

COMING SUNDAY

■ The boom in natural gas production also is boosting the petrochemical industry. Not all the growth will be in Texas, though.

ENERGY | BANKING | REAL ESTATE | STOCKS | MARKETING | RETAIL | TECHNOLOGY | OIL | COMPUTING | MONEY

DIGEST

STANFORD CASE

Decision likely in September

The Securities Investor Protection Corp. said Friday its board would decide in mid-September whether to cover some investor losses from R. Allen Stanford's alleged \$7 billion Ponzi scheme.

The Securities and Exchange Commission last month directed the non-profit group, which receives funds from the brokerage industry, to reimburse Stanford victims who bought fraudulent certificates of deposit through his U.S. firm.

In 2009, SIPC had informally advised that its protections weren't available for Stanford investors, though it wasn't officially asked to weigh in on the matter until the SEC's June 15 order.

BLOOMBERG NEWS

FOOD PRICES

Pope critical of speculation

Pope Benedict XVI slammed speculation on food prices by investors whose "selfish behavior" is contributing to poverty and underdevelopment.



BENEDICT

"How can we be silent before the fact that food has become an object of speculation, or tied to happenings in a financial market that, lacking any certain rules and devoid of moral principals, appears to be still rooted to the sole object of profit?" the pope said Friday at the United Nations Food and Agriculture Organization in Rome, according to the text of a speech posted on the Vatican's website.

BLOOMBERG NEWS

ALASKA

Shell gets draft permits

Royal Dutch Shell received draft U.S. air quality permits for its stalled oil projects in Alaska's Chukchi and Beaufort seas.

The Environmental Protection Agency's permits, which are subject to 30 days of public comment, were issued Friday after the Environmental Appeals Board overturned previous approvals last year. The company also needs authorization from the Bureau of Ocean Energy Management, Regulation and Enforcement to begin exploration.

BLOOMBERG NEWS

Ex-BP chief pressed over inquiry's scope

■ In deposition, lawyers question how 'full' it was

By JOHN SCHWARTZ
NEW YORK TIMES

In testimony before Congress last summer, Tony Hayward, then BP's chief executive, asserted that his company was conducting a "full and comprehensive" investigation into the causes of the Deepwater Horizon disaster

that killed 11 rig workers and spewed millions of gallons of oil into the Gulf of Mexico. He said BP had put in place a sweeping new safety system throughout the company in the wake of lapses in 2006 and 2007.

Last month, however, in grueling depositions in London with lawyers suing BP, Hayward was challenged on his assertions that the company's safety overhaul was comprehensive and fully car-

Please see SPILL, Page D4

Fuel-efficient cars are in the fast lane

■ Detroit automakers benefit, but Japanese companies still lag

By VICKI VAUGHAN
STAFF WRITER

Americans scrambled to buy more fuel-efficient cars in June, giving Detroit automakers double-digit gains, while Japanese automakers

Toyota and Honda had their worst June since 1997.

The mixed picture was caused, in part, by Japan's March 11 earthquake, which led to a supply disruption and a shortage of some Toyota and Honda vehicles.

Toyota Motor Co.'s sales fell 21 percent in June, to 110,937 units. The company's inventory was down 40 percent in the month compared with last year, company officials said Friday.

"It's very difficult to sell cars and trucks when you don't have any," said Don Esmond, senior vice president of operations for Toyota Motor Sales USA.

At American Honda Motor Co., June sales fell 24 percent, with 83,892 vehicles sold. The company also cited a reduced supply of vehicles as the reason.

Jesse Toprak, vice president of industry trends and insight at auto information website TrueCar.com, said that while the shortages of some vehicles were real, it was the public's "perceived perception" that vehicles were scarce that did the most damage in June.

"If you look at the reality of what wasn't available, it was really a few models," Toprak said. "The vast majority of the lineup had a 40 days supply or higher."

Toyota officials, in a conference call Friday, said they are optimistic that sales will improve in the second half, including sales of pickup trucks. Tundra sales were

Please see AUTO, Page D3

Q & A

'A 3-D PERSPECTIVE'



NICK de la TORRE: CHRONICLE

HIS HOME BASE: George Pontikes Jr., leader of Satterfield & Pontikes Construction, is at home in his Houston headquarters. His company uses building information modeling software that "allows you to look for conflicts where the design may not work."

A Houston construction company that embraces virtual technology to cut costs has grabbed a piece of a \$1.2 billion project to renovate a New York City airport.

The 22-year-old Satterfield & Pontikes Construction is using computer modeling as part of a Delta Air Lines project to renovate and expand one terminal and demolish another at JFK International. The company is helping provide the estimating, scheduling and cost-control services for the project's first phase.

It's doing so with building information modeling software — just as it has done with a raft of local projects that range from renovations and additions at Reagan High School to a new, environmentally friendly building at NASA's Johnson Space Center. Five years ago, Satterfield & Pontikes used the same technology to complete — in only 10 months — its headquarters at 11000 Equity Drive.

That's where co-founder, president and CEO George Pontikes Jr. recently spoke with the Chronicle's Katherine Feser about the company, which employs more than 350 people and last year logged \$462 million in revenue.

Edited excerpts:

Q: How does the building information modeling software work?

A: It allows you to look at a building with a 3-D perspective in different phases of construction. You look at it on a computer screen. You can actually enter the building, you can do fly-bys, walk-throughs or walk-arounds. It allows you to graphically depict the schedule so you can look at where you should be at any given point in time based on your original schedule. It allows you to look for conflicts where the design may not work.

Q: How is your model different from others used by construction companies today?

A: A lot of contractors are using 3-D modeling as a

Please see Q&A, Page D4

Valero heads the list of reserve oil buyers

■ Texas refiner gets 6.9 million barrels of crude

By PAUL BURKHARD
BLOOMBERG NEWS

Valero Energy Corp., the largest U.S. independent refiner, stands to receive the most crude of any company in the Energy Department's sale of oil from the Strategic Petroleum Reserve.

The department plans to sell 30.6 million barrels of crude, according to the list

of "apparently successful" offers posted on its website. San Antonio-based Valero was awarded 6.9 million barrels, followed by Geneva-based Vitol Group, which may get 4 million.

"We treated it like any other opportunity to buy crude oil," said Bill Day, a Valero spokesman. "We expressed our interest, and if we could get feedstock at a good price we would do it."

Fifteen companies were awarded oil. The offers averaged \$107.19 a barrel, and

Please see OIL, Page D3

INVESTING

Going public

Online game maker Zynga will join the ranks of high-valued Internet IPOs. **PAGE D3**



MARKETS AT A GLANCE

▲ Dow	▲ Nasdaq	▲ S&P	▼ Oil	▼ Natural gas
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Go Daddy sold for \$2.3 billion

By JORDAN ROBERTSON
ASSOCIATED PRESS

The parent company of GoDaddy.com, a top registrar of Internet domain names, has been sold to a group of private investment firms for nearly \$2.3 billion, a person familiar with the transaction said.

KKR, Silver Lake and Technology Crossover Ventures comes as the company expects to top \$1.1 billion in revenue this year because expanding Internet use has fueled the creation of more websites and the domains needed to help find them. Go Daddy announced the sale late Friday.

The release indicated that Go Daddy's revenue has grown by more than 20 percent in each of the past several years.

The Go Daddy Group was founded in 1997 by Bob Parsons, who is its CEO. The company, based in Scottsdale, Ariz., manages more than 48 million domain names and sells other Internet-related technologies.

A fact sheet accompanying

SPILL: Contentious exchanges

CONTINUED FROM PAGE D1

ried out. The plaintiffs' lawyers argued that the company's investigation did not examine the role of BP's top officials in setting the tone for a safety-oriented culture, nor had the safety program been fully under way for rigs in the Gulf.

In hundreds of pages of Hayward's depositions, Hayward, whose public handling of the April 2010 spill was roundly criticized as clumsy, rejected every contention. But the questions suggest lines of attack that could eventually be used in the many lawsuits consolidated in a federal courtroom in New Orleans, including accusations that the company's former chief executive lied to Congress.

Ongoing litigation

The deposition was part of ongoing litigation against the British firm and other companies involved in the April 20, 2010, Deepwater Horizon disaster. The government is among the parties suing BP and is expected to impose fines for Clean Water Act violations potentially totaling billions of dollars.

Hayward is considered a critical witness, since he headed BP during and after the disaster until he was ousted in October.

The deposition, which has not been publicly released, was taken over several days in London beginning June 6.

Robert Cunningham, an Alabama lawyer who led off the two-day deposition with a confrontational style, pressed Hayward to admit that the company's inquiry into the disaster was incomplete. While BP's team examined immediate causes and events leading up to the blast on the rig itself, it did not include what Cunningham referred to as "root causes," those involving management and corporate culture, and which the company's own policies call for after major accidents.

Hayward acknowledged that the initial investigation "did not look at the overarching management process at that time," but he bristled at the suggestion that the investigation was incomplete.

"This was an investigation that was open, transparent, it was communicated as soon as we had the results," he said, adding, "in stark contrast to anyone else involved in this accident."

Lawyers for BP and Hay-



TONY HAYWARD denied the BP inquiry was incomplete.

ward raised objections to the tone of nearly every question — more than 400 objections in the first day of depositions alone. In many of Hayward's responses, he said he did not remember certain incidents, argued that he had not been involved in an issue at the level of decision-making, or that incidents had occurred after he had left the company.

Many times, he declined to answer questions that he said would call on him to speculate. Cunningham asked Hayward how his appearance before Congress was received within the company. "Did your PR people congratulate you on how you did after your testimony was concluded?"

Hayward replied, "No one congratulated me after that day. Thank you very much." Another contentious line of questioning involved BP's expenditures on safety; Cunningham argued that cost cuts at BP had raised risk, but Hayward countered that whenever he spoke, he would emphasize that "reliable operations come first, whatever the cost" — and insisted that the corporate budget-cutting affected operations, not safety.

But Cunningham scoffed, "If the first words out of your mouth every time you open it were 'I am Superman,' that wouldn't make you Superman, would it?"

A lawyer for BP responded, "Objection to form." **BP's response** In a statement Friday, BP downplayed the significance of the line of questioning and Hayward's responses. The company said the court will decide the civil cases based on the evidence presented at trial, "not the questions or cross talk of lawyers or snip-pets of testimony from any single deposition."

Hayward also fought off accusations that he sought to prop up BP's falling share price through his subsidiaries' daily media briefings on the Gulf oil spill.

During the proceedings, an attorney for the state of Louisiana pointed to an email Hayward sent to an aide asking him to arrange a media briefing to counter information that was hurting BP stock. The share price rose after the briefing.

An attorney for the state of Louisiana, Allan Kanner, asked Hayward about a June 25, 2010, email to BP's former head of exploration and production, Andy Inglis. According to Kanner, it said, "Andy, can you make sure we get the technical briefing on the relief well out today? There are all sorts of ridiculous stories going around. It's the main reason behind the share price weakness."

At the time, the well was still spewing oil. It wasn't capped until three weeks later. And it wasn't until September that a relief well sealed what had become the worst U.S. offshore oil spill.

The day of the email, BP's stock price closed at \$26.53, a 6 percent drop from the previous day's close. A BP executive, Kent Wells, held a media briefing three days later saying the relief well was only 20 feet away from the blown-out well. He also told reporters the company had a high degree of confidence in the relief well and a backup one it was drilling.

By June 30, 2010, BP's stock was back up to \$28.35 — slightly higher than what it closed at on June 24, the day before the Hayward email.

Didn't recall writing email

Kanner asked Hayward if he remembered writing the email. He said he didn't.

"Was one of the goals of the technical briefings and the media blitz, if you will, to keep the share price up?" the attorney asked.

"No," Hayward responded. "The objective of the technical briefing was to provide clear, coherent factual information as to what was and was not going on at any moment in time, and then people could form their own view as to whether that was good or bad for the share price."

In another part of his deposition, Hayward was reminded of his testimony before Congress in which he talked about attending a memorial service for the 11 men who died aboard the Deepwater Horizon rig. Asked during the deposition if he could remember the men's names, Hayward mis-identified one man and could name only two others.

The Associated Press contributed to this report.

Legal Notices

To place legal notices email legals@chron.com or call 713.224.6868.

BIDS & PROPOSALS

Competitive Sealed Proposal Notice for Renovation Work at Sutton Elementary School

Project Number: 11-06-03CS
Houston Independent School District

The Houston Independent School District will receive Competitive Sealed Proposals for work Renovation Work at Sutton Elementary School. The work includes but is not limited to: Temporary classroom building, asbestos abatement, asphalt resurfacing, fire hydrants/lanes, exterior/ADA signage, covered walkways, storage equipment, and wheelchair lift. Also included are improvements to site drainage, windows, doors, roofs, painting, ceilings, lighting, flooring, shelving, cabinets and modifications to the cafeteria serving lines, restrooms, and drinking fountains for ADA compliance. Proposals are due no later than Thursday, August 11, 2011, at 2:00 PM at the Board Services Office, 4400 West 18th Street, Office of Board Services, Houston, Texas 77052. The price proposals will be opened and the amounts read aloud.

Sutton Elementary School is located at 7402 Albarcorte, Houston TX, 77074.

The Request for Competitive Sealed Proposal (RFSCP), which includes plans and specifications, will be available beginning Monday, July 11, 2011, and may be obtained from A&E The Graphics Complex, 4235 Richmond Ave., Houston, TX 77027 / Phone (713) 621-0022 / Fax (713) 621-2537. A non-refundable deposit of \$350.00 for each set of plans and specifications. Documents in portable document format (pdf) are also available from A&E on disk for a deposit of \$25.00. Deposit checks should be made payable to HISD. Any questions regarding bid documents are to be addressed to PFLUGER ASSOCIATES LP, 4946 Main Street, Suite 100, Houston, Texas 77002, Cabrera, 713-222-1141, f. 713-222-1174.

The Competitive Sealed Proposal process will be utilized as authorized by Senate Bill 669, Section 44.039 of the Texas Education Code. The Competitive Sealed Proposal process enables HISD to select contractors on the basis of price and qualifications/methodology. M/WBE Forms, schedules and statements, as required by Section AB of the RFSCP and in accordance with the Office of Business Assistance, will be received at HISD, August 15, 2011, at the Board Services Office, 4400 West 18th Street, Office of Board Services, Houston, Texas 77052. PROPOSALS SUBMITTED WITHOUT M/WBE FORMS, PROPERLY COMPLETED, WILL BE CONSIDERED NOT RESPONSIVE.

A pre-proposal conference will be held on 3:00 PM, Tuesday, July 19, 2011 at Sutton Elementary School, 7402 Albarcorte, Houston, TX 77074, with a walk-through to follow the meeting. No additional site visits will be held. Please do not contact either school to set up individual site visits.

For additional information regarding this project, please contact Mr. Elvis Eaglin, at 713-555-6526 or eeaglin@houstonisd.org.

Drawings and Specifications for the RFSCP will be reviewed at the Reed Construction Data Electronic Plan Room and the following Houston locations: Associated General Contractors, 3825 Dacoma Street, (713) 843-3700 - McGraw Hill Construction, Dodge Plan Room, 10106 Hempstead Rd., Ste.110, (713) 316-9411 - Associated Builders & Contractors, 3910 Kirby, #131, (713) 523-6222 - Revive Houston Plan Room, Roland W. Smith Bldg., Rm. 122, 5555 Community College Dr., Houston 77013, (281) 704-9269 - HISD Construction Services Office (Bond), 3500 Tampa, Houston, TX 77021, (713) 746-8256

HOUSTON INDEPENDENT SCHOOL DISTRICT NOTICE TO PROPOSERS

The Houston Independent School District located in the Hattie Mae White Educational Support Center at 4400 West 18th Street, Houston, Texas 77052 will accept proposals, until the stated date and time deadlines, in the Board Services Office, Level C1

- Project 11-06-08 - RFP - HVAC Equipment & Supplies - Filter Media - with a deadline of 10 A.M. July 20, 2011. The pre-proposal conference for this project will be in Room 3C10 at the above stated address on July 13, 2011 at 10:30 A.M.

- Project 11-06-13 - RFP - Rebuild Engines & Automatic Transmissions - with a deadline of 2 P.M. July 20, 2011. The pre-proposal conference for this project will be in the second floor conference room at the HISD Central Warehouse, 228 McCarty Drive, Houston, TX 77029 on July 13, 2011 at 9:00 A.M.

- Project 11-06-14 - RFP - Custodial Equipment & Repair - with a deadline of 2 P.M. July 20, 2011. The pre-proposal conference for this project will be in the second floor conference room at the HISD Central Warehouse, 228 McCarty Drive, Houston, TX 77029 on July 13, 2011 at 9:00 A.M.

Proposals are available on the HISD web-site at www.houstonisd.org. The District reserves the right to reject any or all proposals, or to accept the proposal that is most advantageous to the District. The District sells obsolete assets on-line at www.PublicSupplus.com. **A SELLING COMBINATION...** Chronicle Classifieds and you. Get extra cash for items you no longer need. Houston's classifieds giant. Call **Chronicle Classifieds** 713-224-6868 today.

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BIDS & PROPOSALS

Competitive Sealed Proposal Notice for Renovation of Kashmere Gardens Elementary School

Project Number: 11-06-02CS
Houston Independent School District

The Houston Independent School District will receive Competitive Sealed Proposals for work Renovation of Kashmere Gardens Elementary School. The work includes but is not limited to plumbing, electrical, mechanical, door hardware, code compliance, security, fire and life safety upgrades. Proposals are due no later than Thursday, July 21, 2011, at 2:00 PM at the Board Services Office, 4400 West 18th Street, Office of Board Services, Houston, Texas 77052. The price proposals will be opened and the amounts read aloud.

KASHMERE GARDENS ELEMENTARY SCHOOL is located at 4901 Lockwood, Houston TX, 77026.

The Request for Competitive Sealed Proposal (RFSCP), which includes plans and specifications, will be available beginning Wednesday, June 29, 2011, and may be obtained from A&E The Graphics Complex, 4235 Richmond Ave., Houston, TX 77027 / Phone (713) 621-0022 / Fax (713) 621-2537. A non-refundable deposit of \$100.00 for each set of plans and specifications. Documents in portable document format (pdf) are also available from A&E on disk for a deposit of \$50.00. Deposit checks should be made payable to HISD. Any questions regarding bid documents are to be addressed to HILL & SWART ARCHITECTS, INC., 1511 West Main, Houston, Texas 77002, Walker, 713-729-0766, f. 713-520-0463.

The Competitive Sealed Proposal process will be utilized as authorized by Senate Bill 669, Section 44.039 of the Texas Education Code. The Competitive Sealed Proposal process enables HISD to select contractors on the basis of price and qualifications/methodology. M/WBE Forms, schedules and statements, as required by Section AB of the RFSCP and in accordance with the Office of Business Assistance, will be received at HISD, August 15, 2011, at the Board Services Office, 4400 West 18th Street, Office of Board Services, Houston, Texas 77052. PROPOSALS SUBMITTED WITHOUT M/WBE FORMS, PROPERLY COMPLETED, WILL BE CONSIDERED NOT RESPONSIVE.

A pre-proposal conference will be held on 9:00 AM, Wednesday, July 06, 2011 at KASHMERE GARDENS ELEMENTARY CAFETERIA, 4901 Lockwood, Houston, TX 77026, at 9:00am.

For additional information regarding this project, please contact Mr. Elvis Eaglin, at 713-746-8256, or eeaglin@houstonisd.org.

HOUSTON INDEPENDENT SCHOOL DISTRICT NOTICE TO PROPOSERS

The Houston Independent School District located in the Hattie Mae White Educational Support Center at 4400 West 18th Street, Houston, Texas 77052 will accept proposals, until the stated date and time deadlines, in the Board Services Office, Level C1

- RFP - Project 11-06-12 - Informative Assessment Management Solution - with a deadline of 3:00 P.M., July 28, 2011. A Pre-proposal Conference will be held on July 6, 2011 at 10:00 AM at the Hattie Mae White Educational Support Center, 4400 West 18th Street, Houston, Texas 77052 (Room 3C08).

Proposals are available on the HISD web-site at www.houstonisd.org. The District reserves the right to reject any or all proposals, or to accept the proposal that is most advantageous to the District. The District sells obsolete assets on-line at www.PublicSupplus.com. **PROFESSIONAL ASSISTANCE**, expert advice for all your Classified needs. Call **Chronicle Classifieds** at 713-224-6868. Request help to write an ad that gets great results!

LEGAL NOTICES

NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR WASTEWATER REUSE

PERMIT NO. WQ001785001
APPLICATION AND PRELIMINARY DECISION. Sequoia Improvement District, c/o Bacon & Wallace L.L.P., 6363 Woodway Drive, Suite 800, Houston, Texas 77057, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of TPDES Permit No. WQ001785001, which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. TCEQ received this application on March 16, 2011.

The facility is located at 5310 McDermott Drive in the Sequoia Estates Subdivision, on the north bank of Greens Bayou, approximately 2,000 feet west of U.S. Highway 59 and 0.7 miles south of Farm-to-Market Road 525 in Harris County, Texas 77032. The treated effluent is discharged to Greens Bayou Above Tidal in Segment No. 1016 of the San Jacinto River Basin. The designated uses for Segment No. 1016 are limited aquatic life use and contact recreation. All determinations are preliminary and subject to additional review and/or revisions.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, 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 High Meadows Branch Library, 4500 Aldine Mail Route Road, Houston, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address; phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "I will request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the facility; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the contested case hearing.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission will only grant a contested case hearing on the application or material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn. **TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

Executive Director Action. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea informacion en Espanol, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our Web site at www.tceq.texas.gov.

Further information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea informacion en Espanol, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our Web site at www.tceq.texas.gov.

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APPLICATION AND PRELIMINARY DECISION. Sequoia Improvement District, c/o Bacon & Wallace L.L.P., 6363 Woodway Drive, Suite 800, Houston, Texas 77057, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of TPDES Permit No. WQ001785001, which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. TCEQ received this application on March 16, 2011.

The facility is located at 5310 McDermott Drive in the Sequoia Estates Subdivision, on the north bank of Greens Bayou, approximately 2,000 feet west of U.S. Highway 59 and 0.7 miles south of Farm-to-Market Road 525 in Harris County, Texas 77032. The treated effluent is discharged to Greens Bayou Above Tidal in Segment No. 1016 of the San Jacinto River Basin. The designated uses for Segment No. 1016 are limited aquatic life use and contact recreation. All determinations are preliminary and subject to additional review and/or revisions.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, 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 High Meadows Branch Library, 4500 Aldine Mail Route Road, Houston, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address; phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "I will request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the facility; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the contested case hearing.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission will only grant a contested case hearing on the application or material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn. **TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

Executive Director Action. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea informacion en Espanol, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our Web site at www.tceq.texas.gov.

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