

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
CITY OF WIMBERLEY
SOAH Docket No. 582-15-3337
TCEQ Docket No. 2015-0482-MWD
Permit No. WQ0013321001**

APPLICATION.

City of Wimberley, P.O. Box 2027, Wimberley, Texas 78676, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Permit No. WQ0013321001 to: change the method of disposal from land application to discharge into water in the state; and increase the discharge of treated domestic wastewater from a daily average flow not to exceed 50,000 gallons per day to a daily average flow not to exceed 75,000 gallons per day. The current permit authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 15,000 gallons per day via subsurface low pressure dosing drainfields of 94,500 square feet of non-public access land in the interim phase and 50,000 gallons per day via surface irrigation of 19 acres of non-public access land in the final phase.

The facility is located approximately one mile northeast of the intersection of Ranch-to-Market Road 12 and Ranch-to-Market Road 3237 in Hays County, Texas 78676. The existing wastewater treatment facility and disposal site are located approximately 500 feet to the west of the proposed facility within the same property. The treated effluent will be discharged to Deer Creek; thence to the Upper Blanco River in Segment No. 1813 of the Guadalupe River Basin. The unclassified receiving water use is minimal aquatic life use for Deer Creek. The designated uses for Segment No. 1813 are exceptional aquatic life use, public water supply, aquifer protection, and primary contact recreation. In accordance with 30 Texas Administrative Code (TAC) § 307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, 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 Upper Blanco River, which has been identified as having exceptional aquatic life uses. 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 has prepared a draft permit which, if approved, would establish the parameters and limitations within 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 application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Wimberley City Hall, Office of the City Secretary, 221 Stillwater, Wimberley, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.003888&lng=-98.083333&zoom=13&type=r>

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published on February 5, 2015. On March 31, 2015, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

SOAH will conduct a preliminary hearing on this application at:

**10:00 a.m. – June 1, 2015
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, provide an opportunity for settlement discussions, and address other matters as determined by the administrative law judge. The evidentiary phase of the contested case hearing, to be held at a later date, will be a legal proceeding similar to a civil trial in state district court. The contested case hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26 of the Texas Water Code; TCEQ rules, including 30 Texas Administrative Code Chapter 305; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

To participate in the hearing as a party, you must attend the preliminary hearing and show you would be affected by the application in a way not common to members of the general public. See 30 Texas Administrative Code Section 55.256.

INFORMATION.

For information concerning the hearing process, contact the Public Interest Counsel, MC 103, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For additional information, the general public may contact the Public Education Program, toll free, at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>. The facility's compliance file, if any exists, is available for public review in the TCEQ central office, 12100 Park 35 Circle, Austin, Texas 78753.

Further information may also be obtained from the City of Wimberley at the address stated above or by calling Mr. Don Ferguson, City Administrator, at 512-847-0025.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: April 17, 2015

A handwritten signature in black ink that reads "Bridget C. Bohac". The signature is written in a cursive, flowing style.

Bridget C. Bohac, Chief Clerk
Texas Commission on Environmental Quality