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2-24-17



NOTICE OF HEARING
BEACON ESTATES WATER SUPPLY CORPORATION
SOAH Docket No. 582-17-2770
TCEQ Docket No. 2016-1704-MWD
Permit No. WQ0014963001

APPLICATION.

Beacon Estates Water Supply Corporation, 513 West Navigation Street, Brookshire, Texas 77423, has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014963001, which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 75,000 gallons per day. TCEQ received this application on December 23, 2015.

The facility is located approximately 800 feet east of the Farm-to-Market Road 359; approximately three miles north of the intersection of Farm-to-Market Road 359 and Farm-to-Market Road 1458, in Waller County, Texas 77423. The treated effluent is discharged to Bessies Creek; thence to Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin. The unclassified receiving water use is intermediate aquatic life use for Bessies Creek. The designated uses for Segment No. 1202 are high aquatic life use, public water supply, and primary contact recreation. All determinations are preliminary and subject to additional review and/or revisions.

The TCEQ Executive Director has prepared a draft permit which, 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 Brookshire-Pattison Library, 3815 Sixth Street, Brookshire, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice:
<<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.870099&lng=-96.00006&zoom=12&type=r>>. For the exact location, refer to the application.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

10:00 a.m. – April 10, 2017
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The contested case hearing will be a legal proceeding 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 January 25, 2017. 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 Texas Administrative Code (TAC) Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

A person whose hearing request is denied by the Commission may still seek to be admitted as a party under 30 Tex. Admin. Code § 80.109, if any hearing request is granted on the application. 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 <http://www.tceq.texas.gov/>.

Further information may also be obtained from Beacon Estates Water Supply Corporation at the address stated above or by calling Ms. Jan Shelton at (281) 934-3931.

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: February 22, 2017



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