

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING
Steel Dynamics Southwest, LLC
SOAH Docket No. 582-24-01358
TCEQ Docket No. 2023-0442-IWD
Permit No. WQ0005283000

APPLICATION.

Steel Dynamics Southwest, LLC, 8534 Highway 89, Sinton, Texas 78387, which operates the Sinton Mill, an iron and steel manufacturing and coil coating facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment without renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005283000 to remove the domestic sewage treatment facility (domestic sewage is routed to the City of Sinton main WWTF), to reduce daily average flow from 1.56 MGD to 1.2 MGD, to incorporate a constructed wetland into the final effluent discharge pathway, to move Outfall 001 and add new Outfall 101, and to add a second paint and galvanizing line to the plant. The draft permit authorizes the discharge of treated process wastewater, utility wastewater, and previously monitored effluent (PME; treated wastewater via Outfall 101 and coil coating process wastewater via Outfall 201) at a daily average flow not to exceed 1,200,000 gallons per day via Outfall 001, and industrial storm water on an intermittent and flow variable basis via Outfalls 002, 003, and 004.

The facility is located at 8534 Highway 89, northeast of the City of Sinton, in San Patricio County, Texas 78387. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.49638%2C28.056111&level=12>

The effluent is discharged via pipe to a constructed wetland (not a water in the state) to Outfall 001 to Ditch 3, thence Ditch 4; or when the constructed wetland is undergoing maintenance the discharge route is via pipe directly to Outfall 001 to Ditch 3, thence to Ditch 4; via Outfall 002 to Ditch 1, thence to Ditch 4; and via Outfalls 003 and 004 to Ditch 3, thence to Ditch 4, thence all outfalls to Chiltipin Creek; thence to Chiltipin Creek Tidal, thence to Aransas River Tidal, thence to Aransas River Tidal in Segment No. 2003 of the San Antonio-Nueces Coastal Basin. The unclassified receiving water uses are minimal aquatic life use for the Ditches (1, 3, and 4), limited aquatic life use for Chiltipin Creek, and high aquatic life use for Chiltipin Creek Tidal. The designated uses for Segment No. 2003 are primary contact recreation and high aquatic life use.

In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an

antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Chiltipin Creek Tidal, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ executive director reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ executive director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, executive director's preliminary decision, and draft permit are available for viewing and copying at Sinton Public Library, 100 North Pirate Boulevard, Sinton, Texas.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – November 27, 2023

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 160 332 1718

Password: TCEQ358

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 332 1718

Password: 5780273

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order

concerning this application issued on May 15, 2023. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from Steel Dynamics Southwest, LLC at the address stated above or by calling Mr. Jon Ritter, Environmental Engineer, at (361) 424-6315.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: October 13, 2023



Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality