SOAH DOCKET NO. 582-20-1895
TCEQ DOCKET NO. 2019-1156-IWD

APPLICATION OF	§	BEFORE THE STATE OFFICE
PORT OF CORPUS CHRISTI	§	
AUTHORITY OF NUECES	§	
COUNTY FOR TEXAS	§	OF
POLLUTANT DISCHARGE	§	
ELIMINATION SYSTEM	§	
PERMIT NO. WQ0005253000	§	ADMINISTRATIVE HEARINGS

EXECUTIVE DIRECTOR'S SECOND REQUEST FOR CLARIFICATION

To: Port of Corpus Christi Authority of Nueces County:

The Executive Director's staff has reviewed the information provided by the POCC necessary for the antidegradation review and needs additional information to complete the review.

The Executive Director understands that the outfall has been relocated and the diffuser has been redesigned and relocated. Additionally, the Port of Corpus Christi (POCC) provided new information regarding water depth at the diffuser. Based on the new information, a new antidegradation review is required. Staff requests POCC provide clarification of the intent of the qualifier that the "mixing zone definitions are not applicable to assessing the naturally occurring, inorganic chemical constituents that constitute salinity in marine water, and in this case the salinity of the desalination plant effluent."[1]

Additionally, to complete the new antidegradation review, a clear explanation from POCC regarding how the revised proposed discharge is consistent with TCEQ's antidegradation policy is required. This information must include the near-field (vicinity of outfall) and far-field effects (salinity gradient in surrounding bay system) from the proposed discharge and any potential effects from the discharge on the marine environment, aquatic life, wildlife, birds, endangered or threatened species, and fish spawning, egg survival and larval migration.

1. Near-field effects: POCC must provide information sufficient for staff to determine the expected salinity levels at the edge of the aquatic life mixing zone. Typically, staff uses the diffuser information to determine near-field

[1] *See,* Tischler/Kocurek Memo to Sarah Garza, Page 5.

effects, however, Appendix A of the revised application (June 24, 2021 memo from Dr. Lial Tischler) included a qualifier that the "mixing zone definitions are not applicable to assessing the naturally occurring, inorganic chemical constituents that constitute salinity in marine water, and in this case the salinity of the desalination plant effluent."

2. Far-field effects: POCC may choose to address far-field effects using the results of the SUNTANS model or other appropriate information.

The Executive Director's staff cannot complete their review of the revised information without clarification of these issues. Please respond at your earliest convenience so that staff can complete their review by July 26, 2021.

Respectfully submitted,

Texas Commission on Environmental Quality

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REPRESENTING THE
EXECUTIVE DIRECTOR OF THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2021 the "Executive Director's Second Request for Clarification" was served electronically, and by either first class mail or hand delivered to the parties on the attached service list.

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SERVICE LIST – SOAH DOCKET NO. 582-20-1895

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