

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **AN INTERIM ORDER**

concerning the application by Rainbow's End Park, Inc., for new TPDES Permit No. WQ0016513001; TCEQ Docket No. 2025-0698-MWD.

On June 18, 2025, the Texas Commission on Environmental Quality (Commission) considered during its open meeting a request for a contested case hearing by Larry Redden concerning the application by Rainbow's End Park, Inc., (Applicant) for new TPDES Permit No. WQ0016513001. The application seeks authorization to discharge treated domestic wastewater at a daily average flow not to exceed 60,000 gallons per day (gpd) in the final phase. The wastewater treatment facility will be located approximately 0.33 of a mile southwest of the intersection of Care Center Drive and Highway 146 in the City of Livingston, Polk County, Texas.

The request for hearing was 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 request for hearing filed by the Executive Director and the Office of Public Interest Counsel; replies; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that Larry Redden is an affected person and granted his request for hearing.

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 the requester's and his family's health and use of property, wildlife, and livestock, in accordance with the applicable regulations, including the 30 Tex. Admin. Code Chapter 307 Texas Surface Water Quality Standards; and B) Whether the draft permit is protective of water quality, including the protection of surface and groundwater, in accordance with applicable regulations, including the 30 Tex. Admin. Code Chapter 307 Texas Surface Water Quality Standards.

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 Larry Redden is hereby GRANTED;
- 2) 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 the requester's and his family's health and use of property, wildlife, and livestock, in accordance with the applicable regulations, including the 30 Tex. Admin. Code Chapter 307 Texas Surface Water Quality Standards; and

Issue B - Whether the draft permit is protective of water quality, including the protection of surface and groundwater, in accordance with applicable regulations, including the 30 Tex. Admin. Code Chapter 307 Texas Surface Water Quality Standards.

- 3) All issues not identified as being referred to SOAH in Ordering Provision No. 2 are hereby DENIED;
- 4) 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
- 5) If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

Brooke J. Papp  
For the Commission

6/24/25  
Date Signed