hearing and reconsideration were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code (TAC) Chapter 55. The Commission also considered the responses to the requests for hearing and reconsideration filed by the Executive Director, the Office of Public Interest Counsel, and the Applicant; the timely replies by Shield Ranch, Kevin Fleming, the City of Austin, Save Our Springs Alliance, Fitzhugh Neighbors, and Greater Edwards Aquifer Alliance; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that the Greater Edwards Aquifer Alliance, Fitzhugh Neighbors, Save Our Springs Alliance, Hays Trinity

Groundwater Conservation District, Kevin Fleming, Susan Munns, Carrie and Vic Napiorkowski, Shield Ranch, Richard and Tracey Sorenson, and Steve Warntjes are affected persons and granted their requests for hearing. The Commission denied all remaining hearing requests and requests for reconsideration.

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 the 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 contested case hearing:

- A) Whether the draft permit will be protective of the health of requestors and their families, livestock, and wildlife;
- B) Whether the draft permit is protective of water quality by preventing wastewater effluent from discharging into surface waters or adversely affecting groundwater;
- C) Whether the draft permit complies with applicable siting, buffer zone requirements including odors, and effluent storage to protect against overapplication and runoff of treated effluent from irrigation areas, as set forth in 30 TAC Chapters 309 and 222;
- D) Whether the draft permit contains adequate effluent limitations and testing requirements to prevent irrigation area nutrient accumulation and leaching past the rooting zone;
- E) Whether the Applicant substantially complied with the applicable notice requirements;
- F) Whether the application is complete and accurate; and
- G) Whether the application and proposed subsurface drip dispersal system comply with applicable design criteria in 30 TAC Chapter 222.

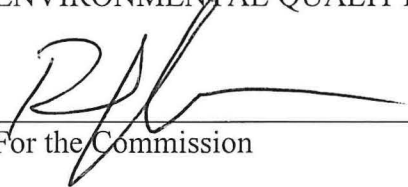
Finally, the Commission specified that the maximum duration of the hearing is 180 days from the preliminary hearing to issuance of the proposal for decision.

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

1. The hearing requests of Greater Edwards Aquifer Alliance, Fitzhugh Neighbors, Save Our Springs Alliance, Hays Trinity Groundwater Conservation District, Kevin Fleming, Susan Munns, Carrie and Vic Napiorkowski, Shield Ranch, Richard and Tracey Sorenson, and Steve Warntjes are hereby GRANTED;
2. All remaining hearing requests and requests for reconsideration are hereby DENIED;
3. The application is referred to SOAH for a contested case hearing on the following issues:
  - A. Whether the draft permit will be protective of the health of requestors and their families, livestock, and wildlife;
  - B. Whether the draft permit is protective of water quality by preventing wastewater effluent from discharging into surface waters or adversely affecting groundwater;
  - C. Whether the draft permit complies with applicable siting, buffer zone requirements including odors, and effluent storage to protect against overapplication and runoff of treated effluent from irrigation areas, as set forth in 30 TAC Chapters 309 and 222;
  - D. Whether the draft permit contains adequate effluent limitations and testing requirements to prevent irrigation area nutrient accumulation and leaching past the rooting zone;
  - E. Whether the Applicant substantially complied with the applicable notice requirements;
  - F. Whether the application is complete and accurate; and
  - G. Whether the application and proposed subsurface drip dispersal system comply with applicable design criteria in 30 TAC Chapter 222;
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 preliminary hearing to issuance of the proposal for decision; 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

  
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For the Commission

8/13/2025  
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Date Signed