

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER concerning the application by JC Water Resource Recovery Facility, LLC, for new TPDES Permit No. WQ0016386001; TCEQ Docket No. 2025-0699-MWD.

On July 23, 2025, the Texas Commission on Environmental Quality (Commission) considered during its open meeting several requests for a contested case hearing, and a request for reconsideration, concerning the application by JC Water Resource Recovery Facility, LLC, (Applicant) for new TPDES Permit No. WQ0016386001. The application seeks authorization to discharge treated domestic wastewater at a daily average flow not to exceed 108,000 gallons per day (gpd) in the final phase. The wastewater treatment facility will be located approximately 0.25 of a mile east of the intersection of U.S. Highway 67 and County Road 1226, near the city of Cleburne, in Johnson County, Texas.

The requests for hearing and reconsideration 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 Applicant; all timely public comment; replies; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that C.W. Howell, Jr., Curry Reagan, and Lyle Reagan are affected persons and granted their requests for hearing. The Commission denied the remaining hearing requests and the request for reconsideration.

The Commission next determined whether the granted requests for hearing raise 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 human health and wildlife in accordance with applicable regulations, including the Texas Surface Water Quality Standards; B) Whether the draft permit is protective of water quality, including the protection of surface water and drinking water in accordance with applicable regulations, including the Texas Surface Water Quality Standards; C) Whether the draft permit contains adequate provisions to address nuisance odors in accordance with the applicable provisions in 30 TAC Chapter 309; and D) Whether the draft permit contains adequate provisions regarding operation and maintenance of the facility in accordance with applicable requirements under 30 TAC Chapter 305. 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 requests of C.W. Howell, Jr., Curry Reagan, and Lyle Reagan and hereby GRANTED;
- 2) All remaining hearing requests and the request for reconsideration 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 human health and wildlife in accordance with applicable regulations, including the Texas Surface Water Quality Standards;

Issue B - Whether the draft permit is protective of water quality, including the protection of surface water and drinking water in accordance with applicable regulations, including the Texas Surface Water Quality Standards;

Issue C – Whether the draft permit contains adequate provisions to address nuisance odors in accordance with the applicable provisions in 30 TAC Chapter 309; and

Issue D - Whether the draft permit contains adequate provisions regarding operation and maintenance of the facility in accordance with applicable requirements under 30 TAC Chapter 305.

- 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



For the Commission



Date Signed