

# Texas Pollutant Discharge Elimination System (TPDES) Permit Protest Authority Policy Adoption

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01/07/2025 – ID 24-2480



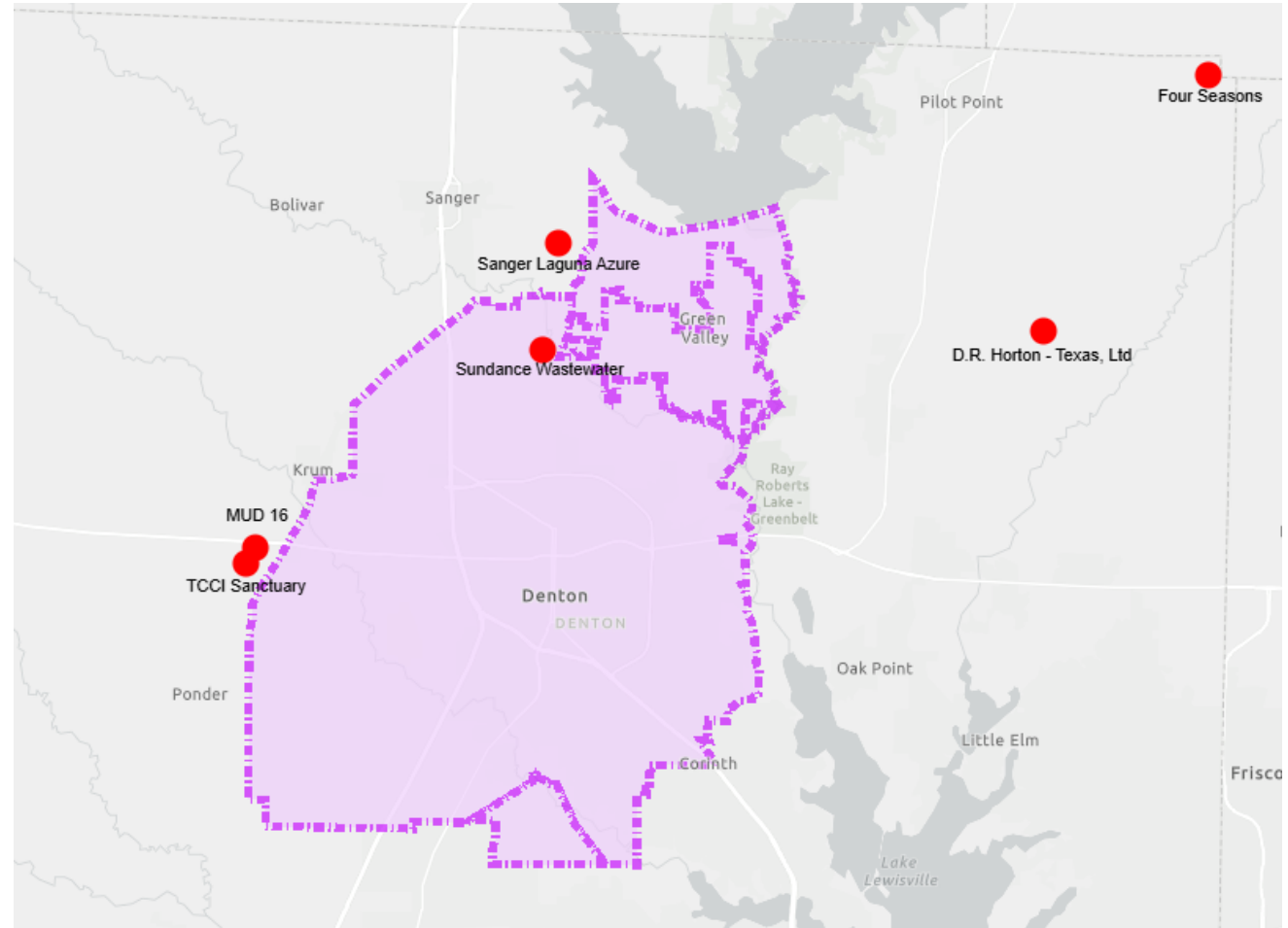
## TPDES Permit Information

- Regulatory Program to control discharges of pollutants to Texas surface waters
- Texas granted authority to administer the National Pollutant Discharge Elimination System (NPDES) from the Environmental Protection Agency (EPA) in 1998
- Required for all Water Reclamation Facilities discharging into Water in the State
- Includes a public comment period
  - Public Comment period ends 30 days after the Executive Director's preliminary decision on the permit is published.
  - Requests for a hearing (protests) must be part of a timely submitted public comment to best ensure the City's ability to protest.



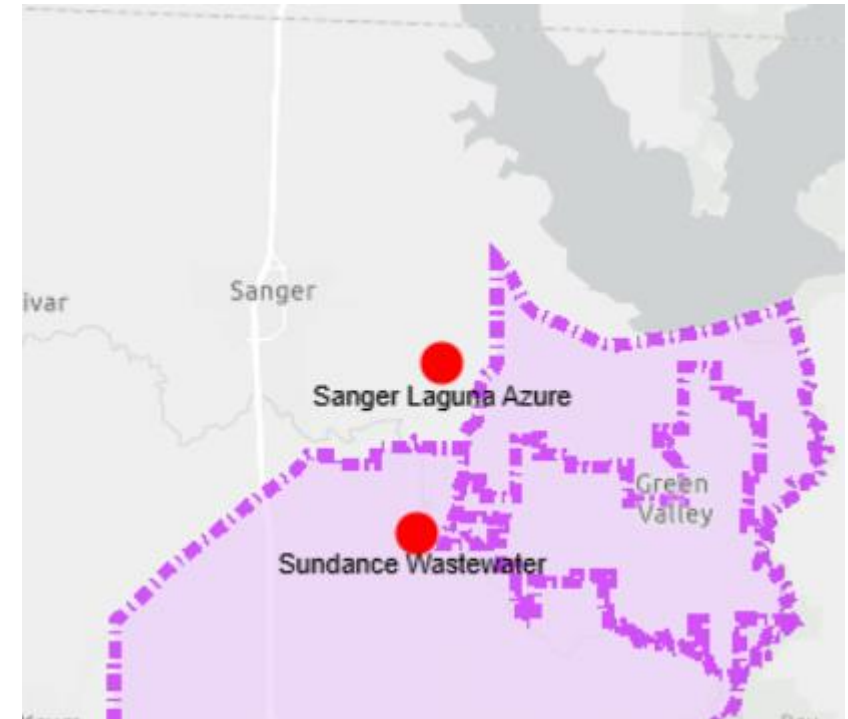
## Recent TPDES Permit Applications

- 6 TPDES permit applications affecting Denton watersheds received since June 2024
  - Permit application not required to be within Denton's CCN to affect the watershed
- Several applications are close enough to be accommodated through connection to the regional system

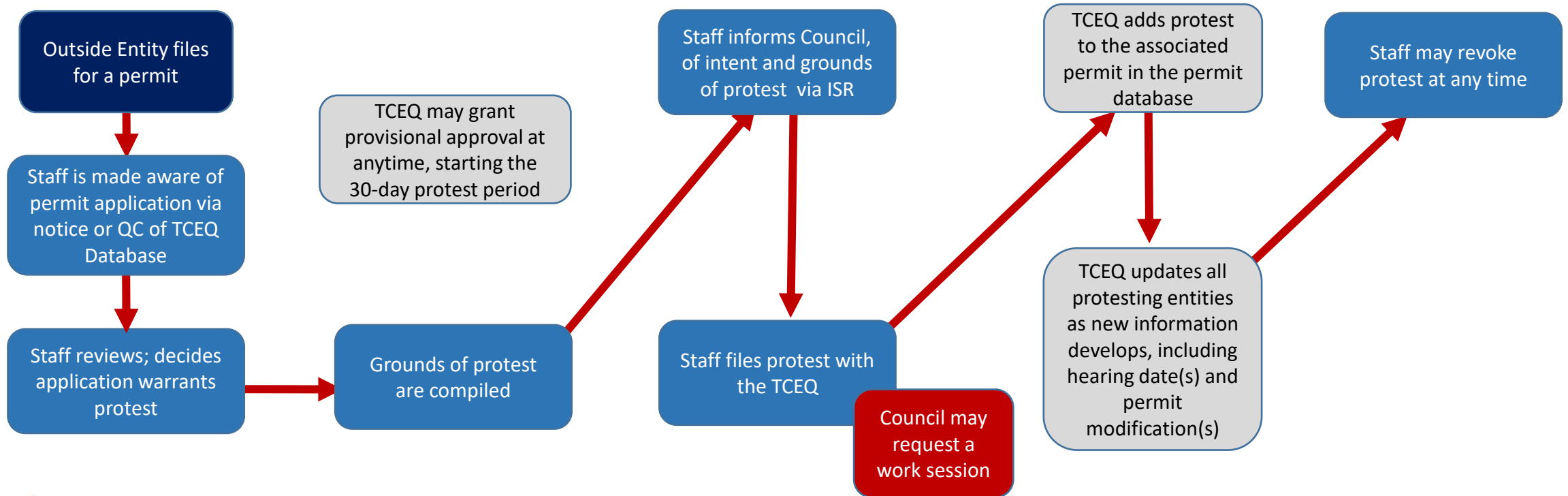


## Sanger Laguna Azure / Rainbow Valley

- Both Sanger and Dallas are protesting the Sanger Laguna Azure plant
  - Plant is within Sanger's CCN and violates platting standards
  - Both Dallas and Sanger are concerned with the lack of levels identified for phosphorous
- The developer has declined to connect to an existing wastewater system
- Denton has heard from the Rainbow Valley and Whitehawk communities who are concerned with negative environmental and access impacts associated with this plant



# Protest Process





## Staff Recommendation

Staff recommends the adoption of a Protest Authority Ordinance, granting the City Manager or their designee the legal authority to protest, on behalf of the City of Denton, TPDES permits issued by TCEQ.

The City Council will be informed of each protest through an Informal Staff Report (ISR). At the council's request, detailed updates can be provided through a Work Session item.

**Questions?**

