TCEQ DOCKET NO. 2026-1095-MWD

APPLICATION BY	**§**	**BEFORE THE**
WEST TRAVIS COUNTY PUBLIC	**§**	**TEXAS COMMISSION**
UTILITY AGENCY FOR TCEQ	**§**	**ENVIRONMENTAL**
PERMIT NO. WQ0013594001	**§**	**QUALITY**

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

I. INTRODUCTION

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Hearing Requests on the application by West Travis County Public Utility Agency (Applicant or WTCPUA) for a renewal of a Texas Land Application Permit (TLAP), TCEQ Permit No. WQ0013594001 (draft permit), that authorizes disposal of treated domestic wastewater (effluent) from the Lake Pointe (site A) and the Bohl's (site B) Wastewater Treatment Facilities (existing facilities) through land application of the effluent at sites A and B, and a subsurface area drip dispersal system (SAADS) site.

TCEQ's Office of the Chief Clerk (OCC) received timely Hearing Requests (Requests) from Alessandro Allievi, Laurie Anderson, Karen & Craig Andrews, Katie Bangert, Julie Brezinski, Amy Campero, Dave Chastain, Steve Denton, Amanda Foote, Paul Greenlaw, Kathy Hale, John Harrod, Laurie & Dave Heronemus, Jeremy Hopper, Linnea Hopper, Lyla Kolar, Tracy Lindsey, Kent Myatt, Andrew Powell, Victor Manuel Salas, Vanessa Seach, Joseph Shannon, Patricia Sinnott, Cynthia Smiley on behalf of the Lake Pointe Homeowners Association, Andre Soileau, Elizabeth Spence, Leonardo Taves, Judy Ternus, Amy Lynn Terrazas, Le Leila Wang, Frederic Weigl, Julia Weigl, Cathy Wenglar, Amanda Wilton-Green, and Joe Zawacki.

The ED recommends that the Commission deny all hearing requests and requests for reconsideration and issue the Draft Permit without changes.

II. ATTACHMENTS FOR COMMISSION CONSIDERATION

- Attachment A - ED's GIS Map and Appendix A[1]

III. BACKGROUND

A. Application Request

The WTCPUA application seeks reauthorization for the disposal of effluent at a daily average flow not to exceed 1.8 Million Gallons per Day (MGD) via surface irrigation of 350 acres of public access land; the disposal of effluent at a daily average flow not to exceed 232,590 gallons per day via the SADDS site with a minimum area of 53 acres of non-public access land; and reuse of the effluent at a daily average flow not to exceed 567,410 gallons per day through direct potable reuse (DPR) system. The effluent must not be used for DPR (human consumption) until all necessary approvals to use the DPR is provided by TCEQ's Water Supply Division. The renewal application also contained a minor amendment request to change disposal phasing for the Interim II phase so that SADDS site can be utilized before the implementation of the DPR disposal method. These limits and conditions are applicable to the effluent's disposal that is subject to the Texas Surface Water Quality Standards (TSWQS) that TCEQ implements through the limits and conditions of the draft permit established by staff in the ED's Water Quality Division (WQD Staff).

Surface irrigation application rates must not exceed 3.0 acre-feet per year per acre irrigated at the CCNG irrigation site and 3.4 acre-feet per year per acre irrigated at the Spillman Ranch irrigation site. Application rates for the SAADS site must not exceed 0.1 gallons per square foot per day. The effluent limits of the draft permit are

[1] The requesters' locations on the ED's GIS Maps are the locations of the physical addresses provided by the requesters in their applicable hearing requests.

consistent with Title 30, Texas Administrative Code (30 TAC) Code, Chapter 309 and Table 1 in § 309.4.

B. Description of the Proposed Facility and Discharge Route

The existing facility at Site A consists of an activated sludge process plant using the single stage nitrification mode with a capacity of 0.675 million gallons per day (MGD). Treatment units in the Interim I phase include two parallel trains consisting of a bar screen, two equalization basins, two aeration basins, two final clarifiers, two aerobic digesters, cloth disk filters, and two chlorine contact chambers.

The existing facility at Site B consists of an activated sludge proceed plant using the single stage nitrification mode with a capacity of 0.325 MGD. Treatment units in the Interim I phase include one concentric plant with a bar screen, an aeration basin, a final clarifier, cloth disk filters, and a chlorine contact chamber. Treatment units in the Interim II phase will include two additional parallel activated sludge treatment trains using single stage nitrification mode with a combined capacity of 1.0 MGD at Site B. The treatment trains consist of a bar screen, an anoxic basin, an aeration basin, a final clarifier, cloth disk filters, a chlorine contact chamber, and an aerobic digester.

Following the addition of the new treatment units at Site B, the existing facility at Site A will be decommissioned, reducing the capacity by 0.675 MGD and bringing the total capacity to 1.325 MGD. In the Interim III phase, a 0.50 MGD treatment train consisting of a bar screen, an anoxic basin, an aeration basin, a final clarifier, and a chlorine contact chamber will increase the capacity at Site B to 1.825 MGD. The 0.325 MGD concentric plant at Site B will be decommissioned, bringing the total capacity to 1.5 MGD. In the Final Phase, a 0.30 MGD treatment train consisting of a bar screen, an anoxic basin, an aeration basin, a final clarifier, and a chlorine contact chamber will

increase the capacity at Site B by 0.30 MGD, bringing the final capacity to 1.8 MGD. The existing facilities are operating in the Interim I phase.

The locations of all the existing facilities and disposal sites are located near the intersection of Farm-to-Market Road 620 and State Highway 71 (FM 620 and SH 71) in Austin, in Travis County, Texas 78738. Site A is located at 3100 Napa Drive, Austin, and Site B is located at 12900 1/2 Bee Cave Parkway. Effluent Pond No.1 is located approximately 8,000 feet northwest of FM 620 and SH 71; Effluent Pond No. 2 is located approximately 3,000 feet northwest of FM 620 and SH 71; the Spillman Ranch irrigation site is located approximately 8,000 feet northwest of FM 620 and SH 71; the CCNG irrigation site is located 2,500 feet south of FM 620 and SH 71; and the proposed SADDS site will be located on the north side of State Highway 71, west of Vail Divide. The existing treatment facilities and Effluent Pond No. 2 are located in the drainage basin of Lake Austin in Segment No. 1403 of the Colorado River Basin and the existing disposal sites and Effluent Pond No. 1 are located in the drainage basin of Barton Creek in Segment No. 1430 of the Colorado River Basin.

The TSWQS, found in TCEQ's rules at Title 30 of the Texas Administrative Code (30 TAC) Chapter 307, assign the water quality related uses (WQ uses) and designated aquatic life uses (ALUs) for Segment No. 1010 as primary contact recreation, public water supply, and a "high" ALU designation. The draft permit's effluent limits will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

Table Nos. 1-5 below list the proposed limits and monitoring requirements of the draft permit. All flows, except the two-hour peak flow, are expressed in Million Gallons Per Day (MGD) or Gallons Per Day (GPD). The two-hour (2-hr) peak flow is expressed in Gallons Per Minute (GPM), and the word "minimum" is abbvreviated with "min." All pH

values are expressed in standard units (SU). Concentration values are expressed in Milligrams per Liter (mg/L). Mass-based values are expressed as pounds per day (lbs/day). Bacteria values are expressed in colony-forming units (CFU) or most probable number (MPN) per 100 milliliters (CFU or MPN/100 mL). The permit limits for for Five-Day Carbonaceous Biochemical Oxygen Demand, is abbreviated as "$CBOD_5$", Total Suspended Solids as "TSS," and Ammonia Nitrogen as "NH_3-N."

Table 1. Interim I Phase Effluent Limitations: Outfall 001

Parameter/Pollutant	Daily Average	7-day Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L	mg/L
Flow	0.0675 MGD	N/A	N/A	N/A
Carbonaceous Biochemical Oxygen Demand, 5-day ($CBOD_5$)	5	N/A	N/A	35
Total Suspended Solids (TSS)	5	N/A	N/A	60
Ammonia Nitrogen (NH_3-N)	2	N/A	N/A	15
pH	Greater than 6.0 and less than 9.0 SU			

Table 2. Interim I Phase Effluent Limitations: Outfall 002

Parameter/Pollutant	Daily Average	7-day Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L	mg/L
Flow	0.325 MGD	N/A	N/A	N/A
$CBOD_5$	5	N/A	N/A	35
TSS	5	N/A	N/A	60
NH_3-N	2	N/A	N/A	15
pH	Greater than 6.0 and less than 9.0 SU			

Table 3. Interim II Phase Effluent Limitations:

Parameter/Pollutant	Daily Average	7-day Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L	mg/L
Flow	1.375 MGD	N/A	N/A	N/A
$CBOD_5$	5	N/A	N/A	35
TSS	5	N/A	N/A	60
NH_3-N	2	N/A	N/A	15
pH	Greater than 6.0 and less than 9.0 SU			

Table 4. Interim III Phase Effluent Limitations:

Parameter/Pollutant	Daily Average	7-day Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L	mg/L
Flow	1.50 MGD	N/A	N/A	N/A
$CBOD_5$	5	N/A	N/A	35
TSS	5	N/A	N/A	60
NH_3-N	2	N/A	N/A	15
pH	Greater than 6.0 and less than 9.0 SU			

Table 5. Final Phase Effluent Limitations:

Parameter/Pollutant	Daily Average	7-day Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L	mg/L
Flow	1.50 MGD	N/A	N/A	N/A
$CBOD_5$	5	N/A	N/A	35
TSS	5	N/A	N/A	60
NH_3-N	2	N/A	N/A	15
pH	Greater than 6.0 and less than 9.0 SU			

C. Procedural History

The TCEQ received the application on May 10, 2024, and declared it administratively complete on June 21, 2024. The Applicant published the Notice of Receipt of application and Intent to Obtain a Water Quality Permit (NORI) in Travis County, Texas in English in the *Austin American-Statesman* on June 27, 2024, and in Spanish in *El Mundo* on the same day. The ED completed the technical review of the application on April 17, 2025, and prepared the draft permit, which if approved, would establish the conditions under which the proposed facility must operate. On June 13, 2025, the Applicant, in Travis County, Texas, published the Notice of Application and Preliminary Decision (NAPD) in English in the *Austin American-Statesman* and in Spanish in *El Mundo* on July 10, 2025. Included in the NAPD was a Notice of Public Meeting for the meeting that was held on July 17, 2025, at the Sonesta Hotel, located at 12525 Bee Cave Parkway in Bee Cave, Texas. The time for the public to comment and

request a hearing on the application ended on August 8, 2025, and September 3, 2026, respectively, with the ED filing the Response to Comments (RTC) on July 28, 2026.

This application was declared administratively complete after September 1, 2015; therefore, the application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the TCEQ in its rules in 30 TAC Chapters 39, 50, and 55. The Texas Legislature enacted SB 709 (*Eff.* September 1, 2015) amending the requirements for comments and contested case hearings. This application is subject to those changes in the law.

IV. ACCESS TO RULES, LAWS AND RECORDS

Please see below the applicable rules and regulations for TCEQ permits:

- All administrative rules: Secretary of State Website: www.sos.state.tx.us
- TCEQ rules: Title 30 of the Texas Administrative Code: www.sos.state.tx.us/tac/(select TAC Viewer on the right then Title 30 Environmental Quality)
- Texas statutes: www.statutes.capitol.texas.gov
- TCEQ website: www.tceq.texas.gov (for downloadable rules in WordPerfect or Adobe PDF formats select "Rules Policy & Legislation" then "Current TCEQ Rules" then "Download TCEQ Rules");
- Federal rules: Title 40 of the Code of Federal Regulations (C.F.R.) http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab_02.tpl
- Federal environmental laws: http://www.epa.gov/lawsregs/

For information about this permit application or the permitting process please contact TCEQ's Public Education Program at (800) 687-4040 or the website below.

Para ver la versión en español del sitio web de TCEQ, vaya a la página de inicio y busque en la esquina superior derecha lo siguiente: ESPAÑOL

Para obtener información sobre cómo participar en el proceso de permisos para aguas residuales, comuníquese con el Programa de Educación Pública de la TCEQ por teléfono al (800) 687-4040 o a través del sitio web que aparece a continuación.

Para acceder al enlace, primero seleccione la versión en español del sitio web y luego haga clic enlace.

- https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation

El aviso de idioma alternativo en español está disponible en la página web a continuación. Para acceder al enlace, primero seleccione la versión en español del sitio web y luego haga clic enlace.

- www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices

Commission records for the proposed facility are available for viewing and copying at TCEQ's central office in Austin 12100 Park 35 Circle Building F 1st Floor (CCO) for the current application until final action is taken. Some documents located in CCO may also be found in the Commissioners' Integrated Database.

- www.tceq.texas.gov/goto/cid

TCEQ's rules require Applicants to make a copy of the administratively complete application available for viewing by the public in a specified location within the county in which the facility is located.[2] The Applicant did this by placing the required copy in Travis County, Texas at the reception desk at Bee Cave City Hall located at 4000 Galleria Parkway, Bee Cave, Texas 78738. Likewise, since the publication of the NAPD, the copies of the application, the final permit application, the draft permit, the statement of basis/technical summary and the ED's preliminary decision have been available for viewing and copying at the same location.

The ED has determined that the proposed permit, which establishes the conditions under which the proposed facility must operate, if issued, meets all statutory and

[2] 30 TAC § 39.405(g).

regulatory requirements and is protective of the environment, water quality, and human health. However, if individuals wish to file a complaint about the proposed facility concerning its compliance with the provisions of its permit or with TCEQ rules, TCEQ's Office of Compliance and Enforcement (OCE) should be contacted. The TCEQ Regional OCE Office in Austin, Texas (Region 11) may be contacted at (512) 339-2929 or the statewide toll-free number at 1-888-777-3186 to address potential permit violations. In addition, complaints may be filed electronically through the link to the TCEQ's compliance website below or sending an email to:

- **complaint@TCEQ.Texas.gov**.
- www.tceq.texas.gov/compliance/complaints

If an inspection by the TCEQ finds that the Applicant is not complying with all requirements of the proposed permit or that the proposed facility is out of compliance with TCEQ rules, enforcement actions may arise.

V. EVALUATION OF HEARING REQUESTS

Because the application was received after September 1, 2015, and declared administratively complete after September 1, 1999, it is subject to both the procedural requirements adopted pursuant to House Bill 801 (HB-801), 76th Legislature, 1999, and requirements of Senate Bill 709 (SB-709), 84th Legislature, 2015, which are implemented through the TCEQ rules in 30 TAC Chapters 39, 50, and specifically 55, the TCEQ's Contested Case Hearing rules.

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment and the Commission's consideration of hearing requests (Requests). The Commission implemented HB 801 by adopting procedural rules in 30 TAC chapters 39,

50, and 55. Senate Bill 709 revised the requirements for submitting public comment and the commission's consideration of Hearing Requests.

A. Legal Authority to Respond to Hearing Requests

The ED may submit written responses to requests. Responses to hearing requests must specifically address:

1. whether the requestor is an affected person;
2. whether issues raised in the hearing request are disputed;
3. whether the dispute involves questions of fact or law;
4. whether the issues were raised during the public comment period;
5. whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter by filing a written withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment;
6. whether the issues are relevant and material to the decision on the application; and
7. a maximum expected duration for the contested case hearing.

B. Hearing Request Requirements

To consider a request, the Commission must first conclude that the requirements of TCEQ's Contested Case Hearing rules, found at 30 TAC §§ 55.201 and 55.203, are met as follows.

A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided, based only on the requester's timely comments, and not based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the ED's Response to Comment.

A hearing request must substantially comply with the following:

(1) give the name, address, telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who is responsible for receiving all official communications and documents for the group;

(2) identify the person's justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the facility or activity in a manner not common to members of the general public;

(3) request a contested case hearing;

(4) for applications filed;

(B) on or after September 1, 2015, list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, list any disputed issues of law; and

(5) provide any other information specified in the public notice of application.

C. Provisions for Affected-Person Status

To grant a contested case hearing request, the commission must determine, pursuant to the TCEQ's Contested Case Hearing rules, that a requestor is an "affected person" according to the provisions of 30 TAC § 55.203.

(a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the public does not qualify as a personal justiciable interest.

(b) Governmental entities, including local governments and public agencies with authority under state law over issues raised by the application may be considered affected persons.

(c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

(1) whether the interest claimed is one protected by the law under which the application will be considered;

(2) distance restrictions or other limitations imposed by law on the affected interest;

(3) whether a reasonable relationship exists between the interest claimed and the activity regulated;

(4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;

(5) likely impact of the regulated activity on use of the impacted natural resource by the person; and

(6) whether the requester timely submitted comments on the application which were not withdrawn; and

(7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

(d) In making this determination, the commission may also consider, to the extent consistent with case law:

(1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;

(2) the analysis and opinions of the ED; and

(3) any other expert reports, affidavits, opinions, or data submitted by the ED, the applicant, or hearing requestor.

D. Referral to the State Office of Administrative Hearings

"When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to State Office of Administrative Hearing (SOAH) for a hearing." "The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue:

(1) involves a disputed question of fact or a mixed question of law and fact;

(2) was raised during the public comment period by an affected person; and

(3) is relevant and material to the decision on the application."

E. Requests for Reconsideration

TCEQ's Contested Case Hearing rules state that any person may file a Request for Reconsideration (RFR) of the ED's decision no later than 30 days after TCEQ's CCO mails the ED's decision and Response to Comments (RTC). According to TCEQ's Contested Case Hearing rules found at 30 TAC § 55.201(e), the RFR must be in writing, timely filed with CCO, and expressly state that the person is requesting reconsideration of the ED's decision and give the reasons why the decision should be reconsidered.

F. Permit Applications not subject to Contested Case Hearings

The Texas Water Code (TWC), subsection 26.028(d) states that TCEQ, at a regular meeting and without the necessity of holding a public hearing, may approve an application to renew or amend a permit under specific stipulations. First, the applicant must not apply to increase significantly the quantity of waste authorized to be discharged; or change materially the pattern or place of discharge. Second, the activities to be authorized by the renewed or amended permit must maintain or improve the quality of waste authorized to be discharged. Third, notice and the

opportunity to request a public meeting must be given, and TCEQ must consider and respond to all timely received and significant public comments. The last stipulation is that TCEQ must determine that an applicant's compliance history under the method for using compliance history developed by TCEQ under TWC § 5.754, raises no issues regarding the applicant's ability to comply with a material term of its permit. These state laws are implemented through TCEQ's rules, found at 30 TAC § 55.201(i)(5), that mirror the provisions of TWC § 26.028(d).

Regarding the WTCPUA application, it is a renewal application that does not seek to significantly increase the volume of effluent for land application, nor materially change the pattern or place of disposal. A public meeting was held on July 17, 2025, at the Sonesta Hotel, located at 12525 Bee Cave Parkway in Bee Cave, Texas; the ED received public comments and responded to all comments in an RTC that was filed with TCEQ's Office of the Chief Clerk on July 28, 2026.

Finally, the compliance history for the Applicant does not raise any issues concerning the ability of WTCPUA to comply with the terms of the draft permit, as the compliance rating is 0.00 and the classification is "high." Therefore, the ED recommends finding that the WTCPUA renewal application meets all the conditions in 30 TAC § 55.201(i)(5) and that there is no right to a contested case hearing.

VI. ANALYSIS OF THE HEARING REQUESTS

For this application the period for the public to file comments on the application ended on August 21, 2025, the ED's RTC and Final Decision letter was mailed on April 8, 2026, and the period for filing a Hearing Request (request) or a Request for Reconsideration (RFR) ended on May 8, 2026. The ED's analyses below determined whether the requests submitted on the application conformed with TCEQ rules, if the requester qualified as an affected person, the issues to be referred for a possible

hearing, and the length of any hearing. As stated above, TCEQ's OCC received timely Requests from Alessandro Allievi, Laurie Anderson, Karen & Craig Andrews, Katie Bangert, Julie Brezinski, Amy Campero, Dave Chastain, Steve Denton, Amanda Foote, Paul Greenlaw, Kathy Hale, John Harrod, Laurie & Dave Heronemus, Jeremy Hopper, Linnea Hopper, Lyla Kolar, Tracy Lindsey, Kent Myatt, Andrew Powell, Victor Manuel Salas, Vanessa Seach, Joseph Shannon, Patricia Sinnott, Cynthia Smiley on behalf of the Lake Pointe Homeowners Association, Andre Soileau, Elizabeth Spence, Leonardo Taves, Judy Ternus, Amy Lynn Terrazas, Le Leila Wang, Frederic Weigl, Julia Weigl, Cathy Wenglar, Amanda Wilton-Green, and Joe Zawacki.

A. Whether the requests comply with TCEQ's rules at 30 TAC § 55.201(c).

Kathy Hale and Andre Soileau– Both filed a timely, written Request that provided the requisite contact information and requested a hearing based on their timely comments on the application, which have not been withdrawn.

The ED recommends finding that the Requests of Kathy Hale and Andre Soileau substantially complied with 30 TAC § 55.201(c).

Alessandro Allievi, Laurie Anderson, Karen & Craig Andrews, Katie Bangert, Julie Brezinski, Amy Campero, Dave Chastain, Steve Denton, Amanda Foote, Paul Greenlaw, John Harrod, Laurie & Dave Heronemus, Jeremy Hopper, Linnea Hopper, Lyla Kolar, Tracy Lindsey, Kent Myatt, Andrew Powell, Victor Manuel Salas, Vanessa Seach, Joseph Shannon, Patricia Sinnott, Cynthia Smiley on behalf of the Lake Pointe Homeowners Association, Elizabeth Spence, Leonardo Taves, Judy Ternus, Amy Lynn Terrazas, Le Leila Wang, Frederic Weigl, Julia Weigl, Cathy Wenglar, Amanda Wilton-Green, and Joe Zawacki– All filed a timely, written Request that provided the requisite contact information and requested a hearing based on their timely comments on the application, which have not been withdrawn.

The ED recommends finding that the Requests of Alessandro Allievi, Laurie Anderson, Karen & Craig Andrews, Katie Bangert, Julie Brezinski, Amy Campero, Dave Chastain, Steve Denton, Amanda Foote, Paul Greenlaw, John Harrod, Laurie & Dave Heronemus, Jeremy Hopper, Linnea Hopper, Lyla Kolar, Tracy Lindsey, Kent Myatt,

Andrew Powell, Victor Manuel Salas, Vanessa Seach, Joseph Shannon, Patricia Sinnott, Cynthia Smiley on behalf of the Lake Pointe Homeowners Association, Elizabeth Spence, Leonardo Taves, Judy Ternus, Amy Lynn Terrazas, Le Leila Wang, Frederic Weigl, Julia Weigl, Cathy Wenglar, Amanda Wilton-Green, and Joe Zawacki substantially comply with 30 TAC § 55.201(c).

B. Whether the Requests comply with TCEQ's rules at 30 TAC § 55.201(d).

Kathy Hale and Andre Soileau – Though Ms. Hale's and Mr. Soileau's Requests complied with 30 TAC § 55.201(c), their Requests failed to comply with 30 TAC § 55.201(d), as their Requests failed to explain how they would be adversely affected by the existing facilities or their operation in a manner not common to members of the general public. Because is not possible to demonstrate a personable justiciable interest without an explanation of unique, adverse effects, Ms. Hale's and Mr. Soileau's Requests failed to demonstrate a personal justiciable interest and comply with 30 TAC § 55.201(d). Therefore, the ED's analysis of Ms. Hale's and Mr. Soileau's Requests does not include an analysis of whether Ms. Hale and Mr. Soileau may be affected persons.

The ED recommends finding that the Requests of Kathy Hale and Andre Soileau did not comply with 30 TAC § 55.201(d).

Alessandro Allievi, Laurie Anderson, Karen & Craig Andrews, Katie Bangert, Julie Brezinski, Amy Campero, Dave Chastain, Steve Denton, Amanda Foote, Paul Greenlaw, John Harrod, Laurie & Dave Heronemus, Jeremy Hopper, Linnea Hopper, Lyla Kolar, Tracy Lindsey, Kent Myatt, Andrew Powell, Victor Manuel Salas, Vanessa Seach, Joseph Shannon, Patricia Sinnott, Cynthia Smiley on behalf of the Lake Pointe Homeowners Association, Elizabeth Spence, Leonardo Taves, Judy Ternus, Amy Lynn Terrazas, Le Leila Wang, Frederic Weigl, Julia Weigl, Cathy Wenglar, Amanda Wilton-Green, and Joe Zawacki all filed Requests that comply with 30 TAC § 55.201(d), as these Requests raised relevant and material issues when considering the proximity of the Requesters to the existing facilities. However, because the WTCPUA renewal application meets all the conditions in 30 TAC § 55.201(i)(5), there is no right to a contested case hearing on the WTCPUA renewal application, and therefore there are not any affected persons for the purpose of the necessary standing required for a contested case hearing. Therefore, the ED's analysis of these Requests does not include an analysis of whether the Requesters may be affected persons.

The ED recommends finding that the Requests of Alessandro Allievi, Laurie Anderson, Karen & Craig Andrews, Katie Bangert, Julie Brezinski, Amy Campero, Dave Chastain, Steve Denton, Amanda Foote, Paul Greenlaw, John Harrod, Laurie & Dave Heronemus, Jeremy Hopper, Linnea Hopper, Lyla Kolar, Tracy Lindsey, Kent Myatt, Andrew Powell, Victor Manuel Salas, Vanessa Seach, Joseph Shannon, Patricia Sinnott, Cynthia Smiley on behalf of the Lake Pointe Homeowners Association, Elizabeth Spence, Leonardo Taves, Judy Ternus, Amy Lynn Terrazas, Le Leila Wang, Frederic Weigl, Julia Weigl, Cathy Wenglar, Amanda Wilton-Green, and Joe Zawacki did not substantially comply with 30 TAC § 55.201(d).

VII. ISSUES RAISED IN THE HEARING REQUESTS

Because the ED recommends not granting any Requests from the individuals listed above, there are no issues that are eligible to be referred to the State office of Administrative Hearings; therefore, the ED does not recommend referring any issues.

VIII. CONTESTED CASE HEARING DURATION

If the Commission grants a hearing on this application, the ED recommends that the duration of the hearing be 180 days from the preliminary hearing to the presentation of a proposal for decision to the Commission.

IX. REQUESTS FOR RECONSIDERATION

Cynthia Smiley on behalf of the Lake Pointe Homeowners Association filed an RFR; however, the RFR failed to raise any new information for the ED to analyze. Therefore, the ED recommends denying the RFR.

X. EXECUTIVE DIRECTOR'S RECOMMENDATION

The ED recommends the following actions by the Commission:

1. Find that all Requesters are not affected persons under 30 TAC § 55.203(c) because of 30 TAC § 55.201(i)(5).
2. Deny all hearing requests and the RFR.
3. Issue the Draft Permit without changes.

4. Should the Commission decide to refer this case to SOAH, ED recommends the Commission refer the case to Alternative Dispute Resolution for a reasonable time.

Respectfully submitted,

Texas Commission on Environmental Quality

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REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

XI. CERTIFICATE OF SERVICE

I certify that on September 25, 2026, the Executive Director's Response to Hearing Requests for TCEQ Permit No. WQ0013594001 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk.

Michael T. Parr II, *Staff Attorney*
State Bar No. 24062936

Attachment A

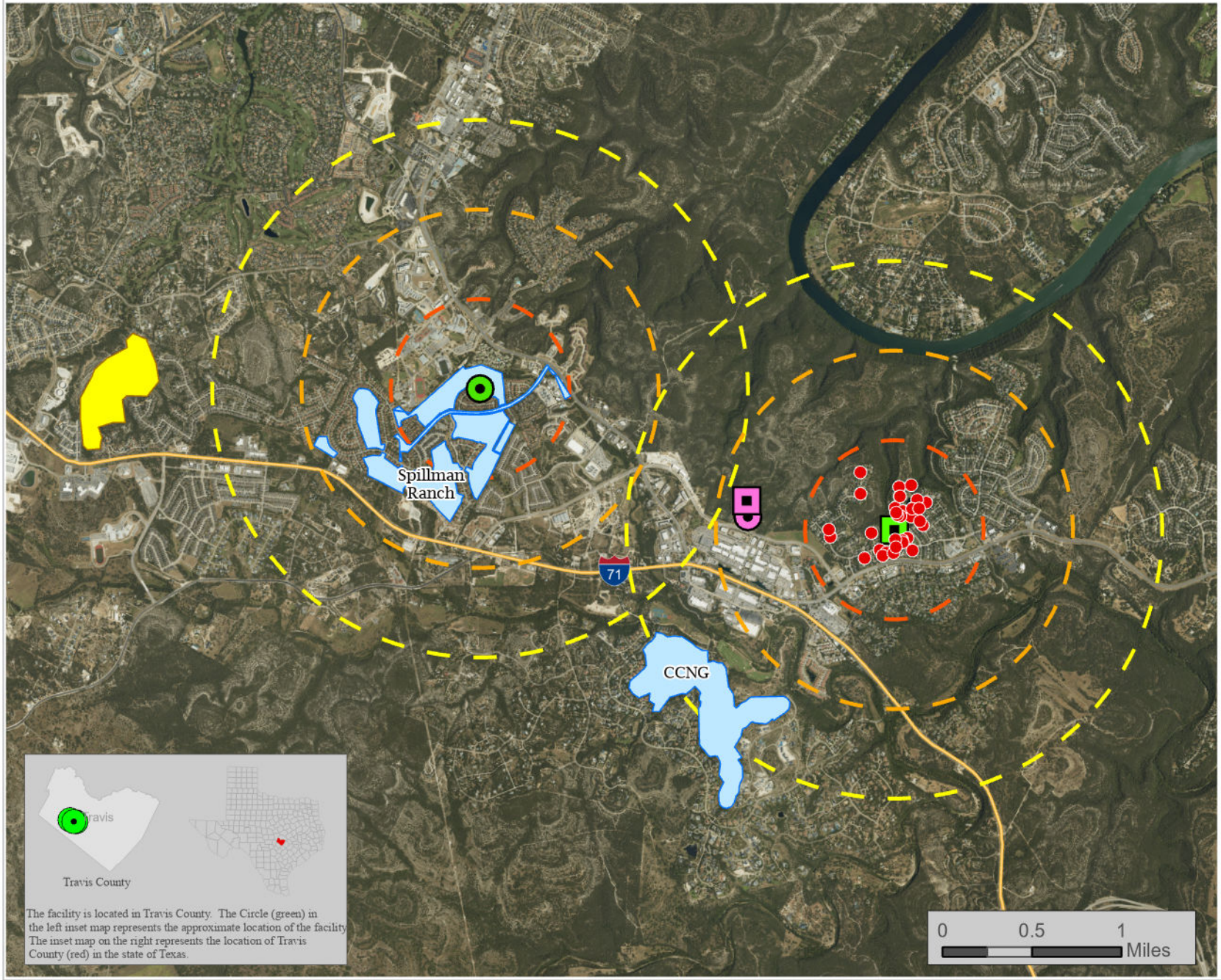
West Travis County Public Utility Agency GIS MAP (WQ0013594001)

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda

Protecting Texas by Reducing and Preventing Pollution

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 9/11/2026
CRF 0143464
Cartographer: AProvenc

N



- Requesters
- Pond 1
- Pond 2
- WWTP A
- WWTP B
- Highway
- SADDS Site
- Irrigation Sites
- 0.5 Mile Radius
- 1.0 Mile Radius
- 1.5 Mile Radius

Requester distances to Ponds, WWTPs and SADDS Site detailed in Appendix A

The facility is located in Travis County. The Circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Travis County (red) in the state of Texas.

Source: This map was requested by the Office of Legal Services (OLS) and is based on information provided in the application and hearing requests. The applicant provided site location information and the hearing requestors provide physical addresses. The map is a visual representation and approximation.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

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Appendix A for West Travis County Public Utility Agency GIS MAP (WQ0013594001)

ID	NAME	WWTP A (miles)	WWTP B (miles)	Pond 1 (miles)	Pond 2 (miles)	Spillman Ranch (miles)	CCNG (miles)	SADDS Site (miles)
1	ALLIEVI, ALESSANDRO	0.24	0.86	2.41	0.86	1.91	1.34	4.19
2	ANDERSON, LAURIE	0.14	0.79	2.41	0.76	1.93	0.98	4.14
3	ANDREWS, KAREN & CRAIG	0.27	0.93	2.47	0.93	1.97	1.38	4.25
4	BANGERT,KATIE	0.09	0.92	2.53	0.90	2.04	1.12	4.28
5	BREZINSKI, JULIE	0.13	0.72	2.33	0.70	1.85	1.04	4.08
6	CAMPERO, AMY	0.13	0.83	2.45	0.80	1.97	0.98	4.18
7	CHASTAIN, DAVE	0.12	0.83	2.42	0.83	1.92	1.22	4.18
8	DENTON, STEVE	0.19	0.86	2.43	0.86	1.93	1.29	4.20
9	FOOTE, AMANDA	0.07	0.90	2.51	0.87	2.02	1.09	4.25
10	GREENLAW, PAUL	0.08	0.90	2.52	0.88	2.03	1.08	4.26
11	HALE, KATHY	0.15	0.97	2.58	0.94	2.10	1.08	4.32
12	HARROD, JOHN	0.23	1.00	2.58	1.00	2.08	1.34	4.35
13	HERONEMUS, LAURIE & DAVE	0.11	0.88	2.46	0.87	1.97	1.23	4.23
14	HOPPER, JEREMY	0.23	0.73	2.35	0.69	1.88	0.89	4.07
15	HOPPER, LINNEA	0.23	0.73	2.35	0.69	1.88	0.89	4.07

16	KOLAR, LYLA	0.37	0.66	2.18	0.68	1.68	1.31	3.96
17	LINDSEY, TRACY	0.12	0.92	2.52	0.91	2.02	1.23	4.28
18	MYATT, KENT	0.16	1.00	2.59	0.98	2.10	1.23	4.35
19	POWELL, ANDREW	0.15	0.98	2.57	0.96	2.08	1.24	4.33
20	SALAS,VICTOR MANUEL	0.08	0.87	2.46	0.85	1.96	1.20	4.22
21	SEACH,VANESSA	0.16	0.82	2.44	0.79	1.96	0.96	4.17
22	SHANNON, JOSEPH	0.05	0.86	2.47	0.83	1.99	1.07	4.22
23	SINNOTT, PATRICIA	0.36	0.51	2.13	0.48	1.65	0.93	3.86
24	SMILEY, CYNTHIA	191.51	191.64	191.58	191.72	191.33	192.48	192.00
25	SOILEAU, ANDRE	0.37	0.49	2.10	0.46	1.63	0.95	3.84
26	SPENCE, ELIZABETH	0.21	0.95	2.52	0.95	2.02	1.33	4.30
27	TAVES, LEONARDO	0.08	0.85	2.44	0.84	1.95	1.19	4.20
28	TERNUS, JUDY	0.13	0.87	2.49	0.84	2.01	1.01	4.22
29	TERRAZAS, AMY LYNN	0.15	0.93	2.51	0.92	2.01	1.27	4.28
30	WANG, LE LEILA	0.19	0.86	2.43	0.86	1.93	1.29	4.20
31	WEIGL, FREDERIC	0.18	0.97	2.55	0.96	2.05	1.29	4.31
32	WEIGL, JULIA	0.18	0.97	2.55	0.96	2.05	1.29	4.31
33	WENGLAR, CATHY	0.10	0.84	2.43	0.83	1.93	1.20	4.19
34	WILTON-GREEN, AMANDA	0.10	0.87	2.49	0.85	2.01	1.04	4.23
35	ZAWACKI, JOE	0.28	0.64	2.21	0.64	1.71	1.21	3.98

MAILING LIST
West Travis County Public Utility Agency
TCEQ Docket No./ Expediente TCEQ nº 2026-1095-MWD;
Permit No./ Permiso nº WQ0013594001

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via eFilings

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Office of Chief Clerk, MC-105
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