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# The Senate of The State of Texas

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**ROBERT F. DEUELL, M.D.**
TEXAS SENATE DISTRICT 2

April 5, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 9:11
CHIEF CLERKS OFFICE

**Via Facsimile: (512) 239-3311**
Ms. LaDonna Castañuela, Chief Clerk
Office of Chief Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**Re: Application for Domestic Septage Registration No. 710896; TCEQ Docket No. 2007-0395-SLG**

Dear Ms. Castañuela:

Since Mr. Ortega submitted his application for registration to land apply domestic septage in February 2006, the Texas Commission on Environmental Quality ("TCEQ" or "Commission") has received hundreds of protest letters in opposition to the facility. Among the opponents are State Representative Flynn, the Hunt County Commissioners Court, Hunt County Judge John Horn, Hunt County Commissioner Phillip Martin, and the Sabine River Authority as well as hundreds of individual Hunt County citizens. I support those public officials and well meaning citizens in opposition to the septage facility.

While the Executive Director has granted the requested registration, the Commission has the authority to reverse his decision and should do so now for the following reasons:

- Septage which receives minimal if any treatment can run off into the tributaries of Lake Fork Reservoir and Lake Tawakoni, both public drinking water supplies.
- On-site and nearby water wells, stock tanks and drainages were not properly identified in the application. Some of these features, like the abandoned on-site water well can be a conduit for groundwater contamination if not properly plugged.
- The application rate appears to be flawed which can lead to excess nutrient buildup and contamination of surface water.

The Commission should grant the Motions to Overturn the Executive Director's decision and should the Applicant pursue the authorization further, the Commission should require that he obtain an individual permit subject to an evidentiary hearing.

Sincerely,

Robert F. Deuell, M.D.
State Senator
District 2

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:37

CHIEF CLERKS OFFICE

Mr. LaDonna Castanuela
Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk MC – 105
P.O. Box 13087
Austin, Texas 78711-3087

Dear Ms. Casuanuela,

In response to the letter received on March 13, 2007, We are requesting a "***Motion to Overturn***" on the decision made by Glen Shankle, Executive director of TCEQ regarding registration # 710896 submitted by Gustavo Ortega. In regards to the registration Mr. Shankle has stated that all requirements have been met on Mr. Ortegas behalf.

As requested in this letter this motion to overturn is being filed for the following reasons:

1. The proposed land runs adjacent to the Lake Fork Creek, which is a tributary to Lake Fork and its water supply for public consumption.
   The 1970's to 1980's literature and maps used by TCEQ to determine whether this was an appropriate location were not current for this area.
2. Three of the adjacent landowners have or have had serious medical conditions that could be worsened from the affects of human waste and the lime used to treat this waste being dumped on the proposed land.
3. We feel that Mr. Ortega and TCEQ has not taken into consideration how this will effect our children, livestock and quality of life. Hunt County provides ample facilities for the treatment of domestic sewage, which after treatment, it is properly disposed of in a landfill. The treatment of domestic sewage is a complicated chemical process, which needs proper management. In Mr. Ortega's case, there will be no monitoring of what is dumped, and how it will be treated.
4. Monitoring a humane waste disposal facility is a task that should be looked after by The State in which the facility resides. On numerous accounts including the letter mailed to us on March 13th, 2007 it clearly states that this facility will not be monitored by any state or local agency. If problems occur or Mr. Ortega fails to comply with the stipulations of his registration, He is required to report himself in being in violation of the rules in which TCEQ has set for his registration.

In Conclusion, We (all attached signatures) believe that TCEQ has made a bad decision in granting Mr. Ortega with a permit to dump human waste around our homes. We believe that this will have a negative effect on our community as well as the surrounding counties and North East Texas

Sincerely,
Concerned Citizens of Hunt County

| Name | Address | Signature | Phone # |
|---|---|---|---|
| Douglas Williams | 2445 CR 3118 Campbell, TX 75422 | Douglas Williams | 903-862-2477 |
| MELBA C. WILLIAMS | 2445 CR 3118 CAMPBELL TX 75422 | Melba C Williams | 903 862 2477 |
| KAREN MAY | 2465 CR 3118 CAMPBELL TX 75422 | Karen May | 972 834 4270 |
| KEITH ALLEN GEIGER | 2465 CR 3118 CAMPBELL TX 75422 | Keith Allen Geiger | 972 795 8333 |
| Sue Luhn | 5463 CR 3208 Lone Oak, Tx 75453 | Sue Luhn | 903-662-5479 |
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| Jason Luhn | 6768 Swyle Greenville TX 75402 | Jason Luhn | 903-455-3482 |
| Beth Luhn | " " | Beth Luhn | " |
| Scott Luhn | 5403 CR 3208 Lone Oak, Tx 75453 | Scott Luhn | 903-662-5479 |
| Paula Witt | 1380 Edgington Greenville 75401 | Paula Witt | 903-450-9488 |
| Tom Witt | 1380 Edgington Greenville 75401 | Tom Witt | 903-450-9488 |
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| Dusty Goodwin | PO Box 404 Lone Oak, TX 75453 | Dusty Goodwin | (903) 662-4477 |
| Penny Dooley | 3371 CR 3210 Lone Oak | Penny Dooley | 903 662-5263 |
| John Dooley | 2730 FM 2649 | John Dooley | 903 662-4048 |
| JANA Dooley | 2730 FM 2649 | Jana Dooley | 903-662-4048 |
| Ray Dooley | 3371 CR 3210 Lone Oak Texas 75453 | Ray Dooley | 903-662-5263 |
| Nicholas Goodwin | PO Box 404 Lone Oak, Tx 75453 | Nicholas Goodwin | (903) 662-4477 |
| Kelly Goode | 5265 Cty Rd 3208 L.O. | Kelly Goode | 903-634-2195 |
| JAMES GOODE | 5265 Cty Rd 3208 L.O. | James Goode | 903-634-2195 |
| Jan Byrd | 5407 Stonewall Greenville, TX 75402 | Jan Byrd | 903-454-0355 |
| Dora Dooley | 5329 CR 3208 Lone Oak, TX 75453 | Dora Dooley | 903-662-5274 |
| Carolyn Kirk | 3105 High Way 34S Greenville Tex 75402 | Carolyn Kirk | 903-454-2968 |
| Rosalie Presti | 5499 CR 3208 Lone Oak | ROSALIE PRESTI | 903-662-5439 |
| PAUL PRESTI | 5493 CR 3208 LONE OAK | Paul Presti | 903-662-5439 |
| Betty Davies | 5716 CR 3208 Lone Oak Tex | Betty Davies | 903662-5265 |
| Barty Murphy | 6828 CR 3208 Lone Oak, Tx. | | 903-634-4059 |
| Lori Murphy | 6828 CR 3208 Lone Oak Tx | Lori Murphy | (903) 634-4059 |
| Roy O McGee | 2808 CR 3210 Lone Oak | Roy O McGee | 903-662-5734 |
| ANNA McGee | 2808 CR 3210 Lone Oak | Anna M. Dee | 903-662-5734 |
| Frieda Morton | 5588 CR 3110 Campbell | Frieda Morton | 903-862-3297 |
| Leanette Davies | 6140 CR 3208 Lone Oak Tx | Leanette Davies | 903-662-5780 |
| MARK DAVIES | 6140 CR 3208 Lone Oak Tx | MARK DAVIES | 903-454-3214 |
| Kelli Davies | 6140 CR 3208 Lone Oak, Tx | Kelli Davies | 903-217-4264 |
| Margaret Dooley | 5916 CR 3208 Lone Oak, Tx | Margaret L. Dooley | 903-662-5259 |
| Rick AKIN | 1083 FM 2931 | Rick Akin | 940-365-3218 |
| Sean Lupton | 721 Beach St. Texarkana | Sean Lupton | 870-866-5131 |

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| Michael Cumyh | 314 AVED Point | Michael Cumyh | 903-474-3681 |
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| Darlene Propes | 210 Duffey Emory | Darlene Propes | 903-458-7415 |
| William Propes | 210 Duffey Emory | William Propes | 903-458-7415 |
| Jared Tyndell | 4994 Hwy 1504 | [illegible] | 903-896-1285 |
| Mike Ahen | 915 VZCR 1825 | [illegible] | 903 896 7774 |
| Suzanne Wilson | 45 Steamboat Shore | Suzanne Wilson | 903-473-4351 |
| Kelly Ragle | 1016 RCR 3330, Emory | Kelly Ragle | 903-269-8629 |
| ROBERT AKINS | 393 CR. 3320/Greenville | Robert AK | 903-883-5238 |
| MORRIS GEORGE | 808 HICKAM DR | [illegible] | 903-831-3607 |
| " " | WAKE VILLAGE TX 75501 | | |
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| Rene Bledsoe | 786 CR 1750 Yantis, TX | Virginia Rene Bledsoe | 903-383-3813 |
| Tom Bedsoe | 786 CR 1750 Yantis, TX | Tom Bledsoe | 903-383-3813 |
| Brad Weissert | 482 Hwy 17 N. | [illegible] | 903-765-4311 |
| Jim Walker | 1227 N Hwy 17 | Jim Walker | 903-765-3613 |
| Jerry Walker | 1227 N. Hwy 17 | Jerry Walker | 903-765-3613 |
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| Mike Lytle | 1799 CR 1127 Cumby, TX | Mike Lytle | 903-459-3301 |
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| Robert McClure | 5346 FM 275 Cumby | Robert McClure | 903-994-2823 |
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| Tracy Witt | 2429 FM 513 S Campbell | Tracy Witt | (903) 662-4906 |
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| Jerry Ward | 2661 FM 513 | Jerry Ward | 903-634-4042 |
| Jannie L Ward | 2661 FM 513 S. | Jannie L Ward | 903-634-4042 |
| Kevin Hoefer | 5943 CR 3214 | Kevin Hoefer | 903-634-5767 |
| Perry Gowin | 3228 FM 513 S | Perry Gowin | 903-662-5203 |
| GARY MOATS | 3648 FM 513 S | [illegible] | 903-662-4468 |
| | 508 69 So | [illegible] | |
| Micheal Barrow | 113 CEDAR | MICHEAL BARROW | 903-634-2031 |
| Randy Pruis | P.O. Box 246 | Randy Pruis | 903 268 4610 |
| J.B. Dooley | 3711 FM 513 LONE OAK I | J.B. Dooley | 903-662-5460 |
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| Paul Fry | 2127 CR 3210 Campbell | Paul Fry | 903 634 2110 |
| Louise Hawkins | 7735 Cochise Lone Oak | Louise Hawkins | 903 217 9952 |

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| Bobby Childers | 5091 CR 3225 Lone Oak TX | Bobby Childers | 903-634-2129 |
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| Julie Pate | 5073 CR 3225 Lone Oak TX | Julie J. Pate | 903-662-5436 |
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| Cassie Martin | 1083 RSCR 4460 Point TX | Cassie Martin | 903-269-5755 |
| Marva A. Johnson | 110 F.M. 513 South TX Lone Oak | Marva A. Johnson | 903-634-2364 |
| Yvonne Stigall | Lone Oak | Yvonne Stigall | 903-634-4045 |
| Mary H. Davis | Lone Oak | Mary Henry Davis | 903-6629104 |
| Gail Crewer | Emory 450 Airport Rd | Gail Crewer | 903-4587419 |
| Jessica Banks | Emory 450 Airport Rd | Jessica Banks | 903-4587419 |
| Kenneth L. Stripling | 332 Squirebrook DeSoto | Kenneth L. Stripling | 972-230-3351 |
| Jeff Pruitt | 180 Tawaboni Tr | Jeff Pruitt | 903-447-3182 |
| Paul Giroux | 409 Katy St Lone Oak TX 75453 | Paul Giroux | 903-662-5753 |
| Michelle Salmans | 511 Katy St Lone Oak | Michelle Salmans | 903 634-5301 |
| Walt Briney | 100 FM 513 S Lone Oak | Walt Briney | 903-634-2372 |
| Teresa Briney | 100 FM 513 S Lone Oak | Teresa Briney | 903-634-2372 |
| Robin Stover | 4898 FM 513 S Lone Oak | Robin Stover | 903-455-4910 |
| Kim Patterson | 2930 CR 3514 Greenville | Kim Patterson | (903) 883-2907 |
| Carol Burton | 4611 CR 3511 Irvine, TX | Carol Burton | 903-883-4126 |
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| Charlotte Rhein | 6941 FM 2947 | Charlotte Rhein | 903-883-2128 |
| JoAnn Bowman | 104 FM 1567 | JoAnn Bowman | 903-662-5558 |
| Bennie Bowman | 104 FM 1567 | Bennie Bowman | 903-6625558 |
| Georganna Saunders | 130 RS CR 1633 | Georganna Saunders | 903-447-2670 |
| Jim Saunders | 130 RS CR 1633 | Jim Saunders | 903-447-2670 |
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| Misty Lutz | 8111 Hilltop Rd Lone Oak | Misty Lutz | 903-447-3262 |
| Brenda Standifer | 4802 CR 3519 Greenville | Brenda Standifer | 9038839850 |
| Jaelyn Click | 7087 CR 3219 | Jaelyn Click | 903-662-4347 |
| Renee Lane | 3123 CR 3210 Lone Oak TX | Renee Lane | 903-662-4039 |
| Troie Lane | 3123 CR 3210 Lone Oak TX | Troie Lane | 903-662-4039 |
| Sandra Tucker | 607 Gladys Lone Oak | Sandra Tucker | 903 634-2349 |
| Cara Turner | ~~1525 RCR 27~~ 3564 RCR 1525 Lone Oak TX 75453 | Cara Turner | 903-458-2294 |

| Name | Address | Signature | Phone # |
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| Gail Bregg | 114 Littlefield Dr TX | Gail Bregg | 903-447-2642 |
| Kathy Lock | P.O. 528 | Kathy Lock | 903-458-1008 |
| Jerri Shaw | PO BOX 361 Point | | |
| Ben W Deck | PO Box 1404 Point | Ben W Deck | |
| Tommy Hanson | 5349 CR 3229 | [illegible] | 903 634 2350 |
| James Mullis | 3864 Highland Dr | James Mullis | 903-447-2623 |
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| Felisa Hanson | P.O. Box 4181 Lone Oak | Felisa Hanson | 903-662-5668 |
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| [illegible] | 860 FM 515 Emory Tx | [illegible] | 903-473-2948 |
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| Mindy Minter | 118 Redwood | Mindy Minter | 214-585-2286 |
| Ken Patterson | 2511 CR 3118 | Ken Patterson | 903 1662-9091 |
| Kim Hawkins | 3758 CR 3130 Greenville | Kim Hawkins | 903-883-4963 |
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| Martha Barrow | 205 Windsor St | Martha Barrow | 903-662-5183 |
| Linda Kirby | 7463 Hillside Dr. | Linda Kirby | 903-447-4572 |
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| Tony Lucas | 108 Liberty Wylie Tx | [illegible] | 972-429-0169 |
| Carol Monshower | 5700 Keller Springs Dallas | [illegible] | 9724904896 |
| Bob Monshower | 5700 Keller Springs Dallas | [illegible] | 9724904896 |
| Jodi FRY | 1421 CR 3210 Campbell TX | [illegible] | 9032683290 |
| Sharon White | 2821 FM 2737 | [illegible] | 903 6625358 |
| [illegible] | P.O. Box 280 | [illegible] | 903-662-0919 |
| Chris Merriweather | 3260 CR RD 3213 Lone Oak | [illegible] | 903-662-4267 |
| Joshua Buffington | 2106 CR 3130 Emory, TX | [illegible] | 903-473-3413 |
| Del Eddins | P.O. Box 201 Point | [illegible] | 903-598-2636 |
| [illegible] | 308 Helm Lane Sulphur Springs | [illegible] | |

| Name | Address | Signature | Phone # |
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| Katherine J Arnold | 444 CR 1895 YANTIS TX 75497 | Katherine J Arnold | 903-383-7891 |
| R.N. Burton | 237 CR 4227 | | |
| Bill Lowrey | 13 Steamboat Shores Emory | Bill Lowrey | 903-473-7267 |
| Brenda George | 808 Hickan Wake Village Tx 75501 | | 903 831-3607 |
| JASWANT SINGH | 5004 N FM 17 | [illegible] | 903-765-2987 |
| Linda Borchard | 2712 N FM 17 | [illegible] | 903-765-2943 |
| Richard Griffith | 1264 CR 1236 | [illegible] | 903-878-7061 |
| Cassandra Gross | 1992 Co Rd 1612 | Cassandra Gross | 765-3605 |
| Corey Ben Griffith | 1591 CR 1310 Point | Corey Ben Griffith | 903-598-3289 |
| Kelly Hemstock | 550 RS, CR 3325 Emory | Kelly Hemstock | 903-473-4428 |
| Kimberly Hemstock | 550 RS CR 3325 Emory | Kimberly Hemstock | 903-473-4428 |
| Dr Ritty Davis | 90 Box 126 Cumby Tx 75 | Dr Davis Ritty | 903 994 2245 |
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| Mary Witty | 2049 CR 3210 Campbell | Mary Witty | 903-662-4150 |
| Robert Witty | 2049 CR 3210 Campbell | Robert Witty | 903 662-4150 |
| Beau Hill | 1918 FM 513 Campbell | Beau Hill | 903 458 4342 |
| Michael Hill | 1918 FM 513 Campbell | Michael Hill | 214 886 1001 |
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| Leslie Spradling | 2004 FM 513 S. Campbell | L. Spradling | (903) 662-5759 |
| Patty McDowell | 2121 FM 513 Campbell | Patty McDowell | 903-862-2805 |
| Julie McDowell | 2121 FM 513 S. Campbell | Julie McDowell | 903-366-7587 |
| Jenifer Sumrow | 2121 FM 513 Campbell | Jenifer Sumrow | 903-268-8066 |
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| James Fixley | 2153 FM 513 S | James Fixley | 903 862 3516 |
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| Janice Douglas | 2274 CR 3210 Campbell TX | Janice Douglas | 903-662-4005 |
| Tula Douglas | 2501 CR 3210 Campbell TX | Tula Douglas | 903-662-5362 |
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| MITZI COOK | 223 Green Canyon Mesquite | Mitzi Cook | 972-226-4195 |
| Wyone Fry | 15580 Quarum Dr Addison | [illegible] | 972-822-1020 |
| John Barker | 15580 Quarum Addison | [illegible] | 972-822-1020 |
| Abygail Massey | 530 CO Rd 1186 S.S. | [illegible] | 903-485-2162 |
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| Kayla Rosser | 4108 Pecos Ave | [illegible] | 903-908-5886 |
| SHAWN Wurzbach | 15510 Quarum Addison | [illegible] | 214-941-6704 |

Attorney

| Name | Address | Signature | Phone # |
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| Brian Padgett | 3201 CR 3210 Lone Oak | [illegible] | 972-458-2579 |
| Lois Nicoll | 6071 CR 3207 Lone Oak | Lois A Nicoll | 903-662-0909 |
| Lori Deppe | 2134 CR 3210 Campbell | [illegible] | 903 662-9093 |
| Dolores N. Gill | 2763 CR 3514 Greenville | Dolores N. Gill | 903-883-4617 |
| Linda G. Cole | 5959 CR 3207 | Linda G. Cole | 903-450-3613 |
| John R. Cole | Lone Oak, 75453 | John R Cole | 903-483-1313 |
| Ba Weil | Lone Oak Dd Donate | | 903 634 2007 |
| S.A. Coats | Emory Tx Donate | | 903 473-3225 |
| Bill Deppe | 2134 CR 3210 Campbell Tx | William Deppe | 903 6629093 |
| Lavonda Carnes | 4070 F.M. 1571 Lone Oak | [illegible] | 903-662-5414 |
| Ronald Carnes Jr | " " | [illegible] | 903-662-5414 |
| Paul Presti | 5493 CR 3208 | Paul Presti | 903 662 5439 |
| Rosalie Presti | 5493 CR 3208 | Rosalie Presti | 903-662-5439 |
| Dina M. Presti | 5505 CR 3208 | Dina M. Presti | 903-634-2444 |
| Bennie Kilpatrick | P.O Box 326 Campbell, TX 75422 | Bennie Kilpatrick | 972-800-8880 |
| Ann Dooley | 5029 FM 2947 Greenville | Ann Dooley | 903-883-2469 |
| Darrell Kilpatrick | 2124 CR 3210 | Darrell Kilpatrick | 214/202-5251 |
| Don Bowles | 5597 CR 3209 | Don Bowles | 903-662-5337 |
| Phyllis Fink | ~~5357~~ P.O Box 734 Commerce | [illegible] | 903-662-5688 |
| L.H. Snider | 3897 CR 3216 | [illegible] | 903 662 5588 |
| Carolyn Bowen | P.O. Box L.O. TX | Carolyn Bowen | 903-662-5460 |
| Barbara Seay | P.O Box 633 Lone Oak TX | Barbara Seay | 903-662-5144 ext 6330 |
| Dorothy Larkin | 4323 CR 3220 L.O. Tx 75453 | Dorothy Larkin | 903-662-5156 |
| Mary L. Dooley | 5831 CR 3214 LO TX 75453 | Mary L. Dooley | 903-662-5260 |
| Bene Dooley | 5831 CR 3214 L.O. TX 75453 | B. C. Dooley | 903-662-5260 |
| Jim Farrow | 2190 FR 2649 L.O. TX | James H. Farrow | 903-994-4508 |
| Beyce Pitts | 3348 FM 2649 L.O. | Beyce Pitts | 903-662-0082 |
| Mary Pitts | 3348 FM 2649 L.O | Mary Pitts | 903-662-0082 |
| Brittany Renner | 3348 FM 2649 LO | Brittany Renner | 903-662-0082 |
| Jim Stark | 1867 FM 513 So | Jim Stark | 903-862-3165 |
| Janet Stark | 1867 FM 513 So | Janet Stark | 903-862-3165 |
| Sandra Clark | ~~3210~~ 2142 FM 3210 | Sandra Clark | 903-461-2250 |
| Lori Murphy | 6828 CR 3208 | Lori Murphy | (903) 634-4059 |
| Monty Murphy | 6828 CR 3208 | [illegible] | 903-634-4059 |
| Martha Green | 2385 FM 513 S. Campbell TX 75422 | Martha Green | 903-862-3493 |
| Thomas Green | 2385 FM 513 South Campbell Tx | [illegible] | 903-862-3493 |
| Thomas B Dagley | 2740 E FM 2795 Emory TX | Thomas B Dagley | 903 473 3299 |
| Helen E Dagley | 2740 E.F.M. 2795 Emory TX | Helen E. Dagley | 903 473 3299 |
| ~~Danny Meeks~~ | ~~3579 FM 513 S. Lone Oak, Tx~~ | ~~Danny Meeks~~ | ~~903-662-4933~~ |
| Jeff Mundrake | 2936 CR 3210 L.O. | [illegible] | 903-634-2120 |
| Scott Voegele | 2508 Fm 513 So | Scott Voegele | 903-366-6205 |
| Linda Payne | 4729 CR 3117 | Linda Payne | 903 513 5869 |
| Steven Bowerman | 995 CR 3202 | [illegible] | 903 862 3062 |
| Ruby D Dagley | 2274 CR 3210 | Ruby D Dagley | 903-662-4005 |
| Janice Douglas | 2274 CR 3210 | Janice Douglas | 903-662 4005 |
| Angela Andrus | 3124 CR 3210 | Angela Andrus | 903 413-1333 |

| | Address | Signature | Phone # |
|---|---|---|---|
| [illegible] Wirt | 2417 FM 513 S Campbell, Tx | [illegible] | 903-662-5275 |
| Name | Address | Signature | Phone # |
| Kathy Hullin | 2795 CR 3210 L.O. | Kathy Hullin | 903-217-4535 |
| Randy Hullin | 2795 CR 3210 L.O. | Randy Hullin | 903-217-4535 |
| Phullis Riley | 6005 CR 3210 LO | Phyllis Riley | 903-268-9504 |
| Danny Meeks | 3519 FM 513 S. L.O. | Danny Meeks | 903-662-4933 |
| Mike Rackley | 3103 CR 3213 LO | Michael Rackley | 903 662 5400 |
| Josie McGee | 2929 CR 3116 | Josie McGee | 903-662-5904 |
| Syrilla Burden | 1507 FM 513 South | Syrilla Burden | 903-862-3776 |
| Terry Burden | 1507 FM 513 So. | Terry Burden | 903-862-3776 |
| Keri Zetterberg | 2511 CR 3118 | Keri Zetterberg | 903-662-9091 |
| Nick Zetterberg | 2511 CR 3118 | Keri Zetterberg | 903-662-9091 |
| Crystal Barcheers | 3024 CR 3210 | Crystal Barcheers | 903-662-9055 |
| Tim Barcheers | 3024 CR 3210 | Tim Barcheers | 903-662-9055 |
| Pat Leutwyler | 3002 CR 3210 | Patrice Leutwyler | 903-634-2064 |
| Rudy D Dyer | 2274 CR 3210 | Rudy D Dyer | 903-662-4005 |
| Janice Dyer | 2274 CR 3210 | Janice Dyer | 903 662 4005 |
| Robert Byrd | 5407 Stonewall St (Green) | Robert Byrd | 903 454 0355 |
| John Dooley | 2730 FM 2649 Lone Oak Tx | [illegible] | 903 662 4048 |
| Lisa Zdunek | 2556 CR 3210 Campbell Tx | [illegible] | 903-268-8345 |
| Chuck Cross | 2556 CR 3210 Campbell | [illegible] | 972 955 5737 |

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 19 AM 10:50

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Benny Abell of (printed home address) 2101 CR 1083 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Benny Abell
Signature

2101 CR 1083 - Celeste, Tex 75425
Address

903-217-3024
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jeri Aikens 75402 of (printed home address) 3405 Bonnie Lea St. Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I know this pasing will make our land value go down. I know the smell will be bad. Who would want to buy land there when they find out about this. All he is doing it for is the almighty dollar!!

Date: 4-3-07

Signature: Jeri Aikens

Phone number: 903-450-0807

2007 APR -5 AM 10:34
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

MAR 19 AM 10:43

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Robin Alexander of (printed home address) 2327 E Beach Dr. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/2007
Date

Robin Alexander
Signature

2327 E. Beach Drive
Address

903 883 3457
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -1 PM 2:25
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Angela Andrews of (printed home address) 3124 CR 3210 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Angela Andrews
Signature

3124 CR 3210 Lone Oak, TX 75453
Address

(903) 413-1333
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

9/M

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:25

CHIEF CLERKS OFFICE

Angela Andrews
31 24 CR 3210
Lone Oak, TX 75453

I am writing in reference to B.L.U. Application #710896

I live very close to the suggested sewage waste dumpsite of Mr. Gustavo Hernandez Ortega in Lone Oak, TX. Since August of 2006 our community has banned together against this atrocity. As of now we have failed to gain any ground against this being done. I am very concerned about the welfare of our community and the value of our property.

There has been a decision to let Mr. Ortega dump on the proposed property. In this decision there is a statement that there was no working well within a mile. I know, for a fact, there is a well across CR 3210 from me. It is less than 2600ft. from the dumpsite. I believe that is quite a bit less than 1 mile.

The dumpsite slopes toward the land I live on. I know that the land slopes toward a creek that eventually ends up in Lake Fork in Rains County which feeds into Lake Tawakoni and finally into Dallas County. I am concerned that raw sewage would contaminate our waterways. I don't like the idea of drinking the water from contaminated sites.

A concerned citizen,

Angela Andrews

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:24

CHIEF CLERKS OFFICE

Michael Andrews
31 24 CR 3210
Lone Oak, TX 75453

I am writing in reference to B.L.U. Application #710896

I live very close to the suggested sewage waste dumpsite of Mr. Gustavo Hernandez Ortega in Lone Oak, TX. Since August of 2006 our community has banned together against this atrocity. As of now we have failed to gain any ground against this being done. I am very concerned about the welfare of our community and the value of our property.

There has been a decision to let Mr. Ortega dump on the proposed property. In this decision there is a statement that there was no working well within a mile. I know, for a fact, there is a well across CR 3210 from me. It is less than 2600ft. from the dumpsite. I believe that is quite a bit less than 1 mile.

The dumpsite slopes toward the land I live on. I know that the land slopes toward a creek that eventually ends up in Lake Fork in Rains County which feeds into Lake Tawakoni and finally into Dallas County. I am concerned that raw sewage would contaminate our waterways. I don't like the idea of drinking the water from contaminated sites.

A concerned citizen,

Michael Andrews

Michael Andrews

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mike Andrews of (printed home address) 3124 CR. 3210 Lone Oak TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-1-07
Date

Mike Andrews
Signature

3124 CR. 3210 Lone Oak TX 75453
Address

903-413-1334
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10:33

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) R ANDERSON of (printed home address) 7513 SHORELINE DR. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

24 MAR 07
Date

Signature

7513 SHORELINE DR.
Address

903 447-3435
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10: 29

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jennifer Arden of (printed home address) 148 CR 4778 Sulphur Springs, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Jennifer Arden
Signature

148 CR 4778, Sulphur Springs, TX 75482
Address

903-945-3047
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11: 22

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JOHN ASHMORE of (printed home address) 5219 CR 2737 LONE OAK, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

RUN OFF (WATER) INTO LOCAL LAKES ETC....

Date: 4-2-07

Signature: John A. Ashmore

Phone number 1- 903-634-5005

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:40

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jerry Bailey of (printed home address) 4635 Lazy H Lane, Lone Oak, Tx. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 17, 2007
Date

Signature

4635 Lazy H Lane, Lone Oak, Tx. 75453
Address

903-662-4244
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joyce Bailey of (printed home address) 4635 Lazy H Lane, Lone Oak, Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12, 2007
Date

Joyce Bailey
Signature

4635 Lazy H Lane, Lone Oak, Tx 75453
Address

903-662-4244
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 29 AM 10: 33

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Laura Bailey of (printed home address) 601 Lake Fair Dr West Tawakoni TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-24-07
Date

Laura Bailey
Signature

601 Lake Fair Dr
Address West Tawakoni Tx 75474

903-447-3109
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -3 AM

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Donald Barka of (printed home address) 2912 CR 3311 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not think it is right to put raw sewage out on the ground untreated. What are they thinking. - What should I have to have a permit for my aerobic water system?

Date: 3/29/07

Signature: [signature]

Phone number: 903-454-3171

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 21 AM 9:36

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Tina Barrett of (printed home address) P.O. Box 762 Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3.16.07
Date

Signature

P.O. Box 762
Address

903 634 3033
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Terri Barron of (printed home address) 5076 CR 2216 Caddo Mills, Tx 75135 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Mr. Ortega's waste will run off into area lakes and underground well systems.

Date: 3/26/07

Signature: Terri Barron

Phone number: 903-527-3774

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -2 AM 10:52
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 19 AM 10:43

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Cynthia Beacom of (printed home address) 1396 Mamie Rd make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3.16.07
Date

Cynthia Beacom
Signature

1396 Mamie - Greenville 75402
Address

903.450.1582
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:17
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) BARBARA GAIL BEASLEY of (printed home address) _____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

_____

_____

_____

_____

Date: 3-23-07

Signature: Barbara Gail Beasley

Phone number: 903-303-3012

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10 16
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MICHAEL DON BEASLEY of (printed home address) 2788 MALLARD Dr GREENVILLE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-23-07

Signature: Mike Beasley

Phone number: 903 303 3012

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:35

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Pamala Bedingfield of (printed home address) 6673 Hwy 69 S make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega. LONE OAK TX 75453

3/11/07
Date

Pamala Bedingfield
Signature

Address

903-662-5390
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:33

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) WYLIE BEDINGFIELD of (printed home address) 6136 CR 3133 LONE OAK TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/12/07
Date

Wylie Bedingfield
Signature

Address

903-662-5583
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -5 AM 2:40

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PENNY A. BELCHER of (printed home address) 2812 McCarley, Commerce, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Safety and health issues are a major concern.

Date: 4-2-07

Signature: Penny A. Belch

Phone number: 903-886-8759

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -5 AM 2:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dennis Bell of (printed home address) 937 Fm 513 Lone Oak, Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Land is to close to Lake Tawakoni;

Date: 4-1-07

Signature: Dennis Bell

Phone number: 903-447-3002

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 19 AM 10:49

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Karen Bell of (printed home address) 3236 PR 3550, Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Karen Bell
Signature

3236 PR 3550 Greenville TX 75402
Address

903-883-9832
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 9:13
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Barbara Bench of (printed home address) 111 South J St - Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I think it would be very detrimental to our environment, and our water supply, especially farm wells and the runoff into our area lakes for Mr. Ortega to dump waste from septic systems on his land.

Date: March 25, 2007

Signature: Barbara Bench

Phone number: 903-450-4490

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Vicki Bilbo of (printed home address) 1635 Hollow Way Quinlan, TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I agree do not want human waste on property

Date: 4-2-07

Signature: Vicki Bilbo

Phone number: 903-883-9097

2007 APR -5 AM 10:32
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lasaro Birdwell of (printed home address) 181 RCR 1310 Point, TX 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

04/02/07
Date

Signature

181 RCR 1310 Point, TX. 75472
Address

903-598-2085
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Angie Black of (printed home address) 301 Comanche Trail make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-27-07
Date

Angie Black
Signature

301 Comanche Trail
Address West Sawakoni, TX 75474

Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 9:38
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 3:00

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) John Bloskas of (printed home address) 3657 CR 3130 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3.28.07
Date

John Bl
Signature

3657 CR 3130, Greenville, Tx 75402
Address

972.335.4184
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-~~104~~ 105
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:49

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Rebecca Boggs of (printed home address) 2318 N/Solsum Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/14/07
Date

Rebecca Boggs
Signature

2318 N/Solsum Greenville TX 75401
Address

903 454 1016
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 26 PM 3:19

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Consuelo R Bonham of (printed home address) 1281 Maine make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The environment should be protected as much as possible for the Wildlife & People health - We don't need any more contamination in our land & water than we already have!

Date: 3-19-07

Signature: Consuelo R Bonham

Phone number: 903-455-9841

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Please don't disregard this!

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Serena Booth of (printed home address) 5440 CR 3229, Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

030907
Date

Serena Booth
Signature

5440 CR 3229 Lone Oak 75453
Address

903·662·5080
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2013 MAR 15 AM 10:43
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -9 AM 11: 08

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary E. Botts of (printed home address) 503 Highland Oaks Dr, Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary*)

I feel Mr. Ortega should not be allowed to dump waste derived from septic systems on land situated where runoff goes into Lake Tawakoni and Lake Fork public water supplies for numerous municipalities in Northeast and East Texas.

Date: 3/27/07

Signature: Mary E. Botts

Phone number: 903-454-2614

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:54

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carolyn Bowen of (printed home address) P.O. Box 154, Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

One would think the "Texas Commission on Environmental Quality" would protect our natural resources - land, air, and our waterways. Your decision will destroy everything we and our fathers and forefathers have built. I am appalled at your decision.

Date: 4-1-07

Signature: Carolyn Ann Bowen

Phone number: 903-662-5460

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAY 16 AM 10:23
CHIEF CLERKS OFFICE

I, (printed name Don & Sue Bowles of (printed home address)_ 5597 CR 3209 Campbell TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

May-12-2007

Date

Don & Sue Bowles

Signature

5597 CR 3209 Campbell TX. 75422

Address

903-662-5397

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:11

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Don Bowles of (printed home address) 5599 CR 3209 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I have Diabetics, Narcosie, Airborn Allergies, Contact Derma that will cause me to loose my skin on hand feet mouth & nose. If you OK this there will be Air borne Desease that will effect me. So please stop.

Date: 03-22-2007

Signature: Don Bowles

Phone number: 903-662-5397

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sigrid. Bowles of (printed home address) 5597 CR 3209 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We live about 1500 Ft. from there, I have Lukemia Asthma C. Bronchitis Allergic Rinitis. if this comes here i will not be able to go out at all. because I won't be able to Breathe. please stop it.

Date: 03-22-2007

Signature: Sigrid Bowles

Phone number: 903-662-5397

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Cory Boyer of (printed home address) 149 PR [redacted] 8010 Emory Tx 75440 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Cory Boyer
Signature

149 PR 8010 Emory Tx 75440
Address

(903)473-2453
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 19 AM 10:
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Andrew J. Breaux of (printed home address) 114 FM 1567, Lone Oak, Tx. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Andrew J. Breaux
Signature

114 FM 1567 Lone Oak
Address

903-662-5425
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 14 AM 10:04

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code. Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PENNIE BRIGNON of (printed home address) 5093 FM 2947 Greenville 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 9, 2006
Date

Pennie Brignon
Signature

5093 FM 2947 Greenville TX 75402
Address

903-883-3116
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 26 AM 10:29

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PENNIE BRIGNON of (printed home address) 5093 FM 2947 Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It's just wrong! So what if operator doesn't follow requirements he'll just get fined after damage has been done. Why do we have to have septic systems - too many Loose ends for responsibity no Longterm outcome of this sort of disposal.

Date: 3/20/07

Signature: Pennie Brignon

Phone number: 903-883-3116
903-408-4018

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 23 PM 3:07

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) LINDA BROOKS of (printed home address) 3211 CR 3110 GREENVILLE TEXAS 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THIS TYPE OF BUSINESS SHOULD NOT BE ALLOWED DUE TO HEALTH & QUALITY OF LIFE ISSUES. IT WOULD BE A DETRIMENT TO THIS ENTIRE COMMUNITY. I PERSONALLY DO NOT LIVE VERY FAR FROM THIS AREA. EVERYONE IS VERY CONCERNED OVER THE POSSIBLY OF THIS BEING ALLOWED TO DUMP RAW WASTE ON THIS PROPERTY. IT WILL DEFINATELY AFFECT OUR WATER SUPPLIES.

Date: MARCH 20, 2007

Signature: Linda Brooks

LINDA BROOKS

Phone number: 903-408-4130

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 19 AM 10:47

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Retta Nell Brown of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Retta Nell Brown
Signature

5410 Woodglen Ln - Bronwille, Texas 75402
Address

903-886-7439
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMEN
QUALITY

MAR 21 PM 2:

CHIEF CLERKS OFFIC

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JAN BURKS of (printed home address) 2795 COUNTY RD. 3210 LONE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/20/07
Date

Jan Burks
Signature

2795 County Rd. 3210 Lone Oak, TX 75453
Address

214-679-3762
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

-3 AM 10: 10

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Donald Burnette of (printed home address) 1960 CR 3308 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-30-07

Signature: Donald Burnette

Phone number: 903 450-0288

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Stephanie Burnett of (printed home address) 1960 CR 3308 Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3.31.07

Signature: Stephanie Burnett

Phone number: 903.450.0288

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:15
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ARLEN Butler of (printed home address) 5897 RANCHO DR QUITMAN, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

with all of the chemicals in the sludge if it gets into the drinking water, will make too many people sick (babies, elderfolk et all other low resistant people). This is not a good quality of life. Would you drink this water or give to your family.

Date: 3-21-07

Signature: Arlen J. Butler

Phone number: 903-883-9967

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PM 2:37

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jan Byrd of (printed home address) 5407 Stonewall Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

Jan Byrd
Signature

5407 Stonewall
Greenville, Tx 75402
Address

903-454-0355
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

4-4-07

Responses to TCEQ Directors Public Responses (4-13-07)
BLU Site # 710896-Ortega

Comment #1---Applicant still has not adequately described how lime will be mixed consistently in his transport tank to attain PH 12 or higher throughout the entire load of domestic septage. Driving around will not do it.

Comment #2---According to one eyewitness water was struck at 30 foot depth while digging a cistern less than a mile north of proposed septage site. TCEQ water tables are wrong.

Comment #5---TCEQ holds applicant accountable but he has no environmental insurance on file with the state for this kind of operation. Applicant is supposed to be self-regulating and self-reporting. This plan has the fox guarding the hen house.

Comment#6---The plan to grow Bermuda grass at the rate, the quantity of septage applied, and no adequate provision for timely or adequate water application----- shows what a SHAM this program is---AN EXCUSE TO DUMP SEPTAGE AT THIS SITE. If the plan specified in the application is a fabrication then the entire application must be overturned rather than approved. The Director's people are not using common sense to evaluate feasibility of this Bermuda grass growing plan---and that is the purpose of this BLU site.

Comment#7---The TCEQ quotes a Soil Survey Map that is over 30 years old and describes soil composition 30 miles away. Ortega still has not produced soil samples that identify BLU Site #710896 by name, county map block, or by GPS.

Comment#8---The mission of TCEQ is to insure environmental quality of life--- It is failing to protect the citizens of all Hunt County in this case.

Comment#9---The Director has failed to answer major questions concerning Ortega's plan and application. I insist upon a motion to overturn approval of this application for registration of BLU Site #710896 because it is based on the false premise that a viable Bermuda grass operation can be sustained as Ortega states--- Therefore it fails for lack reason.

I MOVE TO OVERTURN THE EXECUTIVE DIRECTOR'S ACTION IN APPROVING REGISTRATION OF BLU SITE # 710896.

Robert Byrd

Robert Byrd,
Concerned Citizen, Hunt County
Member, Prairie Valley Baptist Church

2007 APR -5 AM 3:49
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 20 PM 2:38

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Robert Byrd of (printed home address) 5407 Stonewall St, Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Robert Byrd
Signature

5407 Stonewall St. Greenville Tx 75402
Address

903-217-3586
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Stephen Byrd of (printed home address) 4833 CR 3111 Campbell Tex make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Stephen Byrd
Signature

4833 CR 3111
Address

903-862-2232
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:48
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -4 PM 2:33

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kathy Caldwell of (printed home address) 3766 Hwy 34N make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-31-7
Date

Kathy Caldwell
Signature

3766 Hwy 34 N Cuke, TX 75401
Address

903/455-2685
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bonita Calhoun of (printed home address) 192 RCR 2131 Emory, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Bonita Calhoun
Signature

192 RCR 2131 Emory, TX 75440
Address

903-474-9807
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 15 AM 10:40

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Dena Callahan of (printed home address) 880 CR 3318, Greenville 75401 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07

Date

Dena Callahan

Signature

880 CR 3318

Address

903-883-2399

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

RM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 39

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jamie Cannon of (printed home address) 6511 PR 2209, Quinlan TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The idea of dumping human waste near public water sources is disturbing. Shouldn't the commission of Environmental Quality try to find a resource that helps preserve and improve the quality of the environment, not destroy it?

Date: 3/21/2007

Signature: Cannon

Phone number: (972) 782-6202 ME

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 27 AM 10: 08

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jawny Cannon of (printed home address) 6511 PR 2269 Quinlan, TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary*)

The concept of allowing this man to dump collected wastes from septic tanks, that should be properly processed, is unconscionable. It is dangerous for those of us in this area who use the lake for recreation, drinking water, and it is no different than allowing open cesspools that are never treated at Residential locations.

Date: 3/22/2007

Signature: Jawny Cannon

Phone number: 903-883-2992

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

07 MAR 15 PM 2:25

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) W.A. CAPLINGER of (printed home address) 1108 Division St. Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-8-7
Date

W.A. Caplinger
Signature

1108 Division GREENVILLE, Tx 75401-5833
Address

903-455-4503
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

# COUNTY OF RAINS
# ENVIRONMENTAL ENFORCEMENT

201 Doris Briggs Parkway Ste 102
P O Box 158
Emory, Tx 75440
Phone 903 473 2535

Rains.co.litter@verizon.net



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 AM 10: 24
CHIEF CLERKS OFFICE


Harold L. Carr
PO Box 158
Emory, Texas

Glenn Shankle
MC 109
PO Box 13087
Austin, Texas 78753

21 March 2007

Subject: Beneficial Land Use Application 710896 (Gustavo H. Ortega).

Mr. Shankle:

The application referenced above is in Hunt County, Texas. My responsibilities are with Rains County, Texas. Rains County is situated adjacent to, and south and east of Hunt County.

The application of septage to the Ortega property harbors the potential for contaminating watersheds that enter Lake Tawakoni and Lake Fork Reservoir. Lake Tawakoni is of particular concern to me. The major portion of potable water consumed in Rains County is drawn from Lake Tawakoni. Lake Tawakoni is also a source for the water needs of the City of Dallas, and many outlying areas. Lake Fork, once on line, will supply the City of Dallas and outlying areas.

The Ortega property lies on a raised elevation with prominent drainage to Lake Fork Creek, Head Creek and Pool Branch. Lake Fork Creek feeds directly into Lake Fork Reservoir. (The distance from the Ortega property to Lake Fork Creek is approximately 4/10 mile) Head Creek and Pool Branch, feed into Lake Tawakoni via Caney Creek, Timber Creek then the Sabine River. (The distance from the Ortega property to Head Creek is approximately 5/10 mile, and the distance from the Ortega property to Pool Branch is approximately 6/10 mile) (See attachment A) Most of the drainage from the Ortega property will flow directly into Lake Tawakoni. (See attachment B)

I respectfully request that you reconsider the preliminary approval of this application, considering the impact it can have on our water supply. A breakdown or failure of the process, as set forth in TAC 312, could be traumatic for our county.

As an interested party, I am available for any assistance I may be able to provide to you concerning this matter.

Sincerely:

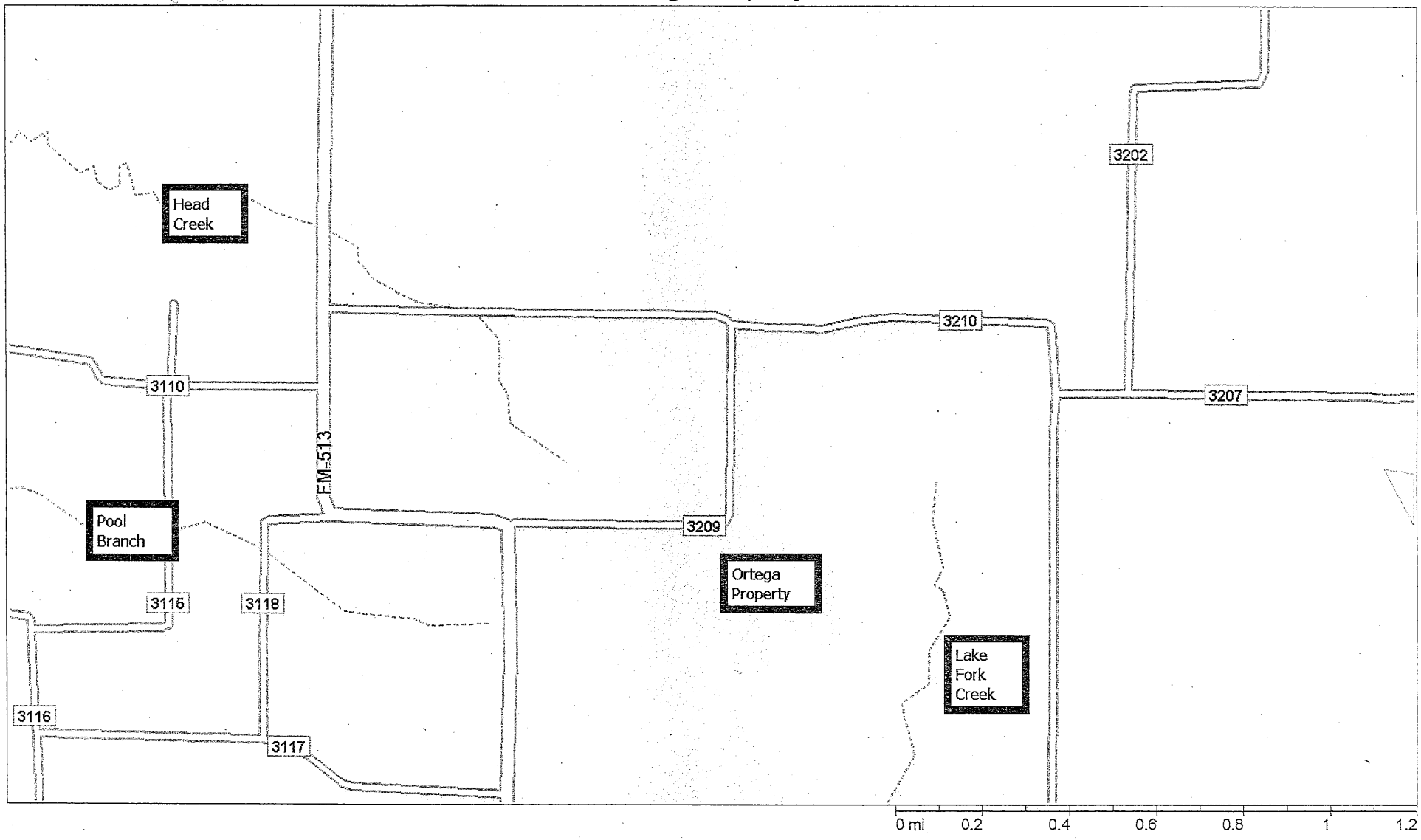
Harold L. Carr

Harold L. Carr
Rains County Environmental Enforcement Officer
Rains County Designated Representative
903 473 2535
rains.co.litter@verizon.com

cc: LaDonna Castanuela
L. Miller, Mayor City of Dallas
G. Vaughan, Mayor City of East Tawakoni
C. House, Mayor City of Emory
P. Kerr, Mayor City of Point
City Council City of Dallas
J. M. Puckett, Director Water Utilities, City of Dallas
U. S. Representative Ralph Hall
Bob Duell, Texas State Senator
Dan Flynn, Texas State Representative
Sabine River Authority Lake Tawakoni
Sabine River Authority Lake Fork Reservoir
J. R Dougherty, Rains County Judge
H. Bullard, Commisioner Rains County
R. Sisk, Commissioner Rains County
G. Bishop, Commissioner Rains County
J. Painter, Commissioner Rains County
P. Martin, Commissioner Hunt County

A

# Ortega Property

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1:250K Topo Maps
Automatic selection

**Map Size**
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Medium
Large

**View Scale**
1 : 50,000

**Coordinate Format**
DD.DDD

**Map Datum**
NAD83/WGS84

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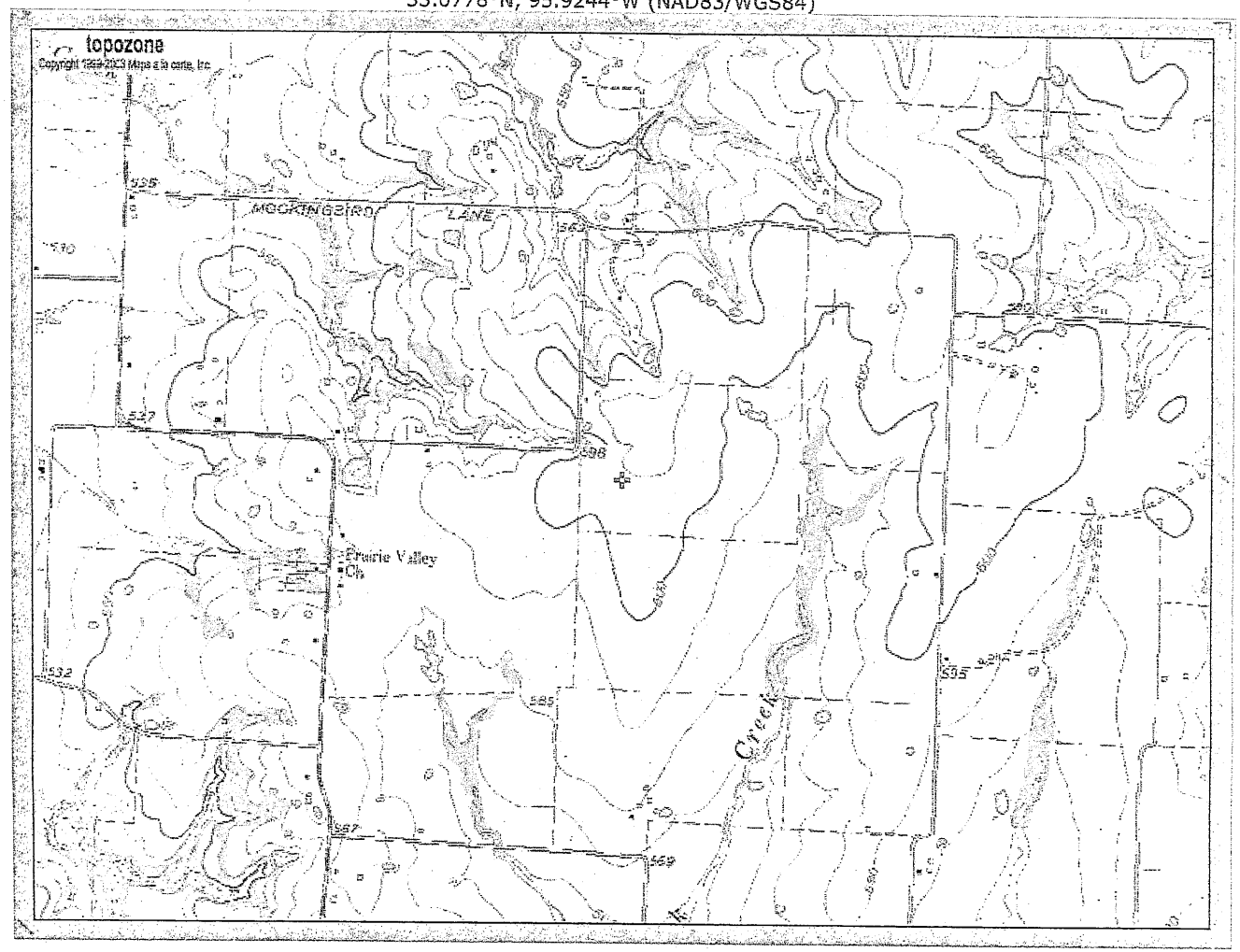
## USGS Lone Oak North (TX) Topo Map

View *TopoZone Pro* topographic maps, aerial photos, street maps, coordinate and elevation display

33.0778°N, 95.9244°W (NAD83/WGS84)

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2007 APR -5 AM 3:00

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jerry L. Cain of (printed home address) 4485 CR 3111 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Run-off goes to Lake Fork
Not Good.

Date: 4-02-07

Signature: J Cain

Phone number: (903) 461-5651

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 3:08
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Richard Carter of (printed home address) 9810 Belmont Place make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Health & Environmental Protection Improvement

Date: April 2, 2007

Signature: [signature]

Phone number: 903-408-1605

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10:33

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lenora Cavazos of (printed home address) 801 W. Main #39 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-24-07
Date

Lenora Cavazos
Signature

801 W. Main #39 Quanah
Address

903-356-4228
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Rick & Dianne Chambers of (printed home address) 50012 Zora GNVL, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-30-07
Date

Dianne Chambers
Signature

50012 Zora
Address

903-454-8300
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:42
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:40

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN1[illegible]6820.

I, (printed name) S. T. CHAPMAN of (printed home address) 795 FM 513, LONE OAK TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07
Date

ST Chapman
Signature

795 FM 513, LONE OAK TX 75453
Address

903 447 2546
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 29 PM 2:38

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Chris Chesher of (printed home address) 6504 Oriole Circle make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

Signature

6504 Oriole Circle Greenville TX 75402
Address

903-268-0638
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 14 AM 9:50

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820. 111

I, (printed name) SANDRA CLARK of (printed home address) 2142 CR 3210 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 11, 2007
Date

Sandra C. Clark
Signature

P.O. Box 507, Lone Oak, Tx 75453
Address

(903) 461-2250
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 16 AM 10:24

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Billy Kay Cleveland of (printed home address) 6380 FM 499 East make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 13-07
Date

Kay Cleveland
Signature

P.O. Box 268 - Campbell, Texas 75422
Address (Mailing Address)

903-862-2182
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 21 AM 9:44

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Thomas E. Cloutier Joan M. Cloutier of (printed home address) 1830 Mamie Rd, Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-18-07
Date

Thomas E Cloutier
Joan M. Cloutier
Signature

1830 Mamie Rd.
Address Greenville, TX 75402

(903) 454-9213
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 08

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Thomas Cloutier Joan Cloutier of (printed home address) 1830 Mamie Rd., Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It sounds like the "Texas Commission on Environmental Quality" is on par with the "Texas Youth Commission" - State employees not doing their jobs. I propose that Mr. Ortega dump his waste in Mr. Shankle's back yard. Let's keep Lake Tawakoni, Lake Fork and the local wells uncontaminated.

Date: 3-24-07

Signature: Thomas Cloutier Joan M. Cloutier

Phone number: (903) 454-9213

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 PM 2:49
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sam Coats of (printed home address) _____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Human waste is something 3rd World Countries do - The disease it causes are not worth the Risk - Greenville has a processing plant to take care of Human Waste.

Date: 3-20-07

Signature: Sam Coats

Phone number: 903-413-3225

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTA
QUALITY

2007 MAR 30 PM 2:5

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary Cobbs of (printed home address) 3110 Legacy Circle, make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-29-07
Date

Mary Cobbs
Signature

3110 Legacy Circle
Greenville, TX 75402
Address

903-454-9423
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 30 PM 2:58

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Raymond Cobbs of (printed home address) 3110 Legacy Circle make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-27-07
Date

Raymond Cobbs
Signature

3110 Legacy Circle
Greenville, Tx 75402
Address

903-454-9423
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:56

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary Sue Cole of (printed home address) 3079 FM 1564 E, Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Concerned about health & water quality

Date: 4/2/07

Signature: Mary Sue Cole

Phone number: 903 883 0227

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Billy Colegrove of (printed home address) 3453 CR 1925 Edgewood, Tx 75117 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Billy F. Colegrove
Signature

3453 CR 1925 Edgewood, Tx 75117
Address

903-896-1292
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Vicki Colegrove of (printed home address) 3453 CR 1925 Edgewood, TX 75117 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Vicki Colegrove
Signature

3453 CR 1925 Edgewood, Tx 75117
Address

~~Edg~~ 903-896-1292
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Pat Coley of (printed home address) P.O.Box 399 Campbell TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/19/07
Date

Pat Coley
Signature

P. O. Box 399
Address

Campbell TX 75422

Phone number
903-662-0018

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:19
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**RESOLUTION NO. 07 - 12**

2007 APR -5 AM 3:44
CHIEF CLERKS OFFICE

**A RESOLUTION MOTIONING TO OVERTURN THE EXECUTIVE DIRECTOR OR THE TEXAS COMMISSION ON ENVIRONMENTAL'S DECISION ON GUSTAVO HERNANDEZ ORTEGA'S B.L.U. APPLICATION SITE #701896; GRANTING AUTHORITY TO THE MAYOR TO EXECUTE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, AND AUTHORIZING CITY MANAGER TO EXECUTE ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO THIS RESOLUTION.**

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 3rd day of April 2007, at 7:00 p.m.; a majority of Council Member's being present and constituting a quorum, the following Resolution was adopted:

**WHEREAS,** the City of Commerce has been notified of TCEQ's ruling allowing human waste to be dumped on property in Hunt County; and

**WHEREAS,** the City of Commerce has the right to motion to overturn the decision of the Executive Director, pursuant to the Texas Administrative Code.

**BE IT RESOLVED**, that after careful consideration, the City Council of the City of Commerce hereby deems it to be in the best interest to motion to overturn said decision of the Texas Commission on Environmental Quality.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor of the City of Commerce, Texas, be authorized and she is hereby authorized to execute this Resolution;

**BE IT FURTHER RESOLVED** that the City Secretary be authorized and she is hereby authorized to attest to the signature of the Mayor to this Resolution;

**BE IT FURTHER RESOLVED** that the City Secretary be authorized and she is hereby authorized to attest to the signature of the City Manager to any and all instruments requisite to implementing this Resolution.

**PASSED BY THE GOVERNING BODY** of the City of Commerce, Texas, at a regular meeting of the City Council of the City of Commerce, Texas, on the 3rd day of April 2007.

**ATTEST:**

Marty Cunningham, City Secretary

**CITY OF COMMERCE:**

Sheryl Zelhart, Mayor

(Seal)

APPROVED AS TO FORM:

Marty Cunningham for
Jim McLeroy; City Attorney

I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution , and that the same has not been repealed and is in full force and effect.

(Seal)

Marty Cunningham, City Secretary

Sworn to and subscribed before me, on this the 4th day of April, 2007 to certify which witness my hand and seal of office.

Rebecca J. Pattillo
Notary Public, State of Texas

(seal)

REBECCA J. PATTILLO
Notary Public
State of Texas
Comm. Expires 05-15-2007

Resolutions\Misc\TCEQoverturn.040307

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR -3 AM 10: 34

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CHARLES R. CONINE of (printed home address) 343 LINKVIEW DUNCANVILLE TX. 75137 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

MARCH 11, 2007
Date

Charles R. Conine
Signature

343 Linkview
Duncanville, Tx. 75137
Address

(972) 298-4808
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:33
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) SONYA R. CONN of (printed home address) 4320 CR 3220 Lone Oak Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Sonya Conn
Signature

4320 CR 3220
Address

Lone Oak 75453
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Adelle Cook 75402 of (printed home address) 2312 FM 1564 E Greenville, make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Environmental issues

Date: 3-29-07

Signature: Adelle Cook

Phone number: 469-446-8606

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MC

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 9:50
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Almina Cook of (printed home address) 2233 CR 1076, Celeste TX 75423 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

This will Contaminate our local water!

Date: 4-2-07

Signature: Almina Cook

Phone number: 903-454-7520

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 46

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) LEEMAN COOK of (printed home address) 1908 PR3344 - GREENVILLE, TX - 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I think Mr. Shankle should take more time to think about this issue, it affects so many people and their water supply and this environment, please overturn this decision.

Date: 3-21-2007

Signature: Leeman Cook

Phone number: 903-457-0821

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10:40

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Roy James Cook of (printed home address) 2312 FM. 1564 E. Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Environmental Issues

Date: 3-29-07

Signature: Roy J. Cook

Phone number: 469-576-6173

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 29 PM 2:39
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JAMES P. CORLEY of (printed home address) 3999 CR 3133 LONE OAK, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-18-07
Date

James P. Corley
Signature

3999 CR 3133
Address

972-279-4242
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
MAR 29 PM 2:38
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JEANETT CORLEY of (printed home address) 3999 CR 3133 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-18-07
Date

Jeanett Corley
Signature

3999 CR 3133
Address

972-279-4242
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Janis Cotton of (printed home address) 300 Kansas Emory, Tx 75440 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/31/07
Date

Janis Cotton
Signature

P.O. Box 221
Address Emory, Tx. 75440

903-473-3525
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 14 AM 9:58

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ROSE I COVERT of (printed home address) 10901 Trafalgar, Brownsville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/12/07
Date

Rose I Covert
Signature

10901 Trafalgar Dr
Address Brownsville, TX 75402

903-454-6575
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -3 AM 10:
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) BILLY G. CRAIG of (printed home address) 112 PATTI J. ST GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

If Sludge is dumped on an open field for a period of time with rain the run off will at some time get into our streams and lake our drinking water. Also odor.

Date: 3/28/07

Signature: Billy G Craig

Phone number: 903-455-6494

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -5 AM 2:59

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dorothy D Craig of (printed home address) 112 Patti J. St. Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I opose the B.L.U. application No. 710896. It could do much damage to our lakes & rivers, which could damage our drinking water.

Date: 3/28/07

Signature: Dorothy Craig

Phone number: 903-455-6494

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 33

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Stephanie Crane of (printed home address) 204 Kirk LN. W. Tawakoni, TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/24/07
Date

Stephanie Crane
Signature

204 Kirk LN. W. Tawakoni
Address

(972) 838-8384
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -1 AM 9:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dan Crawford of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

B 4/2/07
Date

Signature

2605 Webb, Gville
Address

903 454-4597
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -3 AM 10:21
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joey Crouch of (printed home address) 1106 Park St. Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)* Against putting un-treated sewage on the ground & water

Date: 3/29/07

Signature: Joey Crouch

Phone number: 903-408-9859

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** MAR 21 AM 9:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Tanza Crowther of (printed home address) 5352 CR 3110 Campbell, Tx. 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Tanza Crowther
Signature

5352 CR 3110 Campbell, Tx. 75422
Address

903-862-3943
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 21 AM 9:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Thomas E. Crowther of (printed home address) 5352 CR 3110, Campbell TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

14 Mar 07
Date

Thomas E. Crowther
Signature

5352 CR 3110, Campbell TX 75422
Address

903 862 3943
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

FILED
2007 MAR 19 AM 10:50
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Judith L. Cullins of (printed home address) 4415 CR 1087 Celeste, Tx 75423 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-2007
Date

Judith R Cullins
Signature

4415 C.R 1087 Celeste Tx
Address

903-450-5110
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 15 AM 10:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Irlanda D'amalfi of (printed home address) 709 FM 513 South make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-13-2007
Date

Irlanda D'amalfi
Signature

709 FM 513 South
Address

903-8623317
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

April 2, 2007

Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -5 AM 3:40

CHIEF CLERKS OFFICE

To Whom It May Concern:

I am writing to request that your committee **overturn** the approval of B.L.U. Site # 71096 by Gustavo Ortega. Mr. Ortega is planning to open a domestic septage facility on a piece of property off of County Road 3209 between Lone Oak and Campbell. This chosen property is the northern boarder to my family's land. My family has lived on and farmed our land in the Prairie Valley community for over five generations.

I am irate that your Executive Director, Mr. Glen Shankle, has chosen to approve this facility. Besides the fact that I despise the idea that this facility will be opened in my back yard, I have questions and concerns that have still failed to be answered by your organization. The main concern I have is who will consistently over see that Mr. Ortega operates his business properly. While the sewage may be safe to the surrounding population, livestock, agriculture production, and environment if treated perfectly, who will over see the treatment of the septage dumped? Also, if it is determined that Mr. Ortega has failed to treat the septage properly, who will he answer to? Your answer in Response 5 of the packet we received as a follow up to our August hearing, you noted that Mr. Ortega would submit an annual report that would be reviewed by the TCEQ to ensure that he is meeting all given requirements, but who will make sure that his report has not been falsified? I am still not convinced by the responses that your committee gave after our hearing that this facility will not contaminate our local water supplies. Within the first year, or even possibly the first 3-4 years, of this facilities existence it may not contaminate the water supply, but after several years of continually dumping sewage, it will eventually have an impact on the water supply. It appears that your committee has looked only into the immediate future, not the distant future. Who will ensure that Mr. Ortega will follow the proposed Agronomic Management Plan, your representative that comes around once or twice a year? My family has been farming in this community for over 100 years, and I know that it will be practically impossible for Mr. Ortega to maintain a steady crop of Bermuda grass (his proposed crop) under the conditions that he will be placing on his property. I also have several concerns about the application itself. There are many holes in application that your committee has appeared to just have brushed under the carpet.

It appears to me that your committee and your Executive Director Mr. Shankle have failed to do exactly what is in you name, that is to ensure environmental quality. I am extremely livid that you would even consider approving this application, none the less actually approve it. It is my desire that you will **overturn** the decision of Mr. Shankle and not allow this application to be approved and this facility allowed to begin. Allowing Mr. Ortega to begin his proposed business is a slap in the face of the Prairie Valley community, the surrounding families, the surrounding farms and ranches, the Prairie Valley Baptist Church, the Prairie Valley Cemetery and its Association, Hunt County, and the state of Texas. I hope that you will find it within yourselves to **overturn** this decision and take a stand on the side of the people of the Prairie Valley Community and the environmental quality of this community, Hunt County, and the great state of Texas.

Please **overturn** this decision of your Executive Director Glen Shankle.

Sincerely,

Kelli B. Davies
6140 CR 3208
Lone Oak, TX 75453
903-662-5780

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 PM 3:00
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ANDERIA DAVIS of (printed home address) 5549 CR 3214 Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Anderia Davis
Signature

5549 CR 3214 Lone Oak TX 75453
Address

903 662 5635
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 38

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MAXINE DAY of (printed home address) 1417 GLENDALE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Because I do not want my drinking water Contaminated. We get our drinking water from Lake Lavaca.

Date: March 19, 2007

Signature: Maxine Day

Phone number: 903-454-1183

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:14

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Loyd Dean Mary Dean of (printed home address) 2043 Hw 67 S. Groesbeck, Tx 76642 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Could Contaminate our Ground Water, Diseases Could spread every Where. This is A very unsafe practice. I can't imagine this going on in Limestone County, should be stopped immediately.

Date: 3/21/07

Signature: [signature] Mary Dean

Phone number: ~~Hm~~ 469-338-7560

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Margaret DePue 75453 of (printed home address) PO Box 123 Lone Oak TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Signature

Box 123 Lone Oak TX 75453
Address

903-268-4488
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -2 AM 10:53
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:45

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ANN DIAL of (printed home address) 5301 WINDY HILL, GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

1. SOIL CONTAMINATION. 2. WATER WELLS WITHIN ONE MILE 3. MY PROPERTY VALUE WOULD GO DOWN. NO ONE WANTS TO LIVE NEAR A SEWER DUMP. 4. NEAR A HISTORICAL CEMETERY & CHURCH. 5. I OWN APPROXIMATELY 68 ACRES IN AREA.

Date: 04/03/07

Signature: Ann Dial

Phone number: (903) 455-2511

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

19 AM 10: 51

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) LARRY J. DICK. of (printed home address) 8198 CR 3417 LONE OAK Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

MAILING Address
P.O. Box 156 LONE OAK, TX 75453
Signature

8198 CR 3417
Address

903-634-4028.
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 29 PM 2:45

CHIEF CLERKS OFFICE

March 26, 2007

LaDonna Castanuela
Chief Clerk (MC-105)
TX Commission Environmental Quality
P O Box 13087
Austin, Texas 78711-3087

**Subject: B. L. U. Site #710896 by Gustavo Ortega**

My name is Larry J. Dick. , I live at 8189 CR 3417 in Lone Oak Texas. But my mother lives at 5357 CR 3209 in Campbell Texas, where the supposedly raw sewage landfill is to be placed.

I am requesting a **MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION on B.L.U. Site # 710896 by Gustavo Ortega**. This law was for the use of dairy farmers only. Not for human waste...would you like to have this in your back yard. I don't want it either.

I am against this proposed application due to the fact that it is a health hazard, and my mom has had enough problems these last few years with Cancer, Diabetes, and now a blood disorder.

Why do people try and impose their problems on others who are caring and understanding people. Her health is a very serious thing to me, and I would do almost anything to try and stop this action. We have enough problems in this world without adding more. Serious diseases come from this type of landfill.....This state has enough problems with the border, without adding a huge epidemic from germs in a landfill that could and should have been prevented. THINK ABOUT IT!

I like to fish in Lake Fork and Lake Tawakoni, and am very sad to hear of the possibility of it getting contimated from the run off of a landfill of this nature. What will the people of Dallas, Commerce and Garland do if the water gets filled with unwanted germs? They are the people who drink this water, pay for it, and now you want to let someone fowl it up.....Sad, really sad.

I hope that you take into consideration all of these matters and come to a solution that is not harmful to anyone, and will be safe for all everyone in the future to breathe, drink the water, eat the fish, and be able to travel the road with safety.

**I AM AGAIN ASKING FOR A MOTION TO OVERTURN BLU # 710896.**
**THE PEOPLE OF HUNT COUNTY DO NOT WANT THIS!**

**Sincerely,**
**Larry J. Dick**
**P O Box 156**
**Lone oak, Texas 75453**
**903-634-4028 (Home)**

Larry J Dick

**CC:**

**Phillip Martin**
**Hunt County Court House**
**2500 Lee Street Room 107**
**Greenville, Texas 75403**

**Dan Flynn**
**State Representative House**
**District Two**
**P O Box 2910**
**Austin, Texas 78768-2910**

**Robert F. Deuell, M.D.**
**Texas State District Two**
**P O Box 12068**
**Capital Station**
**Austin, Texas 78711**

**Gustavo Hernandez Ortega**
**P O Box 1959**
**Quinlan, Texas 75474**

**Robert Brush, Staff Attorney**
**Texas Commission on Environmental Quality**
**Environmental Law Division MC-173**
**P O Box 13087**
**Austin, Texas 78711-3087**

**Kathy Faz**
**Texas Commission on Environmental Quality**
**Water Quality Division MC-148**
**P O Box 13087**
**Austin, Texas 78711-30987**

**Mr. Blas J. Coy, Jr. Attorney**
**Texas Commission on Environmental Quality**
**Public Interest Council MC-103**
**P O Box 13087**
**Austin, Texas 78711-3087**

**David Parson**
**Sabine River Authority of Texas**
**Lake Fork Division**
**353 P.R. 5183**
**Quitman, Texas 75783**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Donna D. Dixon of (printed home address) 910 CR 3210, Emory, TX 75440 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

04-02-07
Date

Donna D. Dixon
Signature

910 CR 3210, Emory, TX 75440
Address

903-473-3030
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

2P

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:39

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Caroline Dodwell of (printed home address) 4509 Diamond D Rd, Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07
Date

Caroline Dodwell
Signature

4509 Diamond D Rd.
Address
Lone Oak, TX 75453

903-662-5111
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jodi Dodwell of (printed home address) 4462 Diamond D Rd, Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07
Date

Jodi Dodwell
Signature

4462 Diamond D Rd
Lone Oak, TX 75453
Address

903-662-5008
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:44

CHIEF CLERKS OFFICE

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 27 PM 3:01

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ben C. Dooley of (printed home address) 5831 CR 3214 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07
Date

B. C. Dooley
Signature

5831 CR 3214 Lone Oak, TX. 75453
Address

903-662-5260
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule. 50.139.91 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) GARY DOOLEY of (printed home address) 5767 CR 3214 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

MAR. 9. 07
Date

Gary Dooley
Signature

5767 CR3214
Address

903-662-5711
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -5 AM 10:49
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
07 MAR -3 AM 10
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) GARY DOOLEY of (printed home address) 5767 CR 3214 Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

There Are (3) Soil Conservation Lakes 1/2 A Mile From My Home. Each Lake Recives Water From Area Used For This Dump Site. Also, There Are (3) Underground Wells For Drinking Water. I Don't Need (3) 30 Acre Sewage Ponds Surrounding My Home.

Date: March 29 2007

Signature: Gary Dooley

Phone number: 903-662-5711

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:49

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) J. B. DOOLEY of (printed home address) 3711 FM 513 S. LONE OAK TX. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THE EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT DID NOT ADEQUATELY ADDRESS THE CONCERN OF BERMUDA GRASS PROPAGATION UNDER POTENTIALLY HIGH SOIL P.H. (GREATER THAN 8.0) CONDITIONS. IN ADDITION, NO CONSIDERATION WAS GIVEN TO LAND RECLAIMATION & RESTORATION COST (SURETY BONDS) SHOULD THE APPLICANT DEFAULT AND THE SITE BECOME A GRAVE DANGER TO PUBLIC HEALTH.

Date: [redacted] 4-2-07

Signature: J. B. Dooley

Phone number: 903-662-5460

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Leah Ann Dooley of (printed home address) 5029 FM 2947, Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Ann Dooley
Signature

5029 FM 2947, Greenville, TX 75402
Address

(903) 883-2469
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 9:38
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 27 PM 3:01
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary L Dooley of (printed home address) 5831 CR 3214 Lone Oak TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07
Date

Mary L Dooley
Signature

5831 CR 3214 Lone Oak, TX 75453
Address

(903) 662-5260
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

133

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 19 AM 10:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Millie Dooley of (printed home address) 6373 FM 2101 Quinlan make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Millie Dooley
Signature

6373 FM 2101 Quinlan Tx 75474
Address

903-883-3239
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 14 PM 2:31
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ray Dooley of (printed home address) 3371 CR 3210 Lone Oak, Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

1. Forged documents in orginal Application
2. Applicant is NOT required to have any liability or Environmental Insurance
3. NCRS soil information is 30 years old and inaccurate
4. Site location next to Lake Fork Creek & Flood Control Lakes not zoned properly

Date: 4/1/07

Signature: Ray Dooley

Phone number: 903-408-9982

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Robert Dooley of (printed home address) 5767 CR 3214 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

R W Dooley
Signature

5767 CR 3214 Lone Oak, TX 75453
Address

903-662-5711
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -5 AM 10:42
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Received
APR 05 2007
TCEQ Wastewater Permitting
Land Application Team

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Volley R. Dooley of (printed home address) 3707 Sunhill. Dr. Greenville, TX. 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

My reason for being against the project is,(the run-off in heavy rain will go into our water supply lakes,) Tawakoni and Lake Fork.

2007 APR -5 AM 11:59
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Date: 4-2-07

Signature: V. R. Dooley

Phone number: 903-455-5900

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11:03

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Volley R. Dooley of (printed home address) 3707 Sunhill Dr.Greenville, TX.75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

My reason for being against the project is,(the run off in heavy rain willgo in to our water supply lakes, Tawakoni and Lake Fork.

Date: 4-2-07

Signature: V. R. Dooley

Phone number: 903-455-5900

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 1

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Janiece Douglas of (printed home address) 2274 CR 3210 Campbell, Tx 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Janiece Douglas
Signature

2274 CR 3210
Address Campbell, Tx 75422

903-662-4005
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 22 AM 10: 26

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mike Douglas of (printed home address) P.O. Box 575 Lorenzo, Texas make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-17
Date

Mike Douglas
Signature

P.O. Box 575 Lorenzo, Texas
Address

[redacted] 903-602-9523
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
07 MAR 27 PM 3:02
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Rudy D. Douglas of (printed home address) 2274 CR 3210 Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Rudy D Douglas
Signature

2274 CR 3210
Address Campbell, TX 75422

903-662-4005
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 13

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Tula M. Douglas of (printed home address) 2501 CR 3210 Campbell, Tx 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Tula M. Douglas
Signature

2501 CR 3210
Address Campbell, Tx 75422

903 662-5362
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 26 AM 10:42

CHIEF CLERKS OFFICE

I, (printed name) H.B. Earle of (printed home address) 1578 F.M 513 S Campbell, Texas S make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-21-07

Date

H.B. Earle

Signature

1578 F.M 513 S Campbell Texas 75422

Address

903-862-3412

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11:00

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Judith R. Elenburg of (printed home address) 213 Friendship Cir. West Tawakoni make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not want untreated human waste in our lakes and drinking water.

Date: 3-28-07

Signature: Judith R. Elenburg

Phone number: 903-447-3743

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

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I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 19 AM 10:25

CHIEF CLERK'S OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joe W. Elliott of (printed home address) 3936 County Road 3322 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 13, 2007
Date

Joe W Elliott
Signature

3936 County Rd 3322
Greenville TX 75402
Address

903-883-2690
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name)_____ of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Martha Elliott
Signature

3936 CR 3332 Greenville
Address

903-883-2690
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 20 AM 10:16
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -5 AM 3:00

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Christie Evans of (printed home address) 1014 Commerce Dr Greenville Tx 75401 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I don't want my water Contaminated!

Date: April 2, 2007

Signature: Christie M Evans

Phone number: 903-461-4354

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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2007 MAR 27 AM 10: 08

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MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50

Subchapter G. Rule 50.130. I have the right to make a motion to overturn

Executive Director's decision on Gustavo Hemandez Ortega's B.L.U.

application site #710896, TCEQ customer number CN602999963,

Regulated Entity number RN 10491 6820.

I, (printed name) ANITA FARMER of (printed home address) 3080 CR3115, GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-21-07

Date

Anita Farmer

Signature

3080 CR3115
GREENVILLE, TX 75402
Address

903-455-4885

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 AM 9:46

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Leo Farmer of (printed home address) 4208 Gordon St Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I get My drinking Water from Lake Tawakoni and I don't Want raw Sewage running into the Lake from any Source

Date: March 25, 2007

Signature: Leo Farmer

Phone number: 903-455-6029

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION
ON GUSTAVO HERNANDEZ ORTEGA'S B.L.U. APPLICATION SITE # 710896.
TCEQ CUSTOMER # CN602999963. REGULATED ENTITY # RN104916820.

I, Janice Fenden

@ 1981 Mamie, Greenville, Tx 75402

MOVE TO OVERTURN ABOVE LISTED EXECUTIVE DIRECTOR'S DECISION.

SIGNATURE:
Date: 3-19-07

Janice Fenden / 903-454-0700

REASON:

If this motion is passed then people should not legally be made to have an anabic system installed at such a high price. Per this day we could have our waste dumped directy into our neighbors yard etc. This is very unsanitary to wildlife, humans etc. This is unheard of.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 PM 3:28
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:29

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

Joy G. Fender

I, (printed name) Shirley A. Fender of (printed home address) 4456 CR 3323 Quinlan, TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It poses a threat to our land, riviens, lakes and water. Could harm animal life. Will devalue our property. Seems like we are going back in time many years. Sounds very unsanity and could prefent people from moving here.

Date: 3-19-07

Signature: Shirley A. Fender Joy G Fender

Phone number: (903-883-3235

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

See next page!

TEXAS
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ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -2 AM 10: 40

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jennifer Fifield of (printed home address) 2489 C.R. 3308, Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The Commission is contradicting their own philosophy on protecting our water supply. Many people have underground wells and this dump site is situated where run off goes into Lake Tawakoni and Lake Fork.

Date: 3/29/07

Signature: Jennifer Fifield

Phone number: 903-450-4988

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:45

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) KENNETH FIELD of (printed home address) 2489 CR 3308, GREENVILLE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07

Date

Signature

2489 CR 3308, GREENVILLE TX 75402

Address

903 450 9886

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 30

CHIEF CLERKS OFFICE

March 26, 2007

LaDonna Castanuela
Chief Clerk (MC-105)
TX Commission Environmental Quality
P O Box 13087
Austin, Texas 78711-3087

**Subject: B. L. U. Site #710896 by Gustavo Ortega**

My name is Phyllis Fink, I live at 5357 CR 3209 (my homestead) approximately ½ to 1 mile due west of the proposed site.

I am requesting a **MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION on B.L.U. Site # 710896 by Gustavo Ortega**. This law was for the use of dairy farmers only. Not for human waste...would you like to have this in your back yard. I don't want it either.

I am against this proposed application due to the fact that it is a health hazard any way you look at it, and would cause the community undue harm from bad water and air elements. I have diabetes, have had cancer and am battling a blood problem caused by chemotherapy. My recovery is due in part to clean country air and a quiet neighborhood.....if this is allowed to come to be a reality, that is all gone.....My health is very worrisome to me and this will not be helping my problems.

The roads are traveled enough by buses and people who live down this short road. Putting in this site will only cause more expense to the County, more road rock than usual; the two sets of culverts will have to be replaced from the weight of more trucks. The white rock in use now will probably have to be replaced by oil to keep down the amount of dust. We are a quiet neighborhood that cares for the welfare of others. Help us to keep our neighborhood safe from bad germs and undue traffic on our road.

I pray that you take into consideration all of these matters and come to a conclusion that is not harmful to anyone, and will be safe for all our grandchildren to breathe, drink the water, eat the fish, and be able to travel the road with safety.

**I AM AGAIN ASKING FOR A MOTION TO OVERTURN BLU # 710896.**
**THE PEOPLE OF HUNT COUNTY DO NOT WANT THIS!**

**Sincerely,**
**Phyllis Fink**
**P O Box 734**
**Commerce, Texas 75429**
**903-662-5688 (H) 903-886-5150 (W)**

**CC:** **Phillip Martin**
**Hunt County Court House**
**2500 Lee Street Room 107**
**Greenville, Texas 75403**

**Dan Flynn**
**State Representative House**
**District Two**
**P O Box 2910**
**Austin, Texas 78768-2910**

**Robert F. Deuell, M.D.**
**Texas State District Two**
**P O Box 12068**
**Capital Station**
**Austin, Texas 78711**

**Gustavo Hernandez Ortega**
**P O Box 1959**
**Quinlan, Texas 75474**

**Robert Brush, Staff Attorney**
**Texas Commission on Environmental Quality**
**Environmental Law Division MC-173**
**P O Box 13087**
**Austin, Texas 78711-3087**

**Kathy Faz**
**Texas Commission on Environmental Quality**
**Water Quality Division MC-148**
**P O Box 13087**
**Austin, Texas 78711-30987**

**Mr. Blas J. Coy, Jr. Attorney**
**Texas Commission on Environmental Quality**
**Public Interest Council MC-103**
**P O Box 13087**
**Austin, Texas 78711-3087**

**David Parson**
**Sabine River Authority of Texas**
**Lake Fork Division**
**353 P.R. 5183**
**Quitman, Texas 75783**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 14 PM 2:45

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ~~PHYLLIS FINK~~ of (printed home address) 5357 CR 3209 Campbell, Texas 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12, 2007
Date

Phyllis Fink
Signature

5357 CR 3209, Campbell, texas 75422 (residence)
Address P O Box 734 Commerce, Texas 75429 (mailing)

903-662-5688 (home) 903-886-5150 (work)
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Chris Avila-Finney of (printed home address) PO Box 458 Point TX 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Chris Avila-Finney
Signature

PO Box 458 Point Tx 75472
Address

(903) 268-6893
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 16 AM 10:25

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Robin Frazier of (printed home address) 704 Cleveland, Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Robin Frazier
Signature

704 Cleveland
Greenville, Tx 75401
Address

903 454 6697
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
MAR 16 AM 10:25
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Wayne Frazier of (printed home address) 704 Cleveland, Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Wayne Frazier
Signature

704 Cleveland
Greenville, TX 75401
Address

903 454 6682
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISS
ON ENVIRONM
QUALIT

2007 APR -5 A

CHIEF CLERKS

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dora Garcia of (printed home address) 277 RCR 1624 LONE OAK TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Fear of waste Contamination. Smell. Bugs.

Date: 4-2-07

Signature: Dora Garcia

Phone number: 903-447-2217

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Penna Francisco Garcia of (printed home address) 5597 CR3209 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-16-2007

Date

Penna Francisco Garcia

Signature

5597 CR 3209 Campbell TX. 75422

Address

903-662-5397

Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 20 AM 10:06
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 26 AM 10: 43

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Keith A. Geiger of (printed home address) 2465 County Rd. 3118, Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Date

Keith A Geiger
Signature

2465 County Rd 3118, Campbell, TX 75422
Address

972-795-8333
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -5 AM 2:53

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) RICKY L. GENTRY of (printed home address) 4143 LUCY CR., BOYSE CITY, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

MY DRINKING WATER COMES FROM LAKES THAT ARE FED BY HIS DUMP SITES. IF I HAVE TO SUPPLY TREATMENT FOR MY SEWAGE, WHY DOESN'T HE?

Date: 24 MARCH 07

Signature: Ricky L Gentry

Phone number: 972.635-6448

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11: 12

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Danny L Gibbins of (printed home address) 1478CR3304 Gaceville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Why am I paying a yearly inspection fee on my Septic System if I can just dump my Waste on my property?

Date: 5 April 07

Signature: Danny L Gibbins

Phone number: 903 455 4587

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

HELEN S. GILBERT
Attorney at Law

April 4, 2007

**Via Facsimile: (512) 239-3311**
Ms. LaDonna Castañuela, Chief Clerk
Office of Chief Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**Re: Application for Domestic Septage Registration No. 710896; TCEQ Docket No. 2007-0395-SLG**

Dear Ms. Castañuela:

I have been retained by Renee and Troy Lane and other protestants listed on the attachment as attorney of record in the above-referenced matter. In addition to notifying Mr. and Mrs. Lane, as contacts for the larger group of Protestants, I request that you also place my name on the agency mailing list pertaining to this registration proceeding and copy me on all correspondence, pleadings, etc.

If you have any questions, please do not hesitate to call me at (512) 494-5341.

Sincerely,

Helen S. Gilbert

Helen S. Gilbert

Attachment
cc: Mr. and Mrs. Troy Lane

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:42
CHIEF CLERKS OFFICE

2206 Greenlee Drive ◦ Austin, TX 78703
PH 512◦494◦5341 ◦ MOB 512◦565◦4995
FAX 512◦472◦4014 ◦ [hgilbert@texas.net]

HELEN S. GILBERT
Attorney at Law

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 AM 8:22
CHIEF CLERKS OFFICE

April 4, 2007

**Via Facsimile: (512) 239-3311**
Ms. LaDonna Castañuela, Chief Clerk
Office of Chief Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**Re: Application for Domestic Septage Registration No. 710896; TCEQ Docket No. 2007-0395-SLG**

Dear Ms. Castañuela:

I have been retained by Renee and Troy Lane and other protestants listed on the attachment as attorney of record in the above-referenced matter. In addition to notifying Mr. and Mrs. Lane, as contacts for the larger group of Protestants, I request that you also place my name on the agency mailing list pertaining to this registration proceeding and copy me on all correspondence, pleadings, etc.

If you have any questions, please do not hesitate to call me at (512) 494-5341.

Sincerely,
Helen S. Gilbert
Helen S. Gilbert

Attachment
cc: Mr. and Mrs. Troy Lane

Troie and Renee Lane
3123 CR 3210
Lone Oak, TX 75453

2206 Greenlee Drive • Austin, TX 78703
PH 512•494•5341 • MOB 512•565•4995
FAX 512•472•4014 • [hgilbert@texas.net]

HELEN S. GILBERT
Attorney at Law

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:36

CHIEF CLERKS OFFICE

April 5, 2007

**Via: Hand Delivery**
Office of Chief Clerk
ATTN: Agenda Docket Clerk – MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**RE: Application for Domestic Septage Registration No. 710896; TCEQ Docket No. 2007-0395-SLG**

Dear Agenda Docket Clerk:

Attached for filing in the above-referenced matter, please find an original and eleven (11) copies of "Citizens Opposed to Registration Dumps' Motion to Overturn." Copies have been provided to the parties on the service list.

Thank you for your attention to this matter.

Sincerely,

Helen S. Gilbert

Helen S. Gilbert

Enclosure
cc: Ms. Renee Lane
Service List

2206 Greenlee Drive • Austin, TX 78703
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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**TCEQ DOCKET NOS. 2007-0395-SLG**

2007 APR -5 AM 3:36

| | | |
|---|---|---|
| **APPLICATION FOR DOMESTIC** | § | **BEFORE THE** |
| | § | |
| **SEPTAGE REGISTRATION** | § | **TEXAS COMMISSION ON** |
| | § | |
| **NO. 710896** | § | **ENVIRONMENTAL QUALITY** |

CHIEF CLERKS OFFICE

**CITIZENS OPPOSED TO REGISTRATION DUMPS' MOTION TO OVERTURN**

TO THE HONORABLE COMMISSION:

NOW COMES the Citizens Opposed to Registration Dumps ("CORD" or "Protestants") and file this Motion to Overturn[1] domestic septage registration no. 710896 issued by the Executive Director of the Texas Commission on Environmental Quality ("TCEQ" or "commission"), and would respectfully show the following:

## I.
## Procedural Background

Applicant Gustavo Ortega ("Applicant") filed an application to authorize land application of domestic septage in Hunt County, Texas on February 27, 2006. The proposed registration was designated 710896 and the site is within the watersheds of Lake Fork Reservoir and Lake Tawakoni which are both public drinking water supplies. The application was declared administratively complete on March 30, 2006, technical review ensued and a public meeting was held on August 29, 2006. Since that time, the commission has received hundreds of letters protesting the application, including protest letters by State Representative Flynn, State Senator Deuell, the Sabine River Authority, the Hunt County Commissioners Court and public citizens.

[1]Prior to retaining legal counsel and formation of the group "CORD," hundreds of CORD members and other Hunt County citizens individually filed public comments, hearing requests and Motions to Overturn the Executive Director's decision. Those Motions are incorporated herein for all purposes.

## II.
## Group Standing

CORD is a group comprised of 89 people living in or owning property in Hunt County. *See* Exhibit A, CORD Member List. Ms. Renee Lane is the founding member of CORD and she lives within one-half mile of the proposed septage site. Ms. Lane's water well is approximately 2,200 ft. from the site. Charles and Sally Wilson, who live adjacent to the proposed septage site are also members of CORD and have received runoff from the proposed septage site during rainfall events. Photographs attached hereto as Exhibit B and taken during a 4-inch rainfall event on March 31, 2007 show standing water on both sides of the Applicant and Wilson property line, runoff coming off of the proposed septage site onto the Wilson property as well as the Lake Fork Creek approximately 150 feet away from the site. There is evidence that runoff from the proposed septage site has also run on to CORD member Monte Barrow's property during past rainfall events.

CORD was organized for the specific purpose of identifying and conveying its members' concerns to state regulators and local officials relating to the problems attendant with the land application of minimally-treated domestic septage. Neither Ms. Lane nor Mr. and Mrs. Wilson nor Mr. Barrow need participate in any contested case hearing, should such hearing be required by the commission.

Much of the rural property owned by CORD members surrounding the septage sites is characterized by private water wells, ponds, intermittent streams and tributaries to Lake Fork and Lake Tawakoni. In addition to surface water, shallow groundwater and seeps occur in the general vicinity of the septage site – all which are conduits for surface and groundwater contamination. The Protestants will be personally and uniquely affected

by surface runoff, nuisance odors and potential groundwater contamination emanating from the site.

## III.
## Site is Unsuitable for Land Application; Application Rate is Wrong

Professional geoscientist, agronomist and former TCEQ employee Paul Reynolds, P.G. reviewed the soil data in the application and the application rates prepared by the Executive Director in particular and concluded that ***significant mistakes were made in calculating the application rate***, as follows:

First and foremost, this application received no review by a TCEQ agronomist. Before submitting the application in February 2006, Applicant corresponded in January 2006 with an intern working for the Executive Director, Mr. Erik Agnew. It appears Mr. Agnew not only filled out Appendix A to the application for the Applicant (his handwritten notes are visible), but he stated in correspondence to the Applicant's representative, that:

> I used the % value instead of the mg/kg value even though those are normally used. The mg/kg values *were off the charts* and so not a practical/"calculatable" value. . .Remember to check with a soil agent. . .

(emphasis added). *See* Exhibit C, attached.

In substituting the % value for mg/kg on Appendix A, Mr. Agnew apparently did not understand the derivation of the available nutrient formula and that the given formula is specifically conditioned to inputting nutrient concentration in mg/kg or parts per million (ppm). As a result, the Executive Director's value for available nutrient in soil is off by a factor of 10,000. Using the same concentrations as staff, but correctly in ppm units, the nutrient- available-in-soil calculation is as follows:

2 * (3690) + 6 * (2760) = 23,940 pounds of available nitrogen per acre (not the 2.34 lb/ac stated by staff).

However, according to Mr. Reynolds, the value the Executive Director's staff used should never have been considered in the first place because the Total Kjeldahl Nitrogen (TKN) value is not an acceptable value for determining plant available nitrogen in the soil. The only time TKN is taken into consideration is in the waste analysis as part of the Total Nitrogen value utilized in determining application rates. Applicant should have considered Ammonium and Nitrate Nitrogen values instead of TKN. Had he done so, based on their own laboratory analysis, the Appendix A calculation would have arrived at 1,246 lb/ac N ($NH_4 + NO_3$) available in the soil, instead of the later revised 16 lb/ac N.

Second, the TCEQ files contain not just Appendix A filled out by Mr. Agnew and the Appendix A in the original February 27, 2006 application (which for some unknown reason is different from Mr. Agnew's January version), but three other versions. *See* Exhibit C, attached. The values for yield goal, nutrient needed by crop for specified yield goal, nutrient available in soil, nutrient amount still needed to meet yield goal, N and ultimate application rates all vary, culminating in an application rate which is legally and technically indefensible.

Additionally, the soil samples used in the original February 2006 application, Appendix A, were taken in July 2005. Some of the documentation supporting later versions of Appendix A were taken virtually a year later in May 2006. Why was the Applicant resubmitting different soil samples, analyzed by different labs, at different times? One of the labs, Texas Cooperative Extension Service, which data was used to support Applicant's last change to Appendix A (using 16 lbs/ac N as the nutrient

available in soil and 63,077 gallons/acre/yr as the ultimate application rate) recommended 90 lbs N/ac Nitrate-N. That value differs from the NRCS value of 210 lbs N/acre which differs still from what the Applicant input on various of his earlier versions of Appendix A.

Despite the various inconsistent versions of Appendix A in the TCEQ records, it is clear that the final application rate in the Registration issued in March 2007 is wrong and the Motion to Overturn should be granted on this basis alone. Special Provision VI.A. of the Registration, p. 7, states that the annual domestic septage application rate shall not exceed 68,077 gallons/acre/year, however, "68,077" is not supported anywhere in the application material. The original application contained an application rate of 68,310 gallons/acre/year. Later, the Applicant submitted a revised Appendix A containing an application rate of 63,077 gallons/acre/year. No version of Appendix A, no correspondence, formal or otherwise, identifies 68,077 gallons/acre/year as the application rate. On the contrary, it appears that the 68,077 gallons/acre/year application rate given in the Registration is based on using Mr. Agnew's erroneous 2.394 nutrient available in soil value. Or, despite Applicant's later attempts to change the application rate, the revised value never found its way into the final version of the Registration.

Whatever the explanation, there is precedent for the Commission requiring new samples and reapplication in cases where the application rate was wrong and/or soil samples were more than one year old. At a minimum, the Applicant should be required to resample, reapply and recalculate a reasonable and protective application rate in this case.

Application of excess Nitrogen in septage which cannot be taken up in the root zone of the cover crop is disposal, not beneficial use. Nitrogen application rates in excess of crop requirement can result in leaching to groundwater and/or movement into surface water constituting an unauthorized discharge ultimately contaminating waters in the state. The area surrounding the site is already known for severe flooding and erosion which will facilitate the runoff of harmful pollutants to public drinking water supplies.

## IV.
## Special Site Conditions Warrant Further Scrutiny

During the site assessment performed by TCEQ's regional office in April 2006, it was revealed that a number of significant site features exist which were not previously identified by the Applicant in the original application. Not only is there an abandoned water well on-site (which was not identified in the application and, to CORD's knowledge, has not been properly plugged according to the rules of the Texas Department of Licensing and Regulation), and nearby private water wells (also not identified), but there are at least 3 stock tanks and 2 drainages which may be contaminated if not properly buffered. *See* 4/13/06 Investigation Report by Region 4 Inspector Shane Isbell, p.2. None of these features was identified in the application or subsequent submittals by Applicant. Lake Fork Creek is approximately 150 feet from the application area and, as indicated in the protest letter submitted by the Sabine River Authority, Lake Fork Creek directly feeds Lake Fork Reservoir which is a public drinking water supply. *See* Exhibit D.

It appears the Executive Director's Water Quality Assessment Team prepared two additional interoffice memoranda (following its original August 31, 2006 memorandum) recommending buffering around these newly identified features. *See* October 5, 2006

and February 19, 2007 "Additional Agronomic Management Plan Recommendations for Gustavo Ortega, New Registration No. 710896, Hunt County." As a consequence, Applicant was required to decrease the available acreage (originally requested in the application) from 45.3 acres to 40 acres in order to account for the newly required buffer zones around the well, stock tanks and drainage. While CORD agrees with the Executive Director's decision to require additional buffering and management practices to address these features, none of the groundwater memos or the Draft Registration indicate whether the application rate was recalculated after the available acreage was decreased. The available application area is a critical factor to input in the application rate equation; without this updated information, the application rate is further flawed.

## V.
## Conclusion

WHEREFORE, PREMISES CONSIDERED, for the foregoing reasons and those stated in the individual Motions to Overturn, CORD requests that the commission grant its Motion and overturn Registration No. 710896. In the alternative, CORD requests that the commission overturn the registration, and should Applicant pursue an authorization further, the commission should require that Applicant submit new soil samples in accordance with the rules, recalculate the application rate, file an application for individual permit and refer it to the State Office of Administrative Hearings for a full evidentiary hearing on the merits.

Respectfully submitted,

Helen S. Gilbert
Attorney at Law
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Austin, Texas 78703
Tel.: (512) 494-5341
FAX: (512) 472-4014

By: Helen S. Gilbert
Helen S. Gilbert
SBN: 00786263
**ATTORNEY FOR CORD**

## CERTIFICATE OF SERVICE

I certify that a true copy of Citizens Opposed to Registration Dumps' Motion to Overturn was served on the following parties by hand delivery, facsimile or regular mail on this 5th day of April 2007:

**FOR APPLICANT:**
Mr. Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, TX 75474

**FOR OFFICE OF PUBLIC INTEREST COUNSEL:**
Mr. Blas J. Coy, Jr.
Office of the Public Interest Counsel
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Fax: 512/239-6377

**FOR THE EXECUTIVE DIRECTOR:**
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Environmental Law Division
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**FOR THE CHIEF CLERK:**
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P.O. Box 13087
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 3:36
CHIEF CLERKS OFFICE

By: Helen S. Gilbert
Helen S. Gilbert

**EXHIBIT A**

## Citizens Opposed to Registration Dumps' 2007 Member List

| | | |
|---|---|---|
| 1. Ray Dooley | 3371 cr 3210 Lone Oak | 903-662-5623 |
| 2. Penny Dooley | 3371 cr 3210 Lone Oak | 903-662-5623 |
| 3. Renee Lane | 3123 cr 3210 Lone Oak | 903-269-7068 |
| 4. Troie Lane | 3123 cr 3210 Lone Oak | 903-662-4039 |
| 5. Charles Wilson | 3168 cr 3210 Lone Oak | 903-634-3201 |
| 6. Sally Wilson | 3168 cr 3210 Lone Oak | 903-634-3201 |
| 7. Don Bowles | 5597 cr 3209 Campbell | 903-662-5397 |
| 8. Sue Bowles | 5597 cr 3209 Campbell | 903-662-5397 |
| 9. John Cole | 5959 cr 3207 Lone Oak | 903-450-3613 |
| 10. Linda Cole | 5959 cr 3207 Lone Oak | 903-450-3613 |
| 11. Doug Williams | 2445 cr 3118 Campbell | 903-862-2477 |
| 12. Melba Williams | 2445 cr 3118 Campbell | 903-862-2477 |
| 13. Ann Dial | 5301 WindyHill Greenville | 903-455-2511 |
| 14. Dortha Green | 3405 Bonnie Lea Greenville | 903-450-0807 |
| 15. Brian Padgett | 5201 cr 3210 Lone Oak | 972-458-2579 |
| 16. Lois Nicoll | 6071 cr 3207 Lone Oak | 903-662-0909 |
| 17. Geri Deppe | 2134 cr 3210 Campbell | 903-662-9093 |
| 18. Bill Deppe | 2134 cr 3210 Campbell | 903-662-9093 |
| 19. Dolores N. Gill | 2763 cr 3514 Greenville | 903-883-4617 |
| 20. Lavonda Carnes | 4070 FM 1571 Lone Oak | 903-662-5414 |
| 21. Ronald Carnes | 4070 FM 1571 Lone Oak | 903-662-5414 |
| 22. Paul Presti | 5493 cr 3208 Lone Oak | 903-662-5439 |
| 23. Rosalie Presti | 5493 cr 3208 Lone Oak | 903-662-5439 |
| 24. Diva Presti | 5505 cr 3208 Lone Oak | 903-634-2444 |
| 25. Darrell Kilpatrick | 2124 cr 3210 Lone Oak | 214-202-5251 |
| 26. Beunie Kilpatrick | P.O.Bx 326 Campbell | 972-800-8880 |
| 27. Ann Dooley | 5029 FM 2942 Greenville | 903-883-2469 |
| 28. Volley R. Dooley | 3707 Sunhill Dr Greenville | 903-435-5900 |
| 29. Phyllis Fink | P.O.Bx 734 Commerce | 903-662-5688 |
| 30. Dorothy Larkin | 4323 cr 3220 Lone Oak | 903-662-5156 |
| 31. Carolyn Bowen | P.O.Bx 154 Lone Oak | 903-662-5460 |
| 32. Barbara Seay | P.O.Bx633 Lone Oak | 903-662-5144 |
| 33. Mary Witty | 2049 cr 3210 Campbell | 903-662-4150 |
| 34. J.B. Dooley | 3711 FM 513 Lone Oak | 903-662-5460 |
| 35. Mary Dooley | 5831 cr 3214 Lone Oak | 903-662-5260 |
| 36. Ben Dooley | 5831 cr 3214 Lone Oak | 903-662-5260 |
| 37. James Farrow | 2190 FM 2649 Lone Oak | 903-994-4508 |
| 38. Sue Luhn | 5403 cr 3208 Lone Oak | 903-662-5479 |
| 39. Martin Luhn | 5403 cr 3208 Lone Oak | 903-662-5479 |
| 40. Bryce Pitts | 2190 FM 2649 Lone Oak | 903-662-0082 |
| 41. Mark Pitts | 2190 FM 2649 Lone Oak | 903-662-0082 |
| 42. Brittany Renner | 2190 FM 2649 Lone Oak | 903-662-0082 |
| 43. Jim Stark | 1867 FM 513 S. Lone Oak | 903-862-3165 |
| 44. Janet Stark | 1867 FM 513 S. Lone Oak | 903-862-3165 |
| 45. Sandra Clark | 2142 Cr 3210 Lone Oak | 903-461-2250 |
| 46. Lori Murphy | 6828 cr 3208 Lone Oak | 903-634-4059 |



Exhibit A

## Citizens Opposed to Registration Dumps' 2007 Member List

| | | |
|---|---|---|
| 47. Monty Murphy | 6828 cr 3208 Lone Oak | 903-634-4059 |
| 48. Martha Green | 2385 FM 513 S. Campbell | 903-862-3493 |
| 49. Kathy Hullum | 2795 cr 3210 Lone Oak | 903-217-4535 |
| 50. Phyllis Riley | 6005 cr 3207 Lone Oak | 903-268-9509 |
| 51. Jan Byrd | 5407 Stonewall Greenville | 903-454-0355 |
| 52. Danny Meeks | 3519 FM 513 S. Lone Oak | 903-662-4933 |
| 53. Mike Rackley | 3103 cr 3213 Lone Oak | 903-662-5400 |
| 54. Josie Megee | 2929 cr 3116 Lone Oak | 903-662-5704 |
| 55. Syvilla Burden | 1507 FM 513 S. Lone Oak | 903-862-3776 |
| 56. Tom Witt | 2417 FM 513 S. Campbell | 903-662-5275 |
| 57. Thomas Green | 2385 Fm 513 S. Lone Oak | 903-862-3493 |
| 58. Jeff Mundrake | 2936 cr 3210 Lone Oak | 903-634-2120 |
| 59. Terry Burch | 1507 FM 513 S. Campbell | 903-862-3776 |
| 60. Kellie Davies | 6140 cr 3208 Lone Oak | 903-217-4264 |
| 61. Mark Davies | 6140 cr 3208 Lone Oak | 903-662-5780 |
| 62. Roy Mcgee | 2808 cr 3210 Lone Oak | 903-662-5734 |
| 63. Crystal Barcheers | 3024 cr 3210 Lone Oak | 903-662-9055 |
| 64. Tim Barcheers | 3024 cr 3210 Lone Oak | 903-662-9055 |
| 65. Scott Voegele | 2508 FM 513 S. Campbell | 903-366-6205 |
| 66. John Dooley | 2730 FM 2649 Lone Oak | 903-662-4048 |
| 67. Karen May | 2465 cr 3118 Campbell | 903-862-2477 |
| 68. Lisa Zdunek | 2556 cr 3210 Campbell | 903-268-8345 |
| 69. Keith Geiger | 2465 cr 3118 Campbell | 903-862-2477 |
| 70. Chuck Cross | 2556 cr 3210 Campbell | 972-955-5137 |
| 71. Anna Mcgee | 2808 cr 3210 Lone Oak | 903-662-5734 |
| 72. Becky Goodwin | P.O.Bx 404 Lone Oak | 903-662-4477 |
| 73. Keri Zetterberg | 2511 cr 3118 Campbell | 903-662-9091 |
| 74. Nick Zetterburg | 2511 cr 3118 Campbell | 903-662-9091 |
| 75. Jesse Leutwyler | 3002 cr 3210 Lone Oak | 903-634-2064 |
| 76. Pat Leutwyler | 3002 cr 3210 Lone Oak | 903-634-2064 |
| 77. Steven Bowerman | 995 cr 3202 Campbell | 903-862-3062 |
| 78. Angela Andrews | 3124 cr 3210 Lone Oak | 903-413-1333 |
| 79. Robert Byrd | 5407 Stonewall Greenville | 903-454-0355 |
| 80. Rudy Douglas | 2274 cr 3210 Campbell | 903-662-4005 |
| 81. Janiece Douglas | 2274 cr 3210 Campbell | 903-662-4005 |
| 82. Paul Fry | 2127 cr 3210 Campbell | 903-268-3104 |
| 83. Jodi Fry | 2127 cr 3210 Campbell | 903-268-3104 |
| 84. Monte Barrow | P.O. Bx 339 Lone Oak | 903-662-5139 |
| 85. Frank G. Penna | 5597 cr 3209 Campbell | 903-662-5397 |
| 86. Randy Hullum | 2729 cr 3210 Lone Oak | 214-679-3762 |
| 87. Linda Payne | 4729 cr 3117 Campbell | 903-513-5869 |
| 88. Helen Dagley | 2740 E. FM 2795 Emory | 903-473-3299 |
| 89. Tom Dagley | 2740 E. FM 2795 Emory | 903-473-3299 |



Exhibit A

**EXHIBIT B**

Exhibit
B

Exhibit
B

Exhibit
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Exhibit
B

Exhibit
B

**EXHIBIT C**

#5

# APPENDIX A

## SEPTAGE APPLICATION RATE

### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

pH: 5.6 Intended Crop: Bermuda Grass Yield Goal: 10 tons N lbs/acre

Nutrient needed by crop for specified yield goal** 220 *

Nutrient available in soil ** Minus - 2.394

Nutrient amount still needed to meet yield goal, N = Equals = 217.61

** Please provide the means of determining these values.

[Nutrient available in soil (lbs/Acre) = (2*$NO_3$-N(ppm)(0-6" soil depth) + (6*$NO_3$-N(ppm)(6-24" soil depth)]

### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CRO GALLONS PER ACRE PER 365 DAY PERIOD

AAR = N/0.0026 = 217.61 /0.0026 = 83,695 gal/acre/yr

AAR = Annual application rate in gallons per acre per 365 day period.
N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

2(0.369) + 6(0.276) = 2.394

Exhibit C

#5

Go with low end figures

# APPENDIX A

## SEPTAGE APPLICATION RATE

### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

pH: 5.6 Intended Crop: Bermuda Grass Yield Goal: 10 tons N lbs/acre

Nutrient needed by crop for specified yield goal** 180 #

Nutrient available in soil ** Minus - 2.394

Nutrient amount still needed to meet yield goal, N = Equals = 177.61

** Please provide the means of determining these values.
[Nutrient available in soil (lbs/Acre) = 2*$NO_3$-N(ppm)(0-6" soil depth) + 6*$NO_3$-N(ppm)(6-24" soil depth)]

### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CROP GALLONS PER ACRE PER 365 DAY PERIOD

AAR = N/0.0026 = 177.6 / 0.0026 = 68,310 gal/acre/yr

AAR = Annual application rate in gallons per acre per 365 day period.
N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

2(0.369) + 6(0.276) = 2.394

Judy,
This AAR seems better than the values I used before. I used the % unit although that's not usually used. I hope this helps.
*Remember to check w/ a soil agent or look for the correct "nutrient needed" value.
- ERIC

Exhibit C

From Feb. '06 application

# APPENDIX A

## SEPTAGE APPLICATION RATE

### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

pH: 5.6 Intended Crop: Bermuda Grass Yield Goal: 10 tons N lbs/acre

| | | |
|---|---|---|
| Nutrient needed by crop for specified yield goal** | | 180 |
| Nutrient available in soil ** | Minus - | 2.324 |
| Nutrient amount still needed to meet yield goal, N = | Equals = | 177.61 |

** Please provide the means of determining these values.
[Nutrient available in soil (lbs/Acre) = 2*$NO_3$-N(ppm)(0-6" soil depth) + 6*$NO_3$-N(ppm)(6-24" soil depth)]

### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CROP IN GALLONS PER ACRE PER 365 DAY PERIOD

AAR = N/0.0026 = 177.61 / 0.0026 = 68,310 gal/acre/yr

AAR = Annual application rate in gallons per acre per 365 day period.
N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

Exhibit C

# APPENDIX A

## SEPTAGE APPLICATION RATE

### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

Should be (3 tons)

pH: 5.6 Intended Crop: Bermuda Grass Yield Goal: 10 tons N lbs/acre

| | | |
|---|---|---|
| Nutrient needed by crop for specified yield goal** | | 180 |
| Nutrient available in soil ** | Minus - | 2.394 |
| Nutrient amount still needed to meet yield goal, N = | Equals = | 177.61 |

** Please provide the means of determining these values.
[Nutrient available in soil (lbs/Acre) = 2*$NO_3$-N(ppm)(0-6" soil depth) + 6*$NO_3$-N(ppm)(6-24" soil depth)]

### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CROP IN GALLONS PER ACRE PER 365 DAY PERIOD

AAR = N/0.0026 = 177.61 / 0.0026 = 68,310 gal/acre/yr

AAR = Annual application rate in gallons per acre per 365 day period.
N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

Exhibit C

# APPENDIX A

## SEPTAGE APPLICATION RATE

### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

pH: 5.6 Intended Crop: Bermuda Grass Yield Goal: 3 tons N lbs/acre

Nutrient needed by crop for specified yield goal** 180

Nutrient available in soil ** Minus - 16

Nutrient amount still needed to meet yield goal, N = Equals = 164

** Please provide the means of determining these values.
[Nutrient available in soil (lbs/Acre) = 2*$NO_3$-N(ppm)(0-6" soil depth) + 6*$NO_3$-N(ppm)(6-24" soil depth)]

### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CROP IN GALLONS PER ACRE PER 365 DAY PERIOD

AAR = N/0.0026 = 164 / 0.0026 = 63,077 gal/acre/yr

AAR = Annual application rate in gallons per acre per 365 day period.
N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

Exhibit C

## APPENDIX A

## SEPTAGE APPLICATION RATE

### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

pH: 5.6 Intended Crop: Bermuda Grass Yield Goal: 3 tons N lbs/acre

| | | |
|---|---|---|
| Nutrient needed by crop for specified yield goal** | | 180 |
| Nutrient available in soil ** | Minus - | 16 |
| Nutrient amount still needed to meet yield goal, N = | Equals = | 164 |

** Please provide the means of determining these values.
[Nutrient available in soil (lbs/Acre) = 2*$NO_3$-N(ppm)(0-6" soil depth) + 6*$NO_3$-N(ppm)(6-24" soil depth)]

### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CROP IN GALLONS PER ACRE PER 365 DAY PERIOD

AAR = N/0.0026 = 164 / 0.0026 = 63,077 gal/acre/yr

AAR = Annual application rate in gallons per acre per 365 day period.
N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

Exhibit C

| | | | | | |
|---|---|---|---|---|---|
| 7. | Magnesium (plant available, mg/kg) | 2 | 1 per year | X | X |
| 8. | Calcium (plant available, mg/kg) | 2 | 1 per year | X | X |
| 9. | Electrical Conductivity | 3 | 1 per year | X | X |
| 10. | Soil Water pH (S.U.) | 4 | 1 per year | X | X |
| 11. | Total Arsenic (mg/kg) | * | 1 per 5 years | X | NA |
| 12. | Total Cadmium (mg/kg) | * | 1 per 5 years | X | NA |
| 13. | Total Chromium (mg/kg) | * | 1 per 5 years | X | NA |
| 14. | Total Copper (mg/kg) | * | 1 per 5 years | X | NA |
| 15. | Total Lead (mg/kg) | * | 1 per 5 years | X | NA |
| 16. | Total Mercury (mg/kg) | * | 1 per 5 years | X | NA |
| 17. | Total Molybdenum (mg/kg) | * | 1 per 5 years | X | NA |
| 18. | Total Nickel (mg/kg) | * | 1 per 5 years | X | NA |
| 19. | Total Selenium (mg/kg) | * | 1 per 5 years | X | NA |
| 20. | Total Zinc (mg/kg) | * | 1 per 5 years | X | NA |

1. Determined by Kjeldahl digestion or an equivalent accepted procedure. Methods that rely on Mercury as a catalyst are not acceptable.
2. Mehlich III plant available.
3. Electrical Conductivity (EC) - determine from extract of 2:1 (volume/volume) water/soil mixture.
4. Soil pH must be analyzed by the electrometric method in "Test Methods for Evaluating Solid Waste," EPA SW-846, 40 CFR 260.11; method 9045C.

* Analysis for metals in soil must be performed according to methods outlined in "Test Methods for Evaluating Solid Waste," EPA SW-846; method 3050.

## VI. Special Provisions:

A. Annual domestic septage application rate shall not exceed 68,077 gallons/acre/year at this site.

B. The Applicant is required to follow the Agronomic Management Plan approved by the Water Quality Assessments Team on October 5, 2006. The plan is to be kept on file for the term of the registration.

Exhibit C

**EXHIBIT D**

A GOVERNMENT AGENCY
OF THE
State of Texas

SABINE RIVER AUTHORITY
of Texas

P.O. BOX 579
ORANGE, TEXAS
77631

(409) 746-2192
FAX (409) 746-3780

May 2, 2006

Ms. LaDonna Castañuela, Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Beneficial Use Site Registration No. 710896

Dear Ms. Castañuela:

The Sabine River Authority of Texas (SRA) has received a copy of the notice of receipt of an application and declaration of administrative completeness for Gustavo Hernandez Ortega (CN602999963) Beneficial Land Use Site Registration No. 710896 (RN104916820). The applicant has applied for authorization to land apply domestic septage at agronomic rates on approximately 45.3 acres located approximately 3,500 feet southeast of the intersection of Farm-to-Market Road 513 and County Road 3209. SRA is concerned about the location of this site since it includes acreage that is in the watersheds of Lake Tawakoni and Lake Fork reservoirs.

SRA is a conservation and reclamation district created by the Texas Legislature in 1949 with responsibilities to control, store, preserve, and distribute the waters of the Sabine River and its tributary streams for useful purposes. While not a regulatory agency, SRA works closely with agencies such as Texas Commission on Environmental Quality (TCEQ) to protect water quality in the surface water resources of the Sabine Basin. As TCEQ is aware, SRA serves as the planning agency for the Texas Clean Rivers Program (TCRP) in a collaborative effort between TCEQ, Texas Parks and Wildlife Department (TPWD), other agencies, local entities and the public. The TCRP goal is to maintain and improve the quality of water resources within each river basin in Texas. SRA serves as a clearinghouse for water quality data in the Sabine Basin, analyzes the data and prioritizes water quality concerns and the causes of pollution.

SRA owns and operates both Lake Fork and Lake Tawakoni Reservoirs, and would like to offer its comments on issuance of Domestic Septic Registration No. 710896 to site operator Gustavo Hernandez Ortega. The land application site is on the Basin divide between both Lake Fork and Lake Tawakoni, and as such has the potential to impact the water quality of both reservoirs. The eastern portion of this site would drain to Lake Fork

Exhibit
D

Creek thence to Lake Fork Reservoir while the western portion drains to Head Creek and/or Pool Branch thence to Caney Creek thence to the Cowleech Fork Sabine River thence to Lake Tawakoni. Lake Fork and Lake Tawakoni are both drinking water supply reservoirs and provide high quality surface water for municipal users in the North East Texas area. SRA would request that the staff of the TCEQ give careful consideration to protecting the water quality of these invaluable resources during their evaluation.

The standards established for the surface disposal of domestic septage include many general requirements as well as pollutant limits, management practices and operational standards which are required of each surface disposal site. SRA considers that a site such as this proposed site located in sensitive water supply reservoir watersheds needs to be particularly restrictive in establishing site specific management practices, pollutant limits, pathogen and vector attraction reduction requirements, frequency of monitoring and careful records keeping if it is approved by TCEQ. One of the primary water quality issues emerging with population growth in some areas of the Sabine Basin is elevated bacteria levels. Bacteria are a natural part of the environment and elevated levels can be present after rainfall runoff events. However, hundreds of species of pathogenic bacteria can be present in contaminated water which during rainfall runoff events could result in the proposed surface septage disposal area affecting downstream receiving waters.

SRA would request the staff of the TCEQ to take into consideration the location of this site and the potential impacts to surface water quality in the area. If the Executive Director issues a decision to approve this registration, SRA requests that consideration be given to adopting 'More Stringent Requirements' than the standard requirements in order to assure the protection of public health and to protect the environment from any adverse effect of any pollutants in the domestic septage applied to this site. If approved, we would also ask that TCEQ monitor this facility closely to ensure that all requirements are met during all phases of the operation.

We appreciate this opportunity to provide our comments on this matter. If you have any questions or concerns please contact Gerard Sala of my staff at (409) 746-2192.

Sincerely,

Jerry Clark

Jerry Clark
Executive Vice President and General Manager

Exhibit D

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10:46

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jerret Gilcrease of (printed home address) 1125 Fairfax Allen, TX. 75013 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I own a house on Lake Fork. Lot 32 Arrowhead Subdivision. TCEQ has tried To stop the sell of Biodiesel & They allow This. IT does not make sense To allow This.

Date: 3-28-07

Signature: Jerret Gilcrease

Phone number: 214-535-2201

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -4 AM 9:58

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ricky Gilcrease of (printed home address) 207 CR 1215 Quitman, TX 75783 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I own a lakehouse on Lake Fork and I don't want any type of waste going into the water

Date: 3/30/07

Signature: Ricky Gilcrease

Phone number: 214-535-2202

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 47

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dolores N. Gill of (printed home address) 2763 CR 3514, Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 19, 2007
Date

Dolores N. Gill
Signature

2763 CR 3514, Greenville, TX 75402
Address

903-883-4617
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10:47

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) FRANK M. GILL of (printed home address) 2763 C.R. 3514, GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/19/07
Date

Frank M. Gill
Signature

2763 C.R. 3514
Address
GREENVILLE, TX. 75402
903-883-4617
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 47

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Elaine Gillean of (printed home address) 2002 PR 3345, Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

No one should be Allowed to dump human waste on their property.

Date: 3-21-07

Signature: Elaine Gillean

Phone number: 903-513-6111

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

✓

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10:46

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) OLEN D. GILLEAN of (printed home address) 2002 PR 3345 GREENVILLE TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

NO ONE SHOULD BE ALLOWED TO DUMP HUMAN WASTE ON THEIR PROPERTY

Date: 03-21-07

Signature: Olen D Gillean

Phone number: 903-513-9749

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 29 PM 2:38
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Shea H. Gillespie of (printed home address) 6527 Woodchuck Dr Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Signature

6527 Woodchuck Greenville, TX 75402
Address

(214) 563-7777
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Law Offices
of
SMITH E. GILLEY

2515 JOHNSON STREET- P.O. Box 983
GREENVILLE, TEXAS 75403-0983
(903) 455-9106
FAX (903) 454-6169
METRO (903) 450-1080

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:15
CHIEF CLERKS OFFICE

March 22, 2007

Ms. LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commission Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: T.C.E.Q. Customer Number CN602999963
Regulated Entity Number RN104916820

Dear Ms. Castanuela:

I enclose original and 11 copies of enclosed Motion to Overturn Executive Director's Decision in connection with the above referenced proceeding.

Thank you,

Smith E. Gilley

SEG/mm

Enclosures

c: Mr. Gustavo Hernandez Ortega
Mr. Robert Brush
Ms. Kathy Faz
Mr. Blas J. Coy
Ms. Pat Hill

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:13
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) SMITH E. GILLEY 75402 of (printed home address) 1864 CR 3123, Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Operation as planned will constitute a negative impact on the entire area and constitute a State approved nuisance. Water and air will be impacted in adverse manner and endanger both humans and wildlife in the general area as well as down stream. This terrible decision should be overturned.

Date: March 22, 2007

Signature: Smith E Gilley

OFFICE TEL: (903) 455-9106

Phone number: ~~(903) 450-8810~~ home

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:57

CHIEF CLERKS OFFICE

Law Offices
of
SMITH E. GILLEY

2515 JOHNSON STREET- P.O. Box 983
GREENVILLE, TEXAS 75403-0983
(903) 455-9106
FAX (903) 454-6169
METRO (903) 450-1080

Received
MAR 26 2007
TCEQ Wastewater Permitting
Land Application Team

March 22, 2007

Ms. LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commission Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: T.C.E.Q. Customer Number CN602999963
Regulated Entity Number RN104916820

Dear Ms. Castanuela:

I enclose original and 11 copies of enclosed Motion to Overturn Executive Director's Decision in connection with the above referenced proceeding.

Thank you,

Smith E. Gilley

SEG/mm

Enclosures

c: Mr. Gustavo Hernandez Ortega
Mr. Robert Brush
Ms. Kathy Faz
Mr. Blas J. Coy
Ms. Pat Hill

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 26 PM 3:57

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50, Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) SMITH E. GILLEY 75402 of (printed home address) 1864 CR 3123, Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Operation as planned will constitute a negative impact on the entire area and constitute a State approved nuisance. Water and air will be impacted in adverse manner and endanger both humans and wildlife in the general area as well as down stream. This terrible decision should be overturned.

Date: March 22, 2007

Signature: Smith E Gilley

OFFICE TEL: (903) 455-9106

Phone number: ~~(903) 450-8810~~ home

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:27

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) HAROLD GINGERICH of (printed home address) 1479 CR 2304, GREENVILLE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

WATER - GROUND - [redacted] AIR BORNE CONTAMINATION. THIRD WORLD APPROACH TO WASTE APPLICATION. WHAT NEXT? - OUTDOOR JOHN'S??

Date: 3-21-07

Signature: Harold J. Gingerich

Phone number: 903-450-6194

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Genevieve Golden of (printed home address) 2171 FM 2737 LO, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -2 AM 10:53
CHIEF CLERKS OFFICE

3-13-07
Date

Gen Golden
Signature

PO Box 484 Lone Oak, TX
Address

903-964-0852
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Tammy Goode of (printed home address) 9658 Bus Hwy. 34 S. Quinlan, TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 9, 2007
Date

Tammy Goode
Signature

9658 Bus. Hwy. 34 South Quinlan, TX.
Address

(903) 376-9655
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 21 AM 9:47
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 19 AM 10
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Becky Goodwin of (printed home address) 101 FM 1571 Lone Oak, 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Becky Goodwin
Signature

101 FM 1571 Lone Oak, TX 75453
Address

(903) 662-4477
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 19 AM 10: 3

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dusty Goodwin of (printed home address) 101 FM 1571 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Signature

101 FM 1571 Lone Oak, TX 75453
Address

(903) 662-4477
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -5 AM 2:48

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JAY LYNN GORE, and BRENDA GORE of (printed home address) 1327 CR 2232 Cuddo Mills, Tx 75135 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The quality of our drinking water will be damaged if Mr. Ortega is permitted to dump raw sewage on his land. (His land's run-off feeds in to Fork Creek... which feeds into Lake Fork & Lake Tawokoni).

Date: 24 MARCH 2007

Signature: Brenda Gore & Jay Lynn Gore

Phone number: 903-883-3626

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:52

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ruth Gowin of (printed home address) 3228 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I object to the waste going into the creeks, ~~[illegible]~~ streams and lakes in this area. If we have to meet the requirements for septic systems why ~~[illegible]~~ not the same for this situation?

Date: 4-2-07

Signature: Ruth Gowin

Phone number: 903 662 5203

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 55

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) EARL GRAHAM of (printed home address) 213 FRIENDSHIP CR. #2, W. TAWAKONI, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I FEEL THIS PRACTICE IS UNSAFE AND WILL RESULT IN A HAZZARD TO THE ENVIORMENT

IF MR. SHANKLE THINKS THIS IS SAFE, THEN DUMP THE WASTE IN HIS YARD!

Date: 3-27-07

Signature: Earl Graham

Phone number: 903-447-5707

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -5 AM 2:55

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JACK B. GRAY of (printed home address) 2908 MERMAR PARK, COMMERCE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Quality of Life

Date: 04/02/07

Signature: Jack B. Gray

Phone number: 903.886.6880

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DORTHA L. GREEN of (printed home address) 3405 BONNIE, GREENVILLE TX 754 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

#1 Runoff in Tawakoni + Lake Fork, #2 there are approximately 4 Water wells in 1 mile radius Also there are tanks for Cows to drink. #3 if you have property would'nt you consider the Value? I do because I don't want the Value to go down on my Property

Date: 4-3-07

Signature: Dortha L. Green

Phone number: 903-453-5687 cell
903-450-0807 Home

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:3
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

MAR 15 AM 10:44

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Stanley E Gregory of (printed home address) 408 College Lone Oak TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 9, 2007
Date

S E Gregory
Signature

408 College St Lone Oak TX 75453
Address

902 456 8207
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

✓ RM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 27 AM 10: 11

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Manford Greninger of (printed home address) 676 C.R. 4115, Campbell, Tx 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

There are facilities available to dump sewage. Mr. Ortega should not be allowed to pollute the surrounding water-shed and soil. There are no safeguards to ensure he will treat every load dumped at the disputed location.

Date: 3/22/07

Signature: Manford Greninger

Phone number: (903) 862-3286

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 27 AM 10: 11

CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 30 PM 2:59

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) VALERIA GROVES of (printed home address) 4699 FM 275, EMORY, TX 75440 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The contamination of Lake Tawakoni and Lake Fork.

Date: March 28, 2007

Signature: Valeria Groves

Phone number: 903-473-2592

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

✓

MC

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 21 AM 9:43
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Eric Gruver of (printed home address) 3884 Wildwood Dr., Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 13, 2007

Date

Eric Gruver

Signature

3884 Wildwood Dr., Campbell, TX 75422

Address

903-886-3692

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 21 AM 9:43
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Wendy Gruver of (printed home address) 3884 Wildwood Dr., Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 13, 2007

Date

Wendy Gruver

Signature

3884 Wildwood Dr., Campbell, TX 75422

Address

903-886-3692

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 19 AM 10:50

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Charlene Hackney of (printed home address) 1279 P.R. #3329 Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/04/2007
Date

Charlene Hackney
Signature

1279 P.R. #3329 Greenville, Tx 75402
Address

(903) 883-3390
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AM 10:51
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary Hackney of (printed home address) 2009 Walworth St. Greenville Tx 75401 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 14, 2007
Date

Mary Hackney
Signature

2009 Walworth St. Greenville, Tx 75401
Address

(903) 454-1472
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Betty J Harris of (printed home address) #1 Mullaney Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Betty J. Harris
Signature

#1 Mullaney Greenville TX
Address

903-455-2508
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 14 AM 9:51

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Tammy Jo Hasheman of (printed home address) 330 E. Las Colinas #330, Irving, Tx. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/11/07
Date

Signature

330 E. Las Colinas Blvd. #330, Irving, Tx. 76039
Address

949.212.6719 - Cell
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Louis Hawkins of (printed home address) 7735 cochise LoneOak TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Louis Hawkins
Signature

7735 cochise
Address

903 217-9952
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:46
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENT
QUALITY

2007 APR -9 AM 11:

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mark W. Hemberger of (printed home address) 4593 County Road 2624 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (Please give reason for your motion. You may attach an additional sheet if necessary)

I don't want to drink water with raw sewage in it! Do you? I don't want to eat fish that swim in it! Do you? Do you think people would want to swim or ski in it?

Date: 4-2-07

Signature: Mark W. Hemberger

Phone number: (903) 527-3081

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Additional copies are to be mailed to the attached mailing list

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -4 AM 9:51

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Danny R. Hiser of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/27/07
Date

Danny Hiser
Signature

1129 Single Tree
Address

(469) 762-3333
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:42

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ellaweene Hilburn of (printed home address) 3532 F.M. 3195 Lone Oak, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I feel like it will pollute Tawakoni and other streams that flow into them, including Sabine and I very much object the decision.

Date: 4-2-07

Signature: Ellaweene Hilburn

Phone number: 903-662-5273

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 MAR 26 PM 3:25

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

WE (printed name) Leo F. Hill / Patsy S. Hill of (printed home address) 4532 Mamie Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THIS CANNOT HELP OUR ENVIRONMENT, ALL OF OUR LAKES DOWN FROM THIS AREA WILL BECOME UNCLEAN/UNSUITABLE FOR FISH and MUCH OF OUR DRINKING WATER COME FROM THESE LAKES, DISEASES AND IT WILL LOWER Property VALUES and IT IS FILTHY AND NASTY NO ONE WOULD WANT TO LIVE NEAR THAT AREA -

Date: March 20, 2007

Signature: Leo F. Hill Patsy S. Hill

Phone number: 903-455-6293

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
MAR 19 AM 10:42
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Leo F. Hill of (printed home address) 1532 Mamie Rd Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Leo F. Hill
Signature

1532 Mamie rd. Greenville Tx 75402-4070
Address

903-455-6293
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 19 AM 10:42

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Patsy S. Hill of (printed home address) 1532 Mamie Rd Gnvl TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 16 2007
Date

Patsy S. Hill (or Mr. Leo D. Hill)
Signature

1532 Mamie Road Gnvl TX 75402-4070
Address

903 455 6293
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

✓

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carol Himelright of (printed home address) 223 Tawakoni Trail make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 23 AM 11:06
CHIEF CLERKS OFFICE

03-21-07
Date

Carol Himelright
Signature

223 Tawakoni Trail
E. Tawakoni, Tx. 75472
Address

903 447-2810
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 2[illegible]

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARK HIMELRIGHT of (printed home address) 223 TAWAKONI TRAIL, POINT TX 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/21/07
Date

[signature]
Signature

223 TAWAKONI TRAIL
POINT TX 75472
Address

903 447 2810
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:30

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ruth H. Hinton of (printed home address) 5020 Sayle St., Greenville, TX 75402-6300 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 16, 2007
Date

Ruth H. Hinton
Signature

5020 Sayle St.
Greenville, TX 75402-6300
Address

(903) 455-1869
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 PM 3:01
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kevin Hoefar of (printed home address) 5943 CR 3214 Lone Oak TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/11/07
Date

Kevin Hoefar
Signature

5943 CR 3214 Lone Oak, TX. 75453
Address

903 634 5767
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 PM 3:01
CHIEF CLERK'S OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Susan E. Hoefar of (printed home address) 5943 CR 3214, Lone Oak, Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-11-07
Date

Susan E. Hoefar
Signature

5943 CR 3214, Lone Oak, Tx 75453
Address

903-634-5767
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 22 AM 10:25

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary Hogue of (printed home address) 4508 CR 3323 Quinlan Texas make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/20/07
Date

Mary Hogue
Signature

4508 CR 3323 Quinlan, Tx 75474
Address

903-883-2668
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 43

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Richard L. Hogue, Sr. of (printed home address) 4508 CR 3323, Quinlan, Tx 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03/20/07
Date

Richard L. Hogue
Signature

4508 CR 3323, Quinlan, TX 75474
Address

903-883-2668
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sandi Holden of (printed home address) 14261 FM 1567 W Cumby TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Sandi Holden
Signature

14261 FM 1567 W
Cumby TX 75433
Address

903-382-3278
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 28 AM 10: 13

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Peggy Holly 75402 of (printed home address) 5501 Sayle #107 Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-26-07
Date

Peggy Holly
Signature

5501 Sayle #107 Greenville, TX 75402
Address

903-454-7974
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 2 1 AM 9:35

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's. B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jan Hooten of (printed home address) 16015 FM 513 South Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Jan Hooten
Signature

16015 FM 513 South
Address Lone Oak, TX 75453

903-634-5593
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 27 AM 9:58

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) John L. Horn of (printed home address) PO Box 1097 Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

attached

Date: 3/16/07

Signature: John L. Horn
Hunt County Judge

Phone number: 903-408-4146

Received
MAR 26 2007
TCEQ Wastewater Permitting
Land Application Team

MAIL IMMEDIATELY or within 23 days of March 14, 2007
with **original and 11 copies**

TO:
LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

# HUNT COUNTY

POST OFFICE BOX 1097 • GREENVILLE, TEXAS 75403-1097

JOHN L. HORN
HUNT COUNTY JUDGE
(903) 408-4146
(903) 408-4299 FAX


Ms. LaDonna Castanuela
Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Dear Ms. Castanuela,

In response to the letter that I received on March 13, 2007, please accept this letter as a formal request to file a "motion to overturn" a decision made by Glen Shankle, Executive Director of the Texas Commission on Environmental Quality. According to the letter from his office he states that he has granted Mr. Gustavo Hernandez Ortega ( Registration Number 710896) final approval for all stipulations regarding this registration.

As requested in the letter this motion to overturn is being filed for the following reasons:

1. As of April 24, 2006, the Hunt County Commissioners Court filed a resolution with the State of Texas ( Resolution # 42406) that clearly stated its opposition to the application made by Mr. Ortega. The reasons stated in the resolution were as follows:
    a. ...surrounding communities have voiced their concerns about this facility...this facility undermines the public view of environmental safety.
    b. ...Hunt County Environmental Enforcement Office cannot be effective
    c. ...City of Greenville, now and in the future is providing a safe and State approved sewage disposal site for this type of private business
    d. ...this permit is being considered by the state not for public safety or public need but for private gain.

I believe the above stated reasons in the resolution convey the thoughts and concerns of the entire governing body of Hunt County and also takes into consideration the welfare and concerns of the citizens they represent.

2. A review of a letter that was written to Ms. Castanuela of (TCEQ) back on May 2, 2006, by Jerry Clark, Executive Vice President and General Manager of the Sabine River Authority of Texas, indicated several concerns relating to the approval of such an action. In brief the letter intimated the following concerns:
   a. " SRA considers that a site such as this proposed site located in sensitive water supply reservoir watersheds…"
   b. "…SRA requests that consideration be given to adopting 'More Stringent Requirements' than the standard requirements in order to assure the protection of public health and to protect the environment from any adverse effect of any pollutants in the domestic septage applied to this site."
   c. "SRA is concerned about the location of this site since it includes acreage that is in the watersheds of Lake Tawakoni and Lake Fork reservoirs."

   As this letter explains, the SRA is a conservation and reclamation district set up in 1949 by the Texas Legislature. SRA was given the expressed duty to " control, store, preserve and distribute the waters of the Sabine River and its tributary streams for useful purposes.". It would appear that the decision by the executive director Mr. Shankle (TCEQ) has almost completely discounted any responsibilities that the Texas Legislature bestowed on the SRA.

   Again, the letter from SRA makes it very clear that the current rules and regulations as set forth by TCEQ are not stringent enough to allow for Mr. Ortega's proposed site. SRA has the local obligation to point out factors that will directly effect the water quality of wild-life, livestock, and most important, the citizens of the areas these particular reservoirs serve. SRA serves to provide invaluable information to the Texas Parks and Wildlife Department and as a planning source for the Texas Clean Rivers Program. It would appear that the only areas that were significantly addressed in the approval were the time periods and frequency of inspection. This leads to a labyrinth of obstacles when it comes to the "who" and at what expense to local taxpayers.

   I find Mr. Shankle's obvious disregard for SRA input as gross oversight to the facts of his decision and as a "stand alone" reason for overturning his decision. To not take their advise not only lessens the validity of his decision, but casts a serious cloud over the back-bone of our legislative bodies.

3. Hunt County currently maintains a population of more than 85,000 people. Greenville is the county seat and provides a host of services to the community. The receiving and processing of septic waste is one of those services. The Greenville facility is regulated and monitored by both local ordinance and State Law. The facility is located central to the county and provides easy access. The facility does not pose a threat to livestock, wildlife or people. It is operated by qualified personnel that have access to proper testing procedures and equipment. The stipulations for testing on sludge and domestic septage are absolutely vital to the reduction and or elimination of harmful pathogens. All of which are laid out in the Texas Administrative Code. It is highly improbable that Mr. Ortega has the chemistry background or qualification to meet any of the requirements of the code. In addition, the application is rather ambiguous and does not disclose or stipulate any of the pre-existing conditions of the ground on which the proposed site is planned. To my knowledge, at this point, no site specific testing has been done to determine the existing chemical make up of the soil.

4. Disputed land owner testimony about the existence of wells that are well within the minimum stated approved distances as stipulated in the TCEQ regulations. This issue was brought up in the public hearings. It is my understanding that the surveys that were used in determining many of these issues were derived from maps developed back in the early 70's.

5. TCEQ mandates stipulate that no raw sewage can be stored on land sites. My understanding is that, in most cases, individuals that have their tanks pumped by Mr. Ortega do so because the system is not working properly. Therefore, it would be highly unlikely that the sewage Mr. Ortega would be storing on this land site would be properly digested, or meet the ph standards set forth by the TCEQ.

Finally, these reasons should not preclude the fact that this site could potentially hold egregious consequences for the citizens of our county and adjacent counties. This site poses serious health and economic risks to many, and benefits few.

I would like to thank you in advance for your prompt and courteous attention to this issue, and await your timely response.

Respectfully,

John L. Horn

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 13, 2007

TO: Persons on the attached mailing list.

RE: Gustavo Hernandez Ortega
Registration No. 710896

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director has issued final approval of the above-named registration. Enclosed with this letter are copies of the executive director's response to comments and the issued registration.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the registration. Any motion must explain why the commission should review the TCEQ executive director's action.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 11 copies of a motion must be filed with the chief clerk in person, or by mail to the chief clerk's address on the attached mailing list. On the same day the motion is transmitted to the chief clerk, please provide copies to the applicant, the Executive Director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,

LaDonna Castañuela
Chief Clerk

LDC/cz

#9798

FILED FOR RECORD
at 3:30 o'clock P M

APR 24 2006

LINDA BROOKS
County Clerk, Hunt County, Tex.
By

**RESOLUTION # 42406**

Whereas, the State of Texas has received an application from Gustavo Hernandez Ortega for the operation of A-1 Affordable Septic Cleaning, and

Whereas, this business and sewage site will be located south of CR3209, approximately 3,500 feet southwest of intersection FM 513 and CR3209, and 5.2 miles north of intersection FM 513 and U.S. Hwy 69, and

Whereas, the surrounding communities have voiced their concerns about this facility and this facility undermines the public view of environmental safety, and

Whereas, Hunt Counties own Environmental Enforcement Office cannot be effective without the support of all communities, and

Whereas, the City of Greenville, now and in the future is providing a safe and State approved sewage disposal site for this type of private business, and

Whereas, this permit is being considered by the state not for public safety or public need, but for private gain,

the refund, due to Hunt County, be re-allocated to the Appraisal District for computer upgrades.

9798 On the motion by Martin, second by Thornton, the Court approved "Resolution" objecting to the proposed waste disposal site owned by Gustavo Hernandez Ortega to be located in the Prairie Valley Area, near intersection of FM513 and CR3209 in Hunt County. Judge Bobbitt stated the City of Greenville provides a safe, state approved sewage disposal site for this type of privately owned business. Resolution to be submitted to the State of Texas. Judge Bobbitt applauded the efforts of all property owners who have met, organized and wrote letters contacting local and state officials on this issue. Representative Flynn and Senator Deuell have already began to work on the loophole in the statue.

9799 On the motion by Judge Bobbitt, second by Green, the Court approved issuance of Junk Yard Permit to Miller's Used Auto Parts, located 1969 I-30 West, Greenville, Texas. All requirements have been met and fees paid. *See Attachment.*

9800 [illegible]

A GOVERNMENT AGENCY
OF THE
State of Texas

(409) 746-2192
FAX (409) 746-3780

SABINE RIVER AUTHORITY
of Texas

P.O. BOX 579
ORANGE, TEXAS
77631

May 2, 2006

Ms. LaDonna Castañuela, Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Beneficial Use Site Registration No. 710896

Dear Ms. Castañuela:

The Sabine River Authority of Texas (SRA) has received a copy of the notice of receipt of an application and declaration of administrative completeness for Gustavo Hernandez Ortega (CN602999963) Beneficial Land Use Site Registration No. 710896 (RN104916820). The applicant has applied for authorization to land apply domestic septage at agronomic rates on approximately 45.3 acres located approximately 3,500 feet southeast of the intersection of Farm-to-Market Road 513 and County Road 3209. SRA is concerned about the location of this site since it includes acreage that is in the watersheds of Lake Tawakoni and Lake Fork reservoirs.

SRA is a conservation and reclamation district created by the Texas Legislature in 1949 with responsibilities to control, store, preserve, and distribute the waters of the Sabine River and its tributary streams for useful purposes. While not a regulatory agency, SRA works closely with agencies such as Texas Commission on Environmental Quality (TCEQ) to protect water quality in the surface water resources of the Sabine Basin. As TCEQ is aware, SRA serves as the planning agency for the Texas Clean Rivers Program (TCRP) in a collaborative effort between TCEQ, Texas Parks and Wildlife Department (TPWD), other agencies, local entities and the public. The TCRP goal is to maintain and improve the quality of water resources within each river basin in Texas. SRA serves as a clearinghouse for water quality data in the Sabine Basin, analyzes the data and prioritizes water quality concerns and the causes of pollution.

SRA owns and operates both Lake Fork and Lake Tawakoni Reservoirs, and would like to offer its comments on issuance of Domestic Septic Registration No. 710896 to site operator Gustavo Hernandez Ortega. The land application site is on the Basin divide between both Lake Fork and Lake Tawakoni, and as such has the potential to impact the water quality of both reservoirs. The eastern portion of this site would drain to Lake Fork

Creek thence to Lake Fork Reservoir while the western portion drains to Head Creek and/or Pool Branch thence to Caney Creek thence to the Cowleech Fork Sabine River thence to Lake Tawakoni. Lake Fork and Lake Tawakoni are both drinking water supply reservoirs and provide high quality surface water for municipal users in the North East Texas area. SRA would request that the staff of the TCEQ give careful consideration to protecting the water quality of these invaluable resources during their evaluation.

The standards established for the surface disposal of domestic septage include many general requirements as well as pollutant limits, management practices and operational standards which are required of each surface disposal site. SRA considers that a site such as this proposed site located in sensitive water supply reservoir watersheds needs to be particularly restrictive in establishing site specific management practices, pollutant limits, pathogen and vector attraction reduction requirements, frequency of monitoring and careful records keeping if it is approved by TCEQ. One of the primary water quality issues emerging with population growth in some areas of the Sabine Basin is elevated bacteria levels. Bacteria are a natural part of the environment and elevated levels can be present after rainfall runoff events. However, hundreds of species of pathogenic bacteria can be present in contaminated water which during rainfall runoff events could result in the proposed surface septage disposal area affecting downstream receiving waters.

SRA would request the staff of the TCEQ to take into consideration the location of this site and the potential impacts to surface water quality in the area. If the Executive Director issues a decision to approve this registration, SRA requests that consideration be given to adopting 'More Stringent Requirements' than the standard requirements in order to assure the protection of public health and to protect the environment from any adverse effect of any pollutants in the domestic septage applied to this site. If approved, we would also ask that TCEQ monitor this facility closely to ensure that all requirements are met during all phases of the operation.

We appreciate this opportunity to provide our comments on this matter. If you have any questions or concerns please contact Gerard Sala of my staff at (409) 746-2192.

Sincerely,

Jerry Clark

Jerry Clark
Executive Vice President and General Manager

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 50 ACTION ON APPLICATIONS AND OTHER AUTHORIZATIONS
SUBCHAPTER G ACTION BY THE EXECUTIVE DIRECTOR
RULE §50.139 **Motion to Overturn Executive Director's Decision**

(a) The applicant, public interest counsel or other person may file with the chief clerk a motion to overturn of the executive director's action on an application or water quality management plan (WQMP) update certification. Wherever other commission rules refer to a "motion for reconsideration", that term should be considered interchangeable with the term "motion to overturn executive director's decision."

(b) A motion to overturn must be filed no later than 23 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director to the applicant and persons on any required mailing list for the action.

(c) A motion to overturn must be filed no later than 20 days after the date persons who timely commented on the WQMP update are notified of the response to comments and the certified WQMP update. A person is presumed to have been notified on the third day after the date the notice of the executive director's action is mailed by first class mail.

(d) An action by the executive director under this subchapter is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

(e) With the agreement of the parties or on their own motion, the commission of the general counsel may, by written order, extend the period of time for filing motions to overturn and for taking action on the motions so long as the period for taking action is not extended beyond 90 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director.

(f) Disposition of motion.

(1) Unless an extension of time is granted, if a motion to overturn is not acted on by the commission within 45 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director, the motion is denied.

(2) In the event of an extension, the motion to overturn is overruled by operation of law on the date fixed by the order, or in the absence of a fixed date, 90 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director.

(g) When a motion to overturn is denied under subsection (f) of this section, a motion for rehearing does not need to be filed as a prerequisite for appeal. Section 80.272 of this title (relating to Motion for Rehearing) and Texas Government Code, §2001.146, regarding motions for rehearing in contested cases do not apply when a motion to overturn is denied. If applicable, the commission decision may be subject to judicial review under Texas Water Code, §5.351, or Texas Health and Safety Code, §§361.321, 382.032, or 401.341.

**Source Note:** The provisions of this §50.139 adopted to be effective September 23, 1
8254; amended to be effective February 3, 2000, 25 TexReg 593; amended to be effe
2001, 26 TexReg 2393

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 10, 2006

**CERTIFIED MAIL**

Mr. Phillip Martin, Hunt County Commissioner
P.O. Box 1097
Greenville, Texas 75403

Re: Application for proposed Domestic Septage Land Application Registration No. 710896
Gustavo Hernandez Ortega Land Application Site

Dear Mr. Martin:

As requested, I am sending you a copy of the Texas Administrative Code Chapter 50, Rule 50.139(b) pertaining to the requirements for a motion to overturn on registrations. This rule states the following: (b) A motion to overturn must be filed no later than 23 days after the date the agency mails notice of the signed permit, approval, or other action of the Executive Director to the applicant and persons on any required mailing list for the action. In this case, the reference to "other action" relates to the registration being proposed. In addition, I am sending you a copy of the Texas Administrative Code Chapter 312, Rule for 312.12(2)(c) and (d) pertaining to the Executive Director's Decision and Rule for 312.13(d) and (e) pertaining to public comment on registrations and motion to overturn.

If you should have any further questions, please do not hesitate to call me at (512) 239-2012, or if by correspondence include MC 148 in the letterhead address following my name.

Sincerely,

Katherine Faz, Permit Coordinator
Land Application Team
Water Quality Division

KF/sp

Enclosures

control, or operator, changes in waste composition, changes in the source of sewage sludge, or waste management methods, and information regarding soils and subsurface conditions where the operation is to be located. Any information provided under this paragraph must be submitted to the executive director in duplicate form.

(c) The executive director shall determine, after review of any application, whether to approve or deny an application in whole or in part, deny with prejudice, suspend the authority to conduct an activity for a specified period of time, or amend or modify the proposed activity requested by the applicant. The determination of the executive director shall include review and action on any new applications or changes, renewals, and requests for major amendment of any existing application. In consideration of such an application, the executive director shall consider all relevant requirements of this chapter and consider all information pertaining to those requirements received by the executive director regarding the application. The written determination on any application, including any authorization granted, shall be mailed to the applicant upon the decision of the executive director.

(d) At the same time that the executive director's decision is mailed to the applicant, notice of this decision must also be mailed to all parties who submitted written information on the application, as described in §312.13(c)(2) and (3) of this title (relating to Actions and Notice).

(e) For registered land application sites located in a major sole-source impairment zone, the registrant must comply with the provisions listed in §312.11(k) of this title (relating to Permits).

Adopted September 28, 2005 Effective October 20, 2005

**§312.13. Actions and Notice.**

(a) Applicability. This section sets forth the manner in which action will be taken on applications filed with the executive director for either a permit or a registration to land apply, store, process, dispose of, or incinerate sewage sludge.

(b) Permit actions.

(1) All permit applications are subject to the standards and requirements as set forth in Chapter 39, Subchapters H - J of this title (relating to Applicability and General Provisions; Public Notice of Solid Waste Applications; and Public Notice of Water Quality Applications and Water Quality Management Plans), Chapter 50, Subchapters E - G of this title (relating to Purpose, Applicability, and Definitions; Action by the Commission; and Action by the Executive Director ), and Chapter 55, Subchapters D - F of this title (relating to Applicability and Definitions; Public Comment and Public Meetings; and Requests for Reconsideration or Contested Case Hearing).

(4) Each notice must specify both the name, affiliation, address, and telephone number of the applicant and of the commission employee who may be reached to obtain more information about the application to register the site. The notice must specify that the registration application has been provided to the county judge and that it is available for review by interested parties.

(5) Any application for a registration is subject to the standards and requirements for actions concerning amendments, modifications, transfers, and renewals of registrations, as set forth in Chapter 50; Subchapter G of this title.

(d) Public comment on registrations. A person may provide the commission with written comments on any new or major amendment applications to register a site, where applicable. The executive director shall review any written comments when they are received within 30 days of mailing the notice. The written information received will be utilized by the executive director in determining what action to take on the application for registration in accordance with §312.12(c) of this title (relating to Registrations).

(e) Motion to overturn. The applicant, public interest counsel, or other person may file with the chief clerk a motion to overturn under §50.139 of this title (relating to Motion to Overturn Executive Director's Decision) to overturn the executive director's final approval or denial of an application.

Adopted September 28, 2005 Effective October 20, 2005

**Disposition Table**
**Rule Log No. 96170-050-AD**
**Hearings Requests/Procedural Rules**
**Adopted April 16, 1997**
**Effective May 15, 1997**

**Chapter 312 - Sludge Use, Disposal, and Transportation**
**Subchapter A: General Provisions**

This table is to track section during and after rule revisions. The column on the left lists the current sections before the revision. The column on the right lists where the section is located after adoption.

| Old Section | New Section |
|---|---|
| 312.13 (e) | Repealed portion; see 50.39 |

RECEIVED
MAR 16 07
Hunt County
Judge's Office

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name)_____ of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

_____

_____

_____

_____

Date: _____

Signature: _____

Phone number: _____

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION
SUBCHAPTER D PATHOGEN AND VECTOR ATTRACTION REDUCTION
RULE §312.83 **Vector Attraction Reduction**

(a) Compliance requirements.

(1) One of the vector attraction reduction requirements in subsection (b)(1)-(10) of this section shall be met when bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site.

(2) One of the vector attraction reduction requirements in subsection (b) paragraphs (1)-(8) of this section shall be met when bulk sewage sludge is applied to a lawn, home garden, or is sold or given away in a bag or other container.

(3) One of the vector attraction reduction requirements in subsection (b)(1)-(11) of this section shall be met when sewage sludge (other than domestic septage) is placed on an active sewage sludge unit.

(4) One of the vector attraction reduction requirements in subsection (b)(9), (10), or (12) of this section shall be met when domestic septage is applied to agricultural land, forest, or a reclamation site.

(5) One of the vector attraction reduction requirements in subsection (b)(9)-(12) of this section shall be met when domestic septage is placed on an active sewage sludge unit.

(b) Compliance alternatives.

(1) The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.

(2) If an anaerobically digested sewage sludge can not meet the 38% volatile solids reduction requirement in paragraph (1) of this subsection, vector attraction reduction can be demonstrated by digesting a portion of the previously digested sewage sludge anaerobically in a laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. If at the end of the 40 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 17%, vector attraction reduction is achieved.

(3) If an aerobically digested sewage sludge can not meet the 38% volatile solids reduction requirement in paragraph (1) of this subsection, vector attraction reduction can be demonstrated by digesting a portion of the previously digested sewage sludge that has a percent solids of 2.0% or less aerobically in a laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. If at the end of the 30 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 15%, vector attraction reduction is achieved.

(4) The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

(5) Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of sewage sludge shall be higher than 45 degrees Celsius.

(6) The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours.

(7) The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials.

(8) The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90% based on the moisture content and total solids prior to mixing with other materials.

(9) Sewage sludge shall be injected below the surface of the land. No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected. If the sewage sludge that is injected below the surface of the land is Class A with respect to pathogens, as described in §312.82 (relating to Pathogen Reduction), the sewage sludge shall be injected below the land surface within eight hours after the sewage sludge is discharged from the pathogen treatment process.

(10) Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application or placement on the land. If the sewage sludge that is incorporated into the soil is Class A with respect to pathogens, as described in §312.82 of this title (relating to Pathogen Reduction), the sewage sludge shall be applied to or placed on the land within eight hours after the sewage sludge is discharged from the pathogen treatment process.

(11) Sewage sludge placed on an active sewage sludge unit shall be covered with soil or other material at the end of each operating day.

(12) The pH of domestic septage shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 30 minutes.

**Source Note:** The provisions of this §321.83 adopted to be effective October 13, 1995, 20 TexReg 7840.

Next Page Previous Page

List of Titles | Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION
SUBCHAPTER D PATHOGEN AND VECTOR ATTRACTION REDUCTION
RULE §312.82 **Pathogen Reduction**

(a) Sewage sludge--Class A.

(1) Compliance requirements--Class A.

(A) For a sewage sludge to be classified as Class A with respect to pathogens, the requirements in subparagraphs (B) and (C) of this paragraph and the requirements of one of the alternatives listed in paragraph (2) of this subsection must be met.

(B) The requirements of the chosen alternative for pathogen reduction from paragraph (2) of this subsection must be met prior to or at the same time as the vector attraction reduction requirements, except the requirements in §312.83(b)(6) - (8) of this title (relating to Vector Attraction Reduction).

(C) Either the density of fecal coliform in the sewage sludge must be less than 1,000 Most Probable Number per gram of total solids (dry weight basis) or the density of Salmonella (sp. bacteria) in the sewage sludge must be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed of, at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land, or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §312.41(b), (c), (e), or (f) of this title (relating to Applicability).

(2) Compliance alternatives--Class A.

(A) Alternative 1. The temperature of the sewage sludge that is used or disposed of must be maintained at a specified value for a period of time.

(i) When the percent solids of the sewage sludge is 7.0% or higher, the temperature of the sewage sludge must be 50 degrees Celsius or higher; the time period must be 20 minutes or longer; and the temperature and time period must be determined using the equation in this clause, except when small particles of sewage sludge are heated by either warmed gases or an immiscible liquid.

Attached Graphic

(ii) When the percent solids of the sewage sludge is 7.0% or higher and small particles of sewage sludge are heated by either warmed gases or an immiscible liquid, the temperature of the sewage sludge must be 50 degrees Celsius or higher, the time period must be 15 seconds or longer, and the temperature and time period must be determined using the equation in clause (i) of this subparagraph.

(iii) When the percent solids of the sewage sludge is less than 7.0% and the time period is at least 15 seconds, but less than 30 minutes, the temperature and time period must be determined using the equation in clause (i) of this subparagraph.

(iv) When the percent solids of the sewage sludge is less than 7.0%; the temperature of the sewage sludge is 50 degrees Celsius or higher; and the time period is 30 minutes or longer, the temperature and time period must be determined using the equation in this clause.

Attached Graphic

(B) Alternative 2. The temperature and pH of the sewage sludge that is used or disposed of must be maintained at specific values for periods of time.

(i) The pH of the sewage sludge must be raised to above 12 and must remain above 12 for 72 hours.

(ii) The temperature of the sewage sludge must be above 52 degrees Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12.

(iii) At the end of the 72-hour period during which the pH of the sewage sludge is above 12, the sewage sludge must be air dried to achieve a percent solids in the sewage sludge greater than 50%.

(C) Alternative 3. The sewage sludge that is used or disposed of must be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses and viable helminth ova.

(i) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses until the next monitoring episode for the sewage sludge.

(ii) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is equal to or greater than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses when the density of enteric viruses in the sewage sludge after pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meets the enteric virus density requirement are documented.

(iii) After the enteric virus reduction in clause (ii) of this subparagraph is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to enteric viruses when the values for the pathogen treatment process operating parameters are consistent with the values or ranges of values documented in clause (ii) of this subparagraph.

(iv) When the density of viable helminth ova in the sewage sludge prior to pathogen treatment is less than one per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to viable helminth ova until the next monitoring episode for the sewage sludge.

(v) When the density of viable helminth ova in the sewage sludge prior to pathogen treatment is equal to or greater than one per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to viable helminth ova when the density of viable helminth ova in the sewage sludge after pathogen treatment is less than one per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meets the viable helminth ova density requirement are documented.

(vi) After the viable helminth ova reduction in clause (v) of this subparagraph is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to viable

helminth ova when the values for the pathogen treatment process operating parameters are consistent with the values or ranges of values documented in clause (v) of this subparagraph.

(D) Alternative 4. The sewage sludge that is used or disposed of must be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses and viable helminth ova.

(i) The density of enteric viruses in the sewage sludge must be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed of, at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land, or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §312.41(b), (c), (e), or (f) of this title.

(ii) The density of viable helminth ova in the sewage sludge must be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed of, at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land, or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §312.41(b), (c), (e), or (f) of this title.

(E) Alternative 5 (Processes to Further Reduce Pathogens (PFRP). Sewage sludge that is used or disposed of must be treated in one of the PFRP described in 40 Code of Federal Regulations (CFR) Part 503, Appendix B.

(F) Alternative 6 (PFRP Equivalent). Sewage sludge that is used or disposed of must be treated in a process that has been approved by the United States Environmental Protection Agency (EPA) as being equivalent to those in subparagraph (E) of this paragraph.

(b) Sewage sludge--Class B.

(1) Compliance requirements--Class B.

(A) For a sewage sludge to be classified as Class B with respect to pathogens, the requirements in subparagraphs (B) and (C) of this paragraph must be met. As an alternative for a sewage sludge to be classified as Class B, the requirements of subparagraph (B) of this paragraph and paragraph (2) of this subsection must be met.

(B) The site restrictions in paragraph (3) of this subsection must be met when sewage sludge that is classified as Class B with respect to pathogens is applied to the land for beneficial use.

(C) A minimum of seven representative samples of the sewage sludge must be collected within 48 hours of the time that the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge. The geometric mean of the density of fecal coliform for the samples collected must be less than either 2,000,000 Most Probable Number per gram of total solids (dry weight basis) or 2,000,000 Colony-forming Units per gram of total solids (dry weight basis).

(2) Processes to Significantly Reduce Pathogens (PSRP) compliance alternatives--Class B. Sewage sludge that is used or disposed of must be treated in one of the PSRP described in 40 CFR Part 503, Appendix B, or must be treated by an equivalent process approved by the EPA, so long as all of the following requirements are met by the generator of the sewage sludge.

(A) Prior to use or disposal, all the sewage sludge must have been generated from a single location,

except as provided in subparagraph (F) of this paragraph.

(B) An independent Texas registered professional engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification must include a statement indicating that the design meets all the applicable standards specified in 40 CFR Part 503, Appendix B.

(C) Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the PSRP at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and recordkeeping requirements must be in accordance with established EPA final guidance.

(D) All certification records and operational records describing how the requirements of this paragraph were met must be kept by the generator for a minimum of three years and be available for inspection by commission staff for review.

(E) In lieu of a generator obtaining a certification as specified in subparagraph (B) of this paragraph, the executive director will accept from the EPA a finding of equivalency to the defined PSRP.

(F) If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product must meet one of the PSRP, and meet the certification, operation, and recordkeeping requirements of this paragraph.

(3) Site restrictions.

(A) Food crops with harvested parts totally above the land surface that touch the sewage sludge/soil mixture must not be harvested from the land for at least 14 months after the application of sewage sludge.

(B) Food crops with harvested parts below the surface of the land must not be harvested for at least 20 months after application of sewage sludge when the sewage sludge remains on the land surface for four months or longer prior to incorporation into the soil.

(C) Food crops with harvested parts below the surface of the land must not be harvested for at least 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than four months prior to the incorporation into the soil.

(D) Food crops, feed crops, and fiber crops must not be harvested for at least 30 days after application of sewage sludge.

(E) Animals must not be allowed to graze on the land for at least 30 days after application of sewage sludge.

(F) Turf grown on land where sewage sludge is applied may not be harvested for at least one year after application of sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn.

(G) Public access to land with a high potential for public exposure must be restricted for at least one year after application of sewage sludge.

(H) Public access to land with a low potential for public exposure must be restricted for at least 30 days after application of the sewage sludge.

(c) Domestic septage.

(1) The site restrictions in subsection (b)(3) of this section must be met if domestic septage is applied to agricultural land, forest, or a reclamation site.

(2) The pH of domestic septage applied to agricultural land, forest, or a reclamation site must be raised to 12 or higher by alkali addition and, without the addition of more alkali, must remain at 12 or higher for a period of 30 minutes.

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**Source Note:** The provisions of this §312.82 adopted to be effective October 13, 1995, 20 TexReg 7840; amended to be effective October 20, 2005, 30 TexReg 6743

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION
SUBCHAPTER B LAND APPLICATION FOR BENEFICIAL USE AND STORAGE AT BENEFICIAL USE SITES

## RULE §312.42 General Requirements

(a) No person shall apply sewage sludge, including domestic septage, to the land except in accordance with the requirements in this subchapter.

(b) No person shall apply sewage sludge that does not meet the metal concentrations in §312.43(b)(3) of this title to land where any of the cumulative metal loading rates in §312.43(b)(2) of this title (relating to Metal Limits) have been reached.

(c) No person shall apply domestic septage to agricultural land, forest, or a reclamation site during a 365 day period where the annual application rate in §312.43(c) of this title has been reached.

(d) The person who applies sewage sludge, including domestic septage, to the land shall obtain information needed to comply with the requirements in this subchapter.

(e) If a treatment works provides bulk sewage sludge to a person who applies the bulk sewage sludge to the land, the treatment works shall provide the person who applies the bulk sewage sludge to the land notice and necessary information to comply with the requirements in this subchapter.

(f) If a treatment works provides bulk sewage sludge to a person who prepares the bulk sewage sludge for application to the land, the treatment works shall provide the person who prepares the bulk sewage sludge for application to the land notice and necessary information to comply with the requirements in this subchapter.

(g) The person who applies bulk sewage sludge to the land shall provide the owner or lease-holder of the land on which the bulk sewage sludge is applied notice and necessary information to comply with the requirements in this subchapter.

(h) If a treatment works provides sewage sludge to a person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land, the treatment works shall provide the person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land notice and information to comply with the requirements in this subchapter.

(i) The applicant shall determine the concentration of regulated metals in accordance with §312.12(a)(1)(E) of this title (relating to Registration of Land Application Activities) and demonstrate to the satisfaction of the commission that the proposed cumulative metal loading will result in a non-toxic condition or reduce the toxicity of the existing soil.

**Source Note:** The provisions of this §312.42 adopted to be effective October 13, 1995, 20 TexReg 7840.

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY

PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION

SUBCHAPTER B LAND APPLICATION FOR BENEFICIAL USE AND STORAGE AT BENEFICIAL USE SITES

## RULE §312.41 Applicability

(a) Application to land. This subchapter applies to any person who prepares sewage sludge that is applied to the land, to any person who applies sewage sludge to the land, to sewage sludge applied to the land, and to the land on which sewage sludge is applied.

(b) Bulk sewage sludge.

(1) Section 312.42 of this title (relating to General Requirements) and §312.44 of this title (relating to Management Practices) do not apply when bulk sewage sludge is applied to the land if the bulk sewage sludge meets the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits), the Class A pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title (relating to Vector Attraction Reduction).

(2) The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk sewage sludge described in this subsection on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the bulk sewage sludge.

(c) General Requirements for Bulk Derived Materials.

(1) Section 312.42 of this title (relating to General Requirements) and the management practices in §312.44 of this title (relating to Management Practices) do not apply when a bulk material derived from sewage sludge is applied to the land if the derived bulk material meets the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits), the Class A pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title (relating to Vector Attraction Reduction).

(2) The executive director may apply any or all of §312.42 and §312.44 to the bulk material described in this subsection on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the bulk sewage sludge.

(d) Special Requirements for Certain Bulk Derived Materials. The requirements in this subchapter may not apply when a bulk material derived from sewage sludge is applied to the land; if the sewage sludge from which the bulk material is derived meets the metal concentrations in §312.43(b)(3) of this title the Class A pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title. The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk derived material on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment

from any reasonably anticipated adverse effect that may occur from any metal in the sewage sludge.

(e) Bagged sludge. Sewage sludge sold or given away in a bag or other container for application to the land. Section 312.42 and §312.44 of this title may not apply when sewage sludge is sold or given away in a bag or other container for application to the land if the sewage sludge sold or given away in a bag or other container for application to the land meets the metal concentrations in §312.43(b)(3) of this title, the Class A pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title.

(f) Bagged derived materials. Section 312.42 and §312.44 of this title may not apply when a material derived from sewage sludge is sold or given away in a bag or other container for application to the land if the derived material meets the metal concentrations in §312.43(b) of this title, the Class A pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title.

(g) Bagged materials. The requirements in this subchapter may not apply when a material derived from sewage sludge is sold or given away in a bag or other container for application to the land if the sewage sludge from which the material is derived meets the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits), the Class A pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title.

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**Source Note:** The provisions of this §312.41 adopted to be effective October 13, 1995, 20 TexReg 7840.

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

| | |
|---|---|
| TITLE 30 | ENVIRONMENTAL QUALITY |
| PART 1 | TEXAS COMMISSION ON ENVIRONMENTAL QUALITY |
| CHAPTER 312 | SLUDGE USE, DISPOSAL, AND TRANSPORTATION |
| SUBCHAPTER B | LAND APPLICATION FOR BENEFICIAL USE AND STORAGE AT BENEFICIAL USE SITES |
| RULE §312.50 | **Storage and Staging of Sludge at Beneficial Use Sites** |

(a) Except as provided in subsection (b) of this section, storage of sludge at a beneficial land application site must not exceed 90 days. Storage is allowed only when the following requirements are carried out.

(1) Written authorization must be obtained from the executive director prior to construction of the storage area.

(2) The storage area must be operated and maintained to prevent surface water runoff and to prevent a release to groundwater. Discharge of storm water or wastewater which has come into contact with sewage sludge is prohibited. The storage area shall be designed to collect such runoff. Any runoff collected during the storage of sewage sludge shall be disposed in a manner to prevent a release to groundwater.

(3) The storage area shall be designed, constructed, and operated in a manner which protects public health and the environment.

(4) The storage area must be lined to prevent a release to groundwater. Natural or artificial liners are required for leachate control. A natural liner or equivalent barrier of one foot of compacted clay with a permeability coefficient of $1 \times 10^{-7}$ cm/sec or less must be provided. Various flexible synthetic membrane lining materials may be used in lieu of soil liners if prior written approval has been obtained from the executive director. The registrant shall furnish certification by a licensed professional engineer or licensed professional geoscientist that the completed storage area lining meets the appropriate criteria described in this section prior to using the facilities. The certification shall be signed, sealed, and dated by a licensed professional engineer or licensed professional geoscientist.

(5) The application shall outline measures to be taken to minimize vectors and to avoid public health nuisances such as odors.

(6) The storage area shall be fenced or other methods shall be used, if necessary to control access by humans or domestic animals.

(7) Berms or dikes shall be constructed to contain the waste without leakage.

(8) Liquid sludge must be stored in an enclosed vessel.

(9) Processing of sludge is prohibited unless a permit is obtained from the commission.

(b) Up to an additional 90 days of storage will be allowed with the prior approval of the appropriate Texas Commission on Environmental Quality regional office, for reasons associated with application

area flooding, saturated soils, or frozen soils.

(c) Staging of sewage sludge on-site, prior to land application, is allowable without executive director approval. Staging of sewage sludge may only occur for a maximum of seven calendar days.

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**Source Note:** The provisions of this §312.50 adopted to be effective October 13, 1995, 20 TexReg 7840; amended to be effective September 1, 2003, 28 TexReg 6300

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 22 PM 3:11

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) John. L. Horn of (printed home address) PO Box 1097 Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

attached

Date: 3/19/07

Signature: John L. Horn
Hunt County Judge

Phone number: 903-408-4146

MAIL IMMEDIATELY or within 23 days of March 14, 2007
with **original and 11 copies**

TO:
LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

# HUNT COUNTY

POST OFFICE BOX 1097 • GREENVILLE, TEXAS 75403-1097

JOHN L. HORN
HUNT COUNTY JUDGE
(903) 408-4146
(903) 408-4299 FAX


Ms. LaDonna Castanuela
Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Dear Ms. Castanuela,

In response to the letter that I received on March 13, 2007, please accept this letter as a formal request to file a "motion to overturn" a decision made by Glen Shankle, Executive Director of the Texas Commission on Environmental Quality. According to the letter from his office he states that he has granted Mr. Gustavo Hernandez Ortega ( Registration Number 710896) final approval for all stipulations regarding this registration.

As requested in the letter this motion to overturn is being filed for the following reasons:

1. As of April 24, 2006, the Hunt County Commissioners Court filed a resolution with the State of Texas ( Resolution # 42406) that clearly stated its opposition to the application made by Mr. Ortega. The reasons stated in the resolution were as follows:
    a. ...surrounding communities have voiced their concerns about this facility...this facility undermines the public view of environmental safety.
    b. ...Hunt County Environmental Enforcement Office cannot be effective
    c. ...City of Greenville, now and in the future is providing a safe and State approved sewage disposal site for this type of private business
    d. ...this permit is being considered by the state not for public safety or public need but for private gain.

    I believe the above stated reasons in the resolution convey the thoughts and concerns of the entire governing body of Hunt County and also takes into consideration the welfare and concerns of the citizens they represent.

2. A review of a letter that was written to Ms. Castanuela of (TCEQ) back on May 2, 2006, by Jerry Clark, Executive Vice President and General Manager of the Sabine River Authority of Texas, indicated several concerns relating to the approval of such an action. In brief the letter intimated the following concerns:
   a. " SRA considers that a site such as this proposed site located in sensitive water supply reservoir watersheds…"
   b. "…SRA requests that consideration be given to adopting 'More Stringent Requirements' than the standard requirements in order to assure the protection of public health and to protect the environment from any adverse effect of any pollutants in the domestic septage applied to this site."
   c. "SRA is concerned about the location of this site since it includes acreage that is in the watersheds of Lake Tawakoni and Lake Fork reservoirs."

   As this letter explains, the SRA is a conservation and reclamation district set up in 1949 by the Texas Legislature. SRA was given the expressed duty to " control, store, preserve and distribute the waters of the Sabine River and its tributary streams for useful purposes.". It would appear that the decision by the executive director Mr. Shankle (TCEQ) has almost completely discounted any responsibilities that the Texas Legislature bestowed on the SRA.

   Again, the letter from SRA makes it very clear that the current rules and regulations as set forth by TCEQ are not stringent enough to allow for Mr. Ortega's proposed site. SRA has the local obligation to point out factors that will directly effect the water quality of wild-life, livestock, and most important, the citizens of the areas these particular reservoirs serve. SRA serves to provide invaluable information to the Texas Parks and Wildlife Department and as a planning source for the Texas Clean Rivers Program. It would appear that the only areas that were significantly addressed in the approval were the time periods and frequency of inspection. This leads to a labyrinth of obstacles when it comes to the "who" and at what expense to local taxpayers.

   I find Mr. Shankle's obvious disregard for SRA input as gross oversight to the facts of his decision and as a "stand alone" reason for overturning his decision. To not take their advise not only lessens the validity of his decision, but casts a serious cloud over the back-bone of our legislative bodies.

3. Hunt County currently maintains a population of more than 85,000 people. Greenville is the county seat and provides a host of services to the community. The receiving and processing of septic waste is one of those services. The Greenville facility is regulated and monitored by both local ordinance and State Law. The facility is located central to the county and provides easy access. The facility does not pose a threat to livestock, wildlife or people. It is operated by qualified personnel that have access to proper testing procedures and equipment. The stipulations for testing on sludge and domestic septage are absolutely vital to the reduction and or elimination of harmful pathogens. All of which are laid out in the Texas Administrative Code. It is highly improbable that Mr. Ortega has the chemistry background or qualification to meet any of the requirements of the code. In addition, the application is rather ambiguous and does not disclose or stipulate any of the pre-existing conditions of the ground on which the proposed site is planned. To my knowledge, at this point, no site specific testing has been done to determine the existing chemical make up of the soil.

4. Disputed land owner testimony about the existence of wells that are well within the minimum stated approved distances as stipulated in the TCEQ regulations. This issue was brought up in the public hearings. It is my understanding that the surveys that were used in determining many of these issues were derived from maps developed back in the early 70's.

5. TCEQ mandates stipulate that no raw sewage can be stored on land sites. My understanding is that, in most cases, individuals that have their tanks pumped by Mr. Ortega do so because the system is not working properly. Therefore, it would be highly unlikely that the sewage Mr. Ortega would be storing on this land site would be properly digested, or meet the ph standards set forth by the TCEQ.

Finally, these reasons should not preclude the fact that this site could potentially hold egregious consequences for the citizens of our county and adjacent counties. This site poses serious health and economic risks to many, and benefits few.

I would like to thank you in advance for your prompt and courteous attention to this issue, and await your timely response.

Respectfully,

John L. Horn

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 13, 2007

TO: Persons on the attached mailing list.

RE: Gustavo Hernandez Ortega
Registration No. 710896

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director has issued final approval of the above-named registration. Enclosed with this letter are copies of the executive director's response to comments and the issued registration.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the registration. Any motion must explain why the commission should review the TCEQ executive director's action.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 11 copies of a motion must be filed with the chief clerk in person, or by mail to the chief clerk's address on the attached mailing list. On the same day the motion is transmitted to the chief clerk, please provide copies to the applicant, the Executive Director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,

LaDonna Castañuela
Chief Clerk

LDC/cz

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

PROTESTANTS/INTERESTED PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
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Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
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FOR OFFICE OF PUBLIC ASSISTANCE:

Ms. Jodena Henneke, Director
Texas Commission on Environmental Quality
Office of Public Assistance MC-108
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FOR PUBLIC INTEREST COUNSEL:

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FOR THE CHIEF CLERK:

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CRYSTAL & TIM BARCHEERS
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B DOOLEY
5831 COUNTY ROAD 3214
LONE OAK TX 75453-2177

BEN & MARY L DOOLEY
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LONE OAK TX 75453-2177

DORA DOOLEY
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LONE OAK TX 75453-2141

E DOOLEY
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3711 FM 513 S
LONE OAK TX 75453-2225

JANA & JOHN DOOLEY
2730 FM 2649
LONE OAK TX 75453-6131

JOHN DOOLEY
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LONE OAK TX 75453-6003

JESSE & PATRICIA LEUTWYLER
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LONE OAK TX 75453-2162

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CADDO MILLS TX 75135-8312

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MELBA C WILLIAMS
2445 COUNTY ROAD 3118
CAMPBELL TX 75422-3317

CHARLES WILSON
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LONE OAK TX 75453-2164

SALLY WILSON
3168 COUNTY ROAD 3210
LONE OAK TX 75453-2164

PAULA WITT
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GREENVILLE TX 75401-1469

PAULA & TOM WITT
1380 EDGINGTON DR
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COMMERCE TX 75429-0734

TCEQ PROPOSED REGISTRATION NO. 710896

| | | |
|---|---|---|
| APPLICATION BY | § | BEFORE THE |
| GUSTAVO HERNANDEZ ORTEGA | § | TEXAS COMMISSION ON |
| REGISTRATION NO. 710896 | § | ENVIRONMENTAL QUALITY |

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**EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT**

**(FILED 2/16/07)**

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The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (Response) on the application of Gustavo Hernandez Ortega (Applicant) for Registration No. 710896. The Office of Chief Clerk received timely comment letters or oral formal comments at the public meeting from the following persons:

**Public Officials and Public Entities:** The Commissioners Court of Hunt County, Texas State Senator Robert F. Deuell, M.D. (Senate District 2), State Representative Dan Flynn (House District 2), Hunt County Commissioner Phillip Martin, and the Sabine River Authority. **Groups:** The Mamie Road Neighborhood Watch and Prairie Valley Baptist Church. **Members of the general public:** Jeri Stephens Aikens, Michele Arguello, Jose Arguello, Betty and Donald Atkins, Joyce Bailey, Crystal Barcheers, Timothy E. Barcheers, Monte Barrow, Frances Black, Serena Booth, Carolyn Bowen, Sigrid Bowles, Don L. Bowles, Lisa Brannon, Lisa M. Brehm, Pennie Brignon, Kathleen Brown, Jan Burks, Arlen S. Butler, Jan Dooley Byrd, Kenneth Byrd, Robert Byrd, Steve Bryd, Sandra C. Clark, Samuel Coats, Gennie Colbert, John Cole, Linda Cole, Pat Coley, Charles and Patricia Conine, James L. Coody, Tom Crowther, Gayla Ann Cummings, Steven A. Cummings, Betty J. Davies, Kelli B. Davies, Mark Davies, Geraldine M. Deppe, William S. Deppe, Ann Dial, Larry J. Dick, Ann Dooley, Ben and Mary Dooley, Dora Dooley, J.B. Dooley, John and Jana

## BACKGROUND

### Description of Facility

The Applicant has applied to TCEQ for a new registration that will authorize the land application of domestic septage at a rate of 68,077 gallons per acre per year on 40 acres of land. The land application area is owned by the Applicant. No discharge of pollutants into water in the state is authorized by this registration. The proposed site is located on a private road south of County Road 3209, approximately 3,500 feet southeast of the intersection of Farm-to-Market Road (FM) 513 and County Road 3209 and approximately 5.2 miles north of the intersection of FM 513 and U.S. Highway 69 in Hunt County, Texas.

### Procedural Background

The application for a new registration was received on February 27, 2006 and declared administratively complete on March 30, 2006. The Notice of Receipt of an Application and Declaration of Administrative Completeness along with a copy of the application for registration was mailed on April 6, 2006 and made available for viewing at the Hunt County Judge's Office. A decision was made to hold a public meeting and The Notice of Public Meeting was published in the *Herald Banner* on July 29, 2006. A public meeting was held on August 29, 2006 in Greenville, Texas and the public comment period ended at the close of the public meeting.

## COMMENTS AND RESPONSES

**COMMENT 1:**

There were concerns that this type of land application poses potential health issues, for example, from air-borne diseases carried by flies and mosquitoes, to humans and wildlife. Many were concerned with the health issues of land applying "raw sewage."

sewage sludge is Class A with respect to pathogens, as described in § 312.82 of this title (relating to Pathogen Reduction), the sewage sludge must be applied to or placed on the land within eight hours after the sewage sludge completes the pathogen treatment process; or

3. The pH of domestic septage must be raised to 12 or higher by alkali addition and, without the addition of more alkali, must remain at 12 or higher for 30 minutes.

As shown in the application and in correspondence received August 25, 2006, the Applicant intends to meet this requirement by choosing option #3. The Applicant will pre-treat the septage with bagged hydrated lime at a rate of 20 lbs. per 1,000 gallons, or 70 lbs. per load, to raise the pH level of the septage to 12.0 or higher prior to land application. A higher pH encourages pathogen inactivation and die-off. In addition, records that demonstrate these conditions are met for each load of domestic septage must be maintained at this site for five years, as required by 30 TAC § 312.47(b). The registration also requires a thorough description in the Annual Report on how the Applicant is meeting the pathogen and vector attraction requirements.

**COMMENT 2:**

There were many concerns about the potential contamination of groundwater and surface water resources.

**RESPONSE 2:**

The registration does not authorize discharge of waste into water in the state. To prevent run-off beyond the active application area, the Applicant will be required to apply septage uniformly and at agronomic rates over the surface of the land. Additionally, the Applicant will not be allowed to land apply to areas where permeable surface soils are less than 2 feet thick or to any areas having a slope in excess of 8%. Also, the Applicant may not land apply during rainstorms or during periods when surface soils are water-saturated.

was inspected prior to the public meeting by a TCEQ Regional Inspector and the inspector found no evidence of any other water wells.

The area produces groundwater from the Nacatoch Aquifer. The Nacatoch Aquifer is designated as a minor aquifer by the TWDB. The aquifer dips further below the surface as it travels towards the east. Two miles west of the proposed land application area groundwater is produced from approximately 150 feet below the surface. Two miles to the east of the proposed land application area groundwater is found from 764 to 942 feet below the surface. At the proposed land application site, it is expected that groundwater from the Nacatoch Aquifer is found approximately 400 feet below the surface.

Well drilling reports indicated confining sediment layers between the surface and groundwater producing intervals. The shallow sub-surface clays possess low permeable values. The surface clays and subsurface confining layers were determined to provide protection from direct recharge to the groundwater producing intervals 400 feet beneath the proposed application area.

The registration also includes buffer zone requirements that restrict how close a land application area may be located to water bodies to minimize the potential of contaminating water supplies. TCEQ rules at 30 TAC § 312.44(c) require the following separation from application areas:

1. Surface water- 200 feet if sludge not incorporated into soil and 33 feet if soil is incorporated into soil.
2. Private water supply well - 150 feet
3. Public water supply well, public water supply spring or similar source, public water supply treatment plant, or public water supply elevated or ground storage tank - 500 feet
4. Solution channel, sinkhole, or other conduit to groundwater - 200 feet
5. Irrigation conveyance canal - 10 feet
6. Property boundary and public right-of-way - 50 feet

If members of the public experience nuisance odor conditions from the application area, they may contact the TCEQ Dallas-Fort Worth Regional Office at (817) 588-5800 or by calling the toll free 24-hour complaint hotline at 888-777-3186. Citizens may also file complaints on-line at http://www.tceq.state.tx.us/compliance/complaints/. Regional investigators will respond to complaints on a case-by-case basis and if a violation of TCEQ regulations or the registration is documented, then appropriate action will be taken, which may include referral for an enforcement action.

Also, as noted in Response #2, the Applicant must follow an Agronomic Management Plan, which requires complete incorporation of septage into the soil and a soil cover during conditions when the cover vegetation is dormant, or when the Applicant is attempting to establish cover vegetation. In addition, the registration does not limit the ability to seek legal remedies regarding any potential nuisance, or other causes of action in response to activities that may result in injury to human health or property, or that interfere with the normal use and enjoyment of property.

**COMMENT 5:**

There were concerns about who will be held accountable for the domestic septage being placed on this land application site.

**RESPONSE 5:**

The state holds all operators accountable for meeting the conditions in their TCEQ authorizations and for following applicable state rules and regulations. TCEQ field inspectors conduct periodic site inspections to determine whether an applicant is meeting its regulatory requirements.

The Applicant must also assist TCEQ in monitoring compliance with specific conditions by submitting an annual report documenting certain activities. The TCEQ Land Application Team reviews the annual report to ensure that the Applicant is meeting the pathogen and vector attraction requirements, and to ensure that the Applicant is not land applying in excess of the agronomic rate. If the annual report shows that requirements are not being met, the Applicant is subject to enforcement action. The annual report must include the following information:

septage, the amount of nitrogen in the soils at the application site, and the nitrogen requirements of the proposed crop.

TCEQ's Water Quality Assessments Team evaluated the proposed crop of Bermuda grass and the necessary management practices were incorporated into the registration in order to minimize septage nuisance odors and to help prevent septage runoff from the site. As determined by the review and as previously discussed, the Applicant will have to follow an Agronomic Management Plan (See Response #2).

**COMMENT 7:**

There were questions raised about the information provided in the registration application. Items mentioned in the application as causes of concern were:

1. Applicant's wife is not listed as one of the landowners;
2. There appears to be a different name on the soil sampling chain-of-custody;
3. The Applicant provided only one soil sample and there are two soil classes at the site;
4. There is no clear description of the methods to raise the pH to 12.0 standard units; and
5. The application doesn't state how pathogens will be controlled.

**RESPONSE 7:**

During review of the application, TCEQ's Administrative Review and Processing Team ensures that all information submitted in the administrative portion of the application is complete, accurate, and meets the requirements in 30 TAC, Chapter 312.

During technical review of the registration application, all technical items in the application, pages 1 through 6, are reviewed by TCEQ's Land Application Team and the Water Quality Assessment Team. The registration application is checked to ensure completion and clarity. If there are incomplete items or items in need of clarification in the registration application, then additional information is requested from the Applicant.

**RESPONSE 8:**

TCEQ is tasked by the Texas Legislature with protecting environmental quality in the state. The ED does not consider property values, the marketability of adjacent property, or economic development in determining whether to issue a water quality permit or registration.

**COMMENT 9:**

It was requested that TCEQ deny issuing the registration.

**RESPONSE 9:**

The Applicant is required to operate in compliance with the Texas Water Code, TCEQ's rules, and the terms of the registration. A registration is issued if the application meets all administrative and technical requirements and the ED has concluded that those requirements have been met.

In response to public comment, the Executive Director approved a more stringent Agronomic Management Plan that the Applicant must follow. The plan outlines the management of the Bermuda grass prior to land application and after the grass is established. Additionally, the plan provides that the septage be completely incorporated into the soil profile and requires a soil cover during conditions when the cover vegetation is dormant, or when the Applicant is attempting to establish cover vegetation. The plan is more stringent than 30 TAC, Chapter 312 rules because it does not give the Applicant the option to reduce buffer zones to surface water if the septage is incorporated into the soil profile as allowed by the rules. The site acreage was decreased from 45.3 acres to 40 acres to incorporate the buffer zone requirements outlined in the Agronomic Management Plan.

Respectfully submitted,

Texas Commission on Environmental Quality

Glen Shankle
Executive Director

## CERTIFICATE OF SERVICE

I certify that on February 16, 2007 the "Executive Director's Response to Public Comments (Filed 2/16/07)" for Registration No. 710896 was filed with the Texas Commission on Environmental Quality's Office of Chief Clerk.

Robert D. Brush, Staff Attorney
Environmental Law Division
State Bar No. 00788772

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

# DOMESTIC SEPTAGE REGISTRATION

**I. REGISTRATION NO.** 710896

**II. Sludge Registration Issued to:**

Site Operator and Landowner
Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

**III. Sludge Site:** Domestic septage will be beneficially land applied on 40 acres located within an approximate 55.1 acres. This site is located on a private road south of County Road 3209, approximately 3,500 feet southeast of the intersection of Farm-to-Market Road 513 and County Road 3209 and approximately 5.2 miles north of the intersection of Farm-to-Market Road 513 and U.S. Highway 69 in Hunt County, Texas (see Attachment A).

**IV. Authorization:** Domestic septage

This registration and the authorization contained herein will expire at midnight, five years from the date issued.

DATE ISSUED: MAR 05 2007

For the Commission

7. A description of how the pathogen requirements in 30 TAC 312.82(c)(1) and (2) were met.

8. A description of how the vector attraction requirements in 30 TAC 312.83(b)(9), (10) or (12) were met.

9. Soil test reports, as per Section V.G., Soil Sampling

The Annual Report must be submitted by September 30th of each year per 30 TAC 312.48 which includes all required information above for a period covering September 1 of the previous year through August 31 of the current year. Additionally an "Annual Sludge Summary Report Form" (**Attachment C**) should be filled out and submitted with the annual report. Submit your report to the Water Quality Division, Land Application Team (MC 148) and the TCEQ Regional Office (MC Region 4). Record retention requirements must be followed in accordance with 30 TAC 312.47(b) for domestic septage.

## D. Regulated Management Conditions:

1. Domestic septage applications must not cause or contribute to the harm of a threatened or endangered species of plant, fish, or wildlife or result in the destruction or adverse modification of the critical habitat of a threatened or endangered species.

2. Domestic septage must not be applied to land that is flooded, frozen or snow-covered.

3. Domestic septage applied to the land must maintain the following buffer zones for each application area:

| | | |
|---|---|---|
| a. | Established school, institution, business or residence | 750 feet |
| b. | Public water supply well, intake, public water supply spring or similar source, public water treatment plant, or public water supply elevated or ground storage tank | 500 feet |
| c. | Solution channels, sinkholes, or other conduits to groundwater | 200 feet |
| d. | Waters in the State of Texas | 200 feet |
| e. | Private water supply well | 150 feet |
| f. | Public right of way | 50 feet |
| g. | Property boundary | 50 feet |
| h. | Irrigation conveyance canals | 10 feet |

e. Where runoff from the active application area is evident, the operator must cease further domestic septage application until the condition is corrected.

10. The site operator must prevent public health nuisances. Domestic septage debris must be prevented from leaving the site. Where nuisance conditions exist, the operator must eliminate the nuisance as soon as possible.

11. Domestic septage application practices must not allow uncontrolled public access, so as to protect the public from potential health and safety hazards at the site.

**E. Pathogen Control:**

1. Domestic septage applied to the site must have a pH raised to 12 or higher by alkali addition and, without the addition of more alkali, remain at 12 or higher for a period of at least 30 minutes. **Records that demonstrate these conditions for each load of domestic septage must be maintained at this site for five (5) years.** If the alkali addition occurs in a transport vehicle, the records must also be maintained in the vehicle for one (1) month and at the offices of the transporter's company for five (5) years.

2. In addition to controlling pathogens, the following site restrictions must be met:

    1. Food crops with harvested parts totally above the land surface in areas where domestic septage has been applied must not be harvested from the land for at least 14 months after the last application of domestic septage if any of the harvested parts contact the domestic septage or soil.

    2. Food crops with harvested parts below the surface of the land must not be harvested from the land for at least 20 months after application of domestic septage when the material remains on the land surface for four months or longer prior to incorporation into the soil.

    3. Food crops with harvested parts below the surface of the land must not be harvested for at least 38 months after application of domestic septage when the material remains on the land surface for less than four months prior to the incorporation into the soil.

    4. Food crops (when grown and harvested in a manner that prevents any part of the crop from contacting the soil or domestic septage), feed crops, and fiber crops must not be harvested for at least 30 days after application of domestic septage.

    5. Animals must not be allowed to graze on the land for at least 30 days after application of domestic septage.

| | | | | | |
|---|---|---|---|---|---|
| 7. | Magnesium (plant available, mg/kg) | 2 | 1 per year | X | X |
| 8. | Calcium (plant available, mg/kg) | 2 | 1 per year | X | X |
| 9. | Electrical Conductivity | 3 | 1 per year | X | X |
| 10. | Soil Water pH (S.U.) | 4 | 1 per year | X | X |
| 11. | Total Arsenic (mg/kg) | * | 1 per 5 years | X | NA |
| 12. | Total Cadmium (mg/kg) | * | 1 per 5 years | X | NA |
| 13. | Total Chromium (mg/kg) | * | 1 per 5 years | X | NA |
| 14. | Total Copper (mg/kg) | * | 1 per 5 years | X | NA |
| 15. | Total Lead (mg/kg) | * | 1 per 5 years | X | NA |
| 16. | Total Mercury (mg/kg) | * | 1 per 5 years | X | NA |
| 17. | Total Molybdenum (mg/kg) | * | 1 per 5 years | X | NA |
| 18. | Total Nickel (mg/kg) | * | 1 per 5 years | X | NA |
| 19. | Total Selenium (mg/kg) | * | 1 per 5 years | X | NA |
| 20. | Total Zinc (mg/kg) | * | 1 per 5 years | X | NA |

1. Determined by Kjeldahl digestion or an equivalent accepted procedure. Methods that rely on Mercury as a catalyst are not acceptable.
2. Mehlich III plant available.
3. Electrical Conductivity (EC) - determine from extract of 2:1 (volume/volume) water/soil mixture.
4. Soil pH must be analyzed by the electrometric method in "Test Methods for Evaluating Solid Waste," EPA SW-846, 40 CFR 260.11; method 9045C.

* Analysis for metals in soil must be performed according to methods outlined in "Test Methods for Evaluating Solid Waste," EPA SW-846; method 3050.

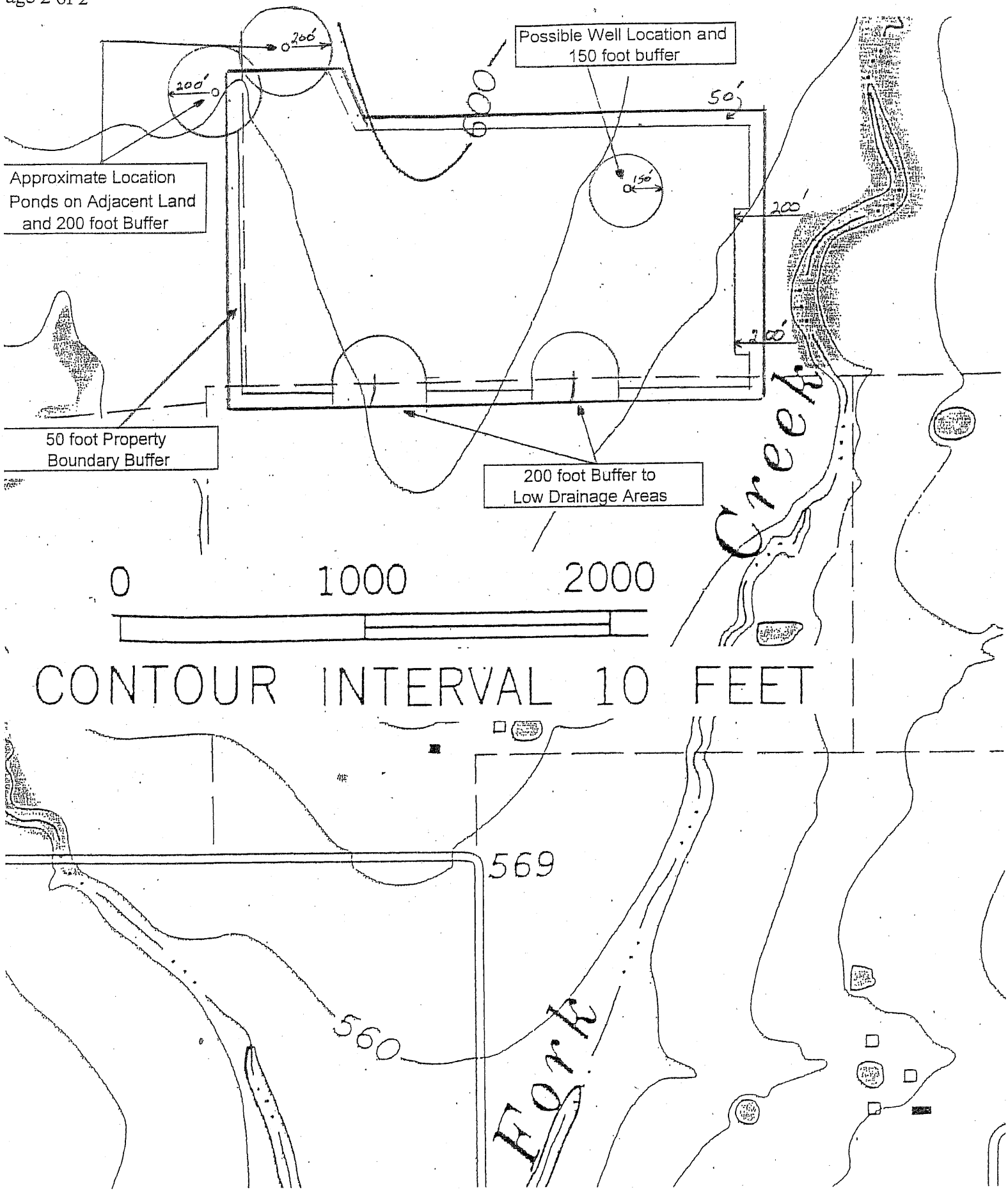
## VI. Special Provisions:

A. Annual domestic septage application rate shall not exceed 68,077 gallons/acre/year at this site.

B. The Applicant is required to follow the Agronomic Management Plan approved by the Water Quality Assessments Team on October 5, 2006. The plan is to be kept on file for the term of the registration.

Attachment B
USGS Topographic Map
Agronomic Management Plan Buffer Area Map
Page 2 of 2

**TCEQ Registration No. 710896**



Gustavo Hernandez Ortega

TCEQ Registration No. 710896

TCEQ

Attachment C

# Annual Sludge Summary Report Form (Domestic Septage Only)

Note 1: Please note that in addition to this summary form, you need submit the information required per 30 TAC 312.48.
Note 2: Please place this form at the top of your Annual Sludge Report.
Note 3. If you operate other registered/permitted site, then fill-out this form for each one of those sites.
Note 4: Also send one complete copy of your report and this form to local TCEQ regional office.

**For TCEQ Fiscal year _____ : Reporting period from September 1, _____, August 31, _____.**

**REGISTRATION NO.:** _____ **DATE:** _____

NAME OF REGISTRANT : _____

MAILING ADDRESS: _____

_____

CONTACT PERSON: Name: _____ Telephone No: _____

a. Treated Domestic Septage: Land Applied: _____ gallons / year

b. Acreage used for Sludge Application/disposal at this site: _____ acres

c. Site Vegetation (such as grass type etc) and # of cuttings: _____

d. Description of the process used to achieve pathogen requirements in 30 TAC §312.82 (c):

_____

e. Description of the process used to meet the vector attraction reduction requirements in 30 TAC §312.83(b)(9),(10), or (12): _____

f. Have you enclosed the certification statement? Yes _____ No_____

g. Have you enclosed dates of septage land application to this site? Yes _____ No_____

h. Have you enclosed the recent soil-septage analysis? Yes ____ No_____

---

PLEASE MAIL THE COMPLETED ANNUAL REPORT TO :

Texas Commission on Environmental Quality
Land Application Team ( M/C 148)
Wastewater Permitting Section
P.O. Box 13087
Austin, TX 78711-3087

#9798

FILED FOR RECORD
at 3:30 o'clock P M

APR 24 2006

LINDA BROOKS
County Clerk, Hunt County, Tex.
By D. Brooks

**RESOLUTION # 42406**

Whereas, the State of Texas has received an application from Gustavo Hernandez Ortega for the operation of A-1 Affordable Septic Cleaning, and

Whereas, this business and sewage site will be located south of CR3209, approximately 3,500 feet southwest of intersection FM 513 and CR3209, and 5.2 miles north of intersection FM 513 and U.S. Hwy 69, and

Whereas, the surrounding communities have voiced their concerns about this facility and this facility undermines the public view of environmental safety, and

Whereas, Hunt Counties own Environmental Enforcement Office cannot be effective without the support of all communities, and

Whereas, the City of Greenville, now and in the future is providing a safe and State approved sewage disposal site for this type of private business, and

the refund, due to Hunt County, be re-allocated to the Appraisal District for computer upgrades.

9798 On the motion by Martin, second by Thornton, the Court approved "Resolution" objecting to the proposed waste disposal site owned by Gustavo Hernandez Ortega to be located in the Prairie Valley Area, near intersection of FM513 and CR3209 in Hunt County. Judge Bobbitt stated the City of Greenville provides a safe, state approved sewage disposal site for this type of privately owned business. Resolution to be submitted to the State of Texas. Judge Bobbitt applauded the efforts of all property owners who have met, organized and wrote letters contacting local and state officials on this issue. Representative Flynn and Senator Deuell have already began to work on the loophole in the statue.

9799 On the motion by Judge Bobbitt, second by Green, the Court approved issuance of Junk Yard Permit to Miller's Used Auto Parts, located 1969 I-30 West, Greenville

A GOVERNMENT AGENCY
OF THE
State of Texas

(409) 746-2192
FAX (409) 746-3780

SABINE RIVER AUTHORITY
of Texas

P.O. BOX 579
ORANGE, TEXAS
77631

May 2, 2006

Ms. LaDonna Castañuela, Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Beneficial Use Site Registration No. 710896

Dear Ms. Castañuela:

The Sabine River Authority of Texas (SRA) has received a copy of the notice of receipt of an application and declaration of administrative completeness for Gustavo Hernandez Ortega (CN602999963) Beneficial Land Use Site Registration No. 710896 (RN104916820). The applicant has applied for authorization to land apply domestic septage at agronomic rates on approximately 45.3 acres located approximately 3,500 feet southeast of the intersection of Farm-to-Market Road 513 and County Road 3209. SRA is concerned about the location of this site since it includes acreage that is in the watersheds of Lake Tawakoni and Lake Fork reservoirs.

SRA is a conservation and reclamation district created by the Texas Legislature in 1949 with responsibilities to control, store, preserve, and distribute the waters of the Sabine River and its tributary streams for useful purposes. While not a regulatory agency, SRA works closely with agencies such as Texas Commission on Environmental Quality (TCEQ) to protect water quality in the surface water resources of the Sabine Basin. As TCEQ is aware, SRA serves as the planning agency for the Texas Clean Rivers Program (TCRP) in a collaborative effort between TCEQ, Texas Parks and Wildlife Department (TPWD), other agencies, local entities and the public. The TCRP goal is to maintain and improve the quality of water resources within each river basin in Texas. SRA serves as a clearinghouse for water quality data in the Sabine Basin, analyzes the data and prioritizes water quality concerns and the causes of pollution.

SRA owns and operates both Lake Fork and Lake Tawakoni Reservoirs, and would like to offer its comments on issuance of Domestic Septic Registration No. 710896 to site operator Gustavo Hernandez Ortega. The land application site is on the Basin divide between both Lake Fork and Lake Tawakoni, and as such has the potential to impact the water quality of both reservoirs. The eastern portion of this site would drain to Lake Fork

Creek thence to Lake Fork Reservoir while the western portion drains to Head Creek and/or Pool Branch thence to Caney Creek thence to the Cowleech Fork Sabine River thence to Lake Tawakoni. Lake Fork and Lake Tawakoni are both drinking water supply reservoirs and provide high quality surface water for municipal users in the North East Texas area. SRA would request that the staff of the TCEQ give careful consideration to protecting the water quality of these invaluable resources during their evaluation.

The standards established for the surface disposal of domestic septage include many general requirements as well as pollutant limits, management practices and operational standards which are required of each surface disposal site. SRA considers that a site such as this proposed site located in sensitive water supply reservoir watersheds needs to be particularly restrictive in establishing site specific management practices, pollutant limits, pathogen and vector attraction reduction requirements, frequency of monitoring and careful records keeping if it is approved by TCEQ. One of the primary water quality issues emerging with population growth in some areas of the Sabine Basin is elevated bacteria levels. Bacteria are a natural part of the environment and elevated levels can be present after rainfall runoff events. However, hundreds of species of pathogenic bacteria can be present in contaminated water which during rainfall runoff events could result in the proposed surface septage disposal area affecting downstream receiving waters.

SRA would request the staff of the TCEQ to take into consideration the location of this site and the potential impacts to surface water quality in the area. If the Executive Director issues a decision to approve this registration, SRA requests that consideration be given to adopting 'More Stringent Requirements' than the standard requirements in order to assure the protection of public health and to protect the environment from any adverse effect of any pollutants in the domestic septage applied to this site. If approved, we would also ask that TCEQ monitor this facility closely to ensure that all requirements are met during all phases of the operation.

We appreciate this opportunity to provide our comments on this matter. If you have any questions or concerns please contact Gerard Sala of my staff at (409) 746-2192.

Sincerely,

Jerry Clark

Jerry Clark
Executive Vice President and General Manager

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 10, 2006

**CERTIFIED MAIL**

Mr. Phillip Martin, Hunt County Commissioner
P.O. Box 1097
Greenville, Texas 75403

Re: Application for proposed Domestic Septage Land Application Registration No. 710896
Gustavo Hernandez Ortega Land Application Site

Dear Mr. Martin:

As requested, I am sending you a copy of the Texas Administrative Code Chapter 50, Rule 50.139(b) pertaining to the requirements for a motion to overturn on registrations. This rule states the following: (b) A motion to overturn must be filed no later than 23 days after the date the agency mails notice of the signed permit, approval, or other action of the Executive Director to the applicant and persons on any required mailing list for the action. In this case, the reference to "other action" relates to the registration being proposed. In addition, I am sending you a copy of the Texas Administrative Code Chapter 312, Rule for 312.12(2)(c) and (d) pertaining to the Executive Director's Decision and Rule for 312.13(d) and (e) pertaining to public comment on registrations and motion to overturn.

If you should have any further questions, please do not hesitate to call me at (512) 239-2012, or if by correspondence include MC 148 in the letterhead address following my name.

Sincerely,

Katherine Faz, Permit Coordinator
Land Application Team
Water Quality Division

KF/sp

Enclosures

control, or operator, changes in waste composition, changes in the source of sewage sludge, or waste management methods, and information regarding soils and subsurface conditions where the operation is to be located. Any information provided under this paragraph must be submitted to the executive director in duplicate form.

(c) The executive director shall determine, after review of any application, whether to approve or deny an application in whole or in part, deny with prejudice, suspend the authority to conduct an activity for a specified period of time, or amend or modify the proposed activity requested by the applicant. The determination of the executive director shall include review and action on any new applications or changes, renewals, and requests for major amendment of any existing application. In consideration of such an application, the executive director shall consider all relevant requirements of this chapter and consider all information pertaining to those requirements received by the executive director regarding the application. The written determination on any application, including any authorization granted, shall be mailed to the applicant upon the decision of the executive director.

(d) At the same time that the executive director's decision is mailed to the applicant, notice of this decision must also be mailed to all parties who submitted written information on the application, as described in §312.13(c)(2) and (3) of this title (relating to Actions and Notice).

(e) For registered land application sites located in a major sole-source impairment zone, the registrant must comply with the provisions listed in §312.11(k) of this title (relating to Permits).

Adopted September 28, 2005 Effective October 20, 2005

**§312.13. Actions and Notice.**

(a) Applicability. This section sets forth the manner in which action will be taken on applications filed with the executive director for either a permit or a registration to land apply, store, process, dispose of, or incinerate sewage sludge.

(b) Permit actions.

(1) All permit applications are subject to the standards and requirements as set forth in Chapter 39, Subchapters H - J of this title (relating to Applicability and General Provisions; Public Notice of Solid Waste Applications; and Public Notice of Water Quality Applications and Water Quality Management Plans), Chapter 50, Subchapters E - G of this title (relating to Purpose, Applicability, and Definitions; Action by the Commission; and Action by the Executive Director ), and Chapter 55, Subchapters D - F of this title (relating to Applicability and Definitions; Public Comment and Public Meetings; and Requests for Reconsideration or Contested Case Hearing).

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY

PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 50 ACTION ON APPLICATIONS AND OTHER AUTHORIZATIONS

SUBCHAPTER G ACTION BY THE EXECUTIVE DIRECTOR

RULE §50.139 **Motion to Overturn Executive Director's Decision**

---

(a) The applicant, public interest counsel or other person may file with the chief clerk a motion to overturn of the executive director's action on an application or water quality management plan (WQMP) update certification. Wherever other commission rules refer to a "motion for reconsideration", that term should be considered interchangeable with the term "motion to overturn executive director's decision."

(b) A motion to overturn must be filed no later than 23 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director to the applicant and persons on any required mailing list for the action.

(c) A motion to overturn must be filed no later than 20 days after the date persons who timely commented on the WQMP update are notified of the response to comments and the certified WQMP update. A person is presumed to have been notified on the third day after the date the notice of the executive director's action is mailed by first class mail.

(d) An action by the executive director under this subchapter is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

(e) With the agreement of the parties or on their own motion, the commission of the general counsel may, by written order, extend the period of time for filing motions to overturn and for taking action on the motions so long as the period for taking action is not extended beyond 90 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director.

(f) Disposition of motion.

(1) Unless an extension of time is granted, if a motion to overturn is not acted on by the commission within 45 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director, the motion is denied.

(2) In the event of an extension, the motion to overturn is overruled by operation of law on the date fixed by the order, or in the absence of a fixed date, 90 days after the date the agency mails notice of the signed permit, approval, or other action of the executive director.

(g) When a motion to overturn is denied under subsection (f) of this section, a motion for rehearing does not need to be filed as a prerequisite for appeal. Section 80.272 of this title (relating to Motion for Rehearing) and Texas Government Code, §2001.146, regarding motions for rehearing in contested cases do not apply when a motion to overturn is denied. If applicable, the commission decision may be subject to judicial review under Texas Water Code, §5.351, or Texas Health and Safety Code, §§361.321, 382.032, or 401.341.

**Source Note:** The provisions of this §50.139 adopted to be effective September 23, 1
8254; amended to be effective February 3, 2000, 25 TexReg 593; amended to be effe
2001, 26 TexReg 2393

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

(4) Each notice must specify both the name, affiliation, address, and telephone number of the applicant and of the commission employee who may be reached to obtain more information about the application to register the site. The notice must specify that the registration application has been provided to the county judge and that it is available for review by interested parties.

(5) Any application for a registration is subject to the standards and requirements for actions concerning amendments, modifications, transfers, and renewals of registrations, as set forth in Chapter 50, Subchapter G of this title.

(d) Public comment on registrations. A person may provide the commission with written comments on any new or major amendment applications to register a site, where applicable. The executive director shall review any written comments when they are received within 30 days of mailing the notice. The written information received will be utilized by the executive director in determining what action to take on the application for registration in accordance with §312.12(c) of this title (relating to Registrations).

(e) Motion to overturn. The applicant, public interest counsel, or other person may file with the chief clerk a motion to overturn under §50.139 of this title (relating to Motion to Overturn Executive Director's Decision) to overturn the executive director's final approval or denial of an application.

Adopted September 28, 2005 Effective October 20, 2005

**Disposition Table**
**Rule Log No. 96170-050-AD**
**Hearings Requests/Procedural Rules**
**Adopted April 16, 1997**
**Effective May 15, 1997**

**Chapter 312 - Sludge Use, Disposal, and Transportation**
**Subchapter A: General Provisions**

This table is to track section during and after rule revisions. The column on the left lists the current sections before the revision. The column on the right lists where the section is located after adoption.

| Old Section | New Section |
|---|---|
| 312.13 (e) | Repealed portion; see 50.39 |

RECEIVED
MAR 16 07
Hunt County
Judge's Office

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name)_____ of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

_____

_____

_____

_____

Date: _____

Signature: _____

Phone number: _____

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
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FOR PUBLIC INTEREST COUNSEL:

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<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION
SUBCHAPTER D PATHOGEN AND VECTOR ATTRACTION REDUCTION
RULE §312.83 **Vector Attraction Reduction**

(a) Compliance requirements.

(1) One of the vector attraction reduction requirements in subsection (b)(1)-(10) of this section shall be met when bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site.

(2) One of the vector attraction reduction requirements in subsection (b) paragraphs (1)-(8) of this section shall be met when bulk sewage sludge is applied to a lawn, home garden, or is sold or given away in a bag or other container.

(3) One of the vector attraction reduction requirements in subsection (b)(1)-(11) of this section shall be met when sewage sludge (other than domestic septage) is placed on an active sewage sludge unit.

(4) One of the vector attraction reduction requirements in subsection (b)(9), (10), or (12) of this section shall be met when domestic septage is applied to agricultural land, forest, or a reclamation site.

(5) One of the vector attraction reduction requirements in subsection (b)(9)-(12) of this section shall be met when domestic septage is placed on an active sewage sludge unit.

(b) Compliance alternatives.

(1) The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.

(2) If an anaerobically digested sewage sludge can not meet the 38% volatile solids reduction requirement in paragraph (1) of this subsection, vector attraction reduction can be demonstrated by digesting a portion of the previously digested sewage sludge anaerobically in a laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. If at the end of the 40 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 17%, vector attraction reduction is achieved.

(3) If an aerobically digested sewage sludge can not meet the 38% volatile solids reduction requirement in paragraph (1) of this subsection, vector attraction reduction can be demonstrated by digesting a portion of the previously digested sewage sludge that has a percent solids of 2.0% or less aerobically in a laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. If at the end of the 30 days, the volatile solids in the sewage sludge at the beginning of that period is reduced by less than 15%, vector attraction reduction is achieved.

(4) The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

(5) Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of sewage sludge shall be higher than 45 degrees Celsius.

(6) The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours.

(7) The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials.

(8) The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90% based on the moisture content and total solids prior to mixing with other materials.

(9) Sewage sludge shall be injected below the surface of the land. No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected. If the sewage sludge that is injected below the surface of the land is Class A with respect to pathogens, as described in §312.82 (relating to Pathogen Reduction), the sewage sludge shall be injected below the land surface within eight hours after the sewage sludge is discharged from the pathogen treatment process.

(10) Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application or placement on the land. If the sewage sludge that is incorporated into the soil is Class A with respect to pathogens, as described in §312.82 of this title (relating to Pathogen Reduction), the sewage sludge shall be applied to or placed on the land within eight hours after the sewage sludge is discharged from the pathogen treatment process.

(11) Sewage sludge placed on an active sewage sludge unit shall be covered with soil or other material at the end of each operating day.

(12) The pH of domestic septage shall be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 30 minutes.

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**Source Note:** The provisions of this §321.83 adopted to be effective October 13, 1995, 20 TexReg 7840.

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION
SUBCHAPTER D PATHOGEN AND VECTOR ATTRACTION REDUCTION
RULE §312.82 **Pathogen Reduction**

(a) Sewage sludge--Class A.

(1) Compliance requirements--Class A.

(A) For a sewage sludge to be classified as Class A with respect to pathogens, the requirements in subparagraphs (B) and (C) of this paragraph and the requirements of one of the alternatives listed in paragraph (2) of this subsection must be met.

(B) The requirements of the chosen alternative for pathogen reduction from paragraph (2) of this subsection must be met prior to or at the same time as the vector attraction reduction requirements, except the requirements in §312.83(b)(6) - (8) of this title (relating to Vector Attraction Reduction).

(C) Either the density of fecal coliform in the sewage sludge must be less than 1,000 Most Probable Number per gram of total solids (dry weight basis) or the density of Salmonella (sp. bacteria) in the sewage sludge must be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed of, at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land, or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §312.41(b), (c), (e), or (f) of this title (relating to Applicability).

(2) Compliance alternatives--Class A.

(A) Alternative 1. The temperature of the sewage sludge that is used or disposed of must be maintained at a specified value for a period of time.

(i) When the percent solids of the sewage sludge is 7.0% or higher, the temperature of the sewage sludge must be 50 degrees Celsius or higher; the time period must be 20 minutes or longer; and the temperature and time period must be determined using the equation in this clause, except when small particles of sewage sludge are heated by either warmed gases or an immiscible liquid.

Attached Graphic

(ii) When the percent solids of the sewage sludge is 7.0% or higher and small particles of sewage sludge are heated by either warmed gases or an immiscible liquid, the temperature of the sewage sludge must be 50 degrees Celsius or higher, the time period must be 15 seconds or longer, and the temperature and time period must be determined using the equation in clause (i) of this subparagraph.

(iii) When the percent solids of the sewage sludge is less than 7.0% and the time period is at least 15 seconds, but less than 30 minutes, the temperature and time period must be determined using the equation in clause (i) of this subparagraph.

(iv) When the percent solids of the sewage sludge is less than 7.0%; the temperature of the sewage sludge is 50 degrees Celsius or higher; and the time period is 30 minutes or longer, the temperature and time period must be determined using the equation in this clause.

Attached Graphic

(B) Alternative 2. The temperature and pH of the sewage sludge that is used or disposed of must be maintained at specific values for periods of time.

(i) The pH of the sewage sludge must be raised to above 12 and must remain above 12 for 72 hours.

(ii) The temperature of the sewage sludge must be above 52 degrees Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12.

(iii) At the end of the 72-hour period during which the pH of the sewage sludge is above 12, the sewage sludge must be air dried to achieve a percent solids in the sewage sludge greater than 50%.

(C) Alternative 3. The sewage sludge that is used or disposed of must be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses and viable helminth ova.

(i) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses until the next monitoring episode for the sewage sludge.

(ii) When the density of enteric viruses in the sewage sludge prior to pathogen treatment is equal to or greater than one Plaque-forming Unit per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to enteric viruses when the density of enteric viruses in the sewage sludge after pathogen treatment is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meets the enteric virus density requirement are documented.

(iii) After the enteric virus reduction in clause (ii) of this subparagraph is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to enteric viruses when the values for the pathogen treatment process operating parameters are consistent with the values or ranges of values documented in clause (ii) of this subparagraph.

(iv) When the density of viable helminth ova in the sewage sludge prior to pathogen treatment is less than one per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to viable helminth ova until the next monitoring episode for the sewage sludge.

(v) When the density of viable helminth ova in the sewage sludge prior to pathogen treatment is equal to or greater than one per four grams of total solids (dry weight basis), the sewage sludge is Class A with respect to viable helminth ova when the density of viable helminth ova in the sewage sludge after pathogen treatment is less than one per four grams of total solids (dry weight basis) and when the values or ranges of values for the operating parameters for the pathogen treatment process that produces the sewage sludge that meets the viable helminth ova density requirement are documented.

(vi) After the viable helminth ova reduction in clause (v) of this subparagraph is demonstrated for the pathogen treatment process, the sewage sludge continues to be Class A with respect to viable

helminth ova when the values for the pathogen treatment process operating parameters are consistent with the values or ranges of values documented in clause (v) of this subparagraph.

(D) Alternative 4. The sewage sludge that is used or disposed of must be analyzed prior to pathogen treatment to determine whether the sewage sludge contains enteric viruses and viable helminth ova.

(i) The density of enteric viruses in the sewage sludge must be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed of, at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land, or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §312.41(b), (c), (e), or (f) of this title.

(ii) The density of viable helminth ova in the sewage sludge must be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed of, at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land, or at the time the sewage sludge or material derived from sewage sludge is prepared to meet the requirements in §312.41(b), (c), (e), or (f) of this title.

(E) Alternative 5 (Processes to Further Reduce Pathogens (PFRP). Sewage sludge that is used or disposed of must be treated in one of the PFRP described in 40 Code of Federal Regulations (CFR) Part 503, Appendix B.

(F) Alternative 6 (PFRP Equivalent). Sewage sludge that is used or disposed of must be treated in a process that has been approved by the United States Environmental Protection Agency (EPA) as being equivalent to those in subparagraph (E) of this paragraph.

(b) Sewage sludge--Class B.

(1) Compliance requirements--Class B.

(A) For a sewage sludge to be classified as Class B with respect to pathogens, the requirements in subparagraphs (B) and (C) of this paragraph must be met. As an alternative for a sewage sludge to be classified as Class B, the requirements of subparagraph (B) of this paragraph and paragraph (2) of this subsection must be met.

(B) The site restrictions in paragraph (3) of this subsection must be met when sewage sludge that is classified as Class B with respect to pathogens is applied to the land for beneficial use.

(C) A minimum of seven representative samples of the sewage sludge must be collected within 48 hours of the time that the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge. The geometric mean of the density of fecal coliform for the samples collected must be less than either 2,000,000 Most Probable Number per gram of total solids (dry weight basis) or 2,000,000 Colony-forming Units per gram of total solids (dry weight basis).

(2) Processes to Significantly Reduce Pathogens (PSRP) compliance alternatives--Class B. Sewage sludge that is used or disposed of must be treated in one of the PSRP described in 40 CFR Part 503, Appendix B, or must be treated by an equivalent process approved by the EPA, so long as all of the following requirements are met by the generator of the sewage sludge.

(A) Prior to use or disposal, all the sewage sludge must have been generated from a single location,

except as provided in subparagraph (F) of this paragraph.

(B) An independent Texas registered professional engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification must include a statement indicating that the design meets all the applicable standards specified in 40 CFR Part 503, Appendix B.

(C) Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the PSRP at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and recordkeeping requirements must be in accordance with established EPA final guidance.

(D) All certification records and operational records describing how the requirements of this paragraph were met must be kept by the generator for a minimum of three years and be available for inspection by commission staff for review.

(E) In lieu of a generator obtaining a certification as specified in subparagraph (B) of this paragraph, the executive director will accept from the EPA a finding of equivalency to the defined PSRP.

(F) If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product must meet one of the PSRP, and meet the certification, operation, and recordkeeping requirements of this paragraph.

(3) Site restrictions.

(A) Food crops with harvested parts totally above the land surface that touch the sewage sludge/soil mixture must not be harvested from the land for at least 14 months after the application of sewage sludge.

(B) Food crops with harvested parts below the surface of the land must not be harvested for at least 20 months after application of sewage sludge when the sewage sludge remains on the land surface for four months or longer prior to incorporation into the soil.

(C) Food crops with harvested parts below the surface of the land must not be harvested for at least 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than four months prior to the incorporation into the soil.

(D) Food crops, feed crops, and fiber crops must not be harvested for at least 30 days after application of sewage sludge.

(E) Animals must not be allowed to graze on the land for at least 30 days after application of sewage sludge.

(F) Turf grown on land where sewage sludge is applied may not be harvested for at least one year after application of sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn.

(G) Public access to land with a high potential for public exposure must be restricted for at least one year after application of sewage sludge.

(H) Public access to land with a low potential for public exposure must be restricted for at least 30 days after application of the sewage sludge.

(c) Domestic septage.

(1) The site restrictions in subsection (b)(3) of this section must be met if domestic septage is applied to agricultural land, forest, or a reclamation site.

(2) The pH of domestic septage applied to agricultural land, forest, or a reclamation site must be raised to 12 or higher by alkali addition and, without the addition of more alkali, must remain at 12 or higher for a period of 30 minutes.

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**Source Note:** The provisions of this §312.82 adopted to be effective October 13, 1995, 20 TexReg 7840; amended to be effective October 20, 2005, 30 TexReg 6743

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY
PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION
SUBCHAPTER B LAND APPLICATION FOR BENEFICIAL USE AND STORAGE AT BENEFICIAL USE SITES
RULE §312.42 **General Requirements**

(a) No person shall apply sewage sludge, including domestic septage, to the land except in accordance with the requirements in this subchapter.

(b) No person shall apply sewage sludge that does not meet the metal concentrations in §312.43(b)(3) of this title to land where any of the cumulative metal loading rates in §312.43(b)(2) of this title (relating to Metal Limits) have been reached.

(c) No person shall apply domestic septage to agricultural land, forest, or a reclamation site during a 365 day period where the annual application rate in §312.43(c) of this title has been reached.

(d) The person who applies sewage sludge, including domestic septage, to the land shall obtain information needed to comply with the requirements in this subchapter.

(e) If a treatment works provides bulk sewage sludge to a person who applies the bulk sewage sludge to the land, the treatment works shall provide the person who applies the bulk sewage sludge to the land notice and necessary information to comply with the requirements in this subchapter.

(f) If a treatment works provides bulk sewage sludge to a person who prepares the bulk sewage sludge for application to the land, the treatment works shall provide the person who prepares the bulk sewage sludge for application to the land notice and necessary information to comply with the requirements in this subchapter.

(g) The person who applies bulk sewage sludge to the land shall provide the owner or lease-holder of the land on which the bulk sewage sludge is applied notice and necessary information to comply with the requirements in this subchapter.

(h) If a treatment works provides sewage sludge to a person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land, the treatment works shall provide the person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land notice and information to comply with the requirements in this subchapter.

(i) The applicant shall determine the concentration of regulated metals in accordance with §312.12(a)(1)(E) of this title (relating to Registration of Land Application Activities) and demonstrate to the satisfaction of the commission that the proposed cumulative metal loading will result in a non-toxic condition or reduce the toxicity of the existing soil.

**Source Note:** The provisions of this §312.42 adopted to be effective October 13, 1995, 20 TexReg 7840.

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY

PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION

SUBCHAPTER B LAND APPLICATION FOR BENEFICIAL USE AND STORAGE AT BENEFICIAL USE SITES

## RULE §312.41 Applicability

(a) Application to land. This subchapter applies to any person who prepares sewage sludge that is applied to the land, to any person who applies sewage sludge to the land, to sewage sludge applied to the land, and to the land on which sewage sludge is applied.

(b) Bulk sewage sludge.

(1) Section 312.42 of this title (relating to General Requirements) and §312.44 of this title (relating to Management Practices) do not apply when bulk sewage sludge is applied to the land if the bulk sewage sludge meets the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits), the Class A pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title (relating to Vector Attraction Reduction).

(2) The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk sewage sludge described in this subsection on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the bulk sewage sludge.

(c) General Requirements for Bulk Derived Materials.

(1) Section 312.42 of this title (relating to General Requirements) and the management practices in §312.44 of this title (relating to Management Practices) do not apply when a bulk material derived from sewage sludge is applied to the land if the derived bulk material meets the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits), the Class A pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title (relating to Vector Attraction Reduction).

(2) The executive director may apply any or all of §312.42 and §312.44 to the bulk material described in this subsection on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the bulk sewage sludge.

(d) Special Requirements for Certain Bulk Derived Materials. The requirements in this subchapter may not apply when a bulk material derived from sewage sludge is applied to the land; if the sewage sludge from which the bulk material is derived meets the metal concentrations in §312.43(b)(3) of this title the Class A pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title. The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk derived material on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment

from any reasonably anticipated adverse effect that may occur from any metal in the sewage sludge.

(e) Bagged sludge. Sewage sludge sold or given away in a bag or other container for application to the land. Section 312.42 and §312.44 of this title may not apply when sewage sludge is sold or given away in a bag or other container for application to the land if the sewage sludge sold or given away in a bag or other container for application to the land meets the metal concentrations in §312.43(b)(3) of this title, the Class A pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title.

(f) Bagged derived materials. Section 312.42 and §312.44 of this title may not apply when a material derived from sewage sludge is sold or given away in a bag or other container for application to the land if the derived material meets the metal concentrations in §312.43(b) of this title, the Class A pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title.

(g) Bagged materials. The requirements in this subchapter may not apply when a material derived from sewage sludge is sold or given away in a bag or other container for application to the land if the sewage sludge from which the material is derived meets the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits), the Class A pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1)-(8) of this title.

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**Source Note:** The provisions of this §312.41 adopted to be effective October 13, 1995, 20 TexReg 7840.

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

<<Prev Rule

# Texas Administrative Code

Next Rule>>

TITLE 30 ENVIRONMENTAL QUALITY

PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 312 SLUDGE USE, DISPOSAL, AND TRANSPORTATION

SUBCHAPTER B LAND APPLICATION FOR BENEFICIAL USE AND STORAGE AT BENEFICIAL USE SITES

## RULE §312.50 Storage and Staging of Sludge at Beneficial Use Sites

(a) Except as provided in subsection (b) of this section, storage of sludge at a beneficial land application site must not exceed 90 days. Storage is allowed only when the following requirements are carried out.

(1) Written authorization must be obtained from the executive director prior to construction of the storage area.

(2) The storage area must be operated and maintained to prevent surface water runoff and to prevent a release to groundwater. Discharge of storm water or wastewater which has come into contact with sewage sludge is prohibited. The storage area shall be designed to collect such runoff. Any runoff collected during the storage of sewage sludge shall be disposed in a manner to prevent a release to groundwater.

(3) The storage area shall be designed, constructed, and operated in a manner which protects public health and the environment.

(4) The storage area must be lined to prevent a release to groundwater. Natural or artificial liners are required for leachate control. A natural liner or equivalent barrier of one foot of compacted clay with a permeability coefficient of $1 \times 10^{-7}$ cm/sec or less must be provided. Various flexible synthetic membrane lining materials may be used in lieu of soil liners if prior written approval has been obtained from the executive director. The registrant shall furnish certification by a licensed professional engineer or licensed professional geoscientist that the completed storage area lining meets the appropriate criteria described in this section prior to using the facilities. The certification shall be signed, sealed, and dated by a licensed professional engineer or licensed professional geoscientist.

(5) The application shall outline measures to be taken to minimize vectors and to avoid public health nuisances such as odors.

(6) The storage area shall be fenced or other methods shall be used, if necessary to control access by humans or domestic animals.

(7) Berms or dikes shall be constructed to contain the waste without leakage.

(8) Liquid sludge must be stored in an enclosed vessel.

(9) Processing of sludge is prohibited unless a permit is obtained from the commission.

(b) Up to an additional 90 days of storage will be allowed with the prior approval of the appropriate Texas Commission on Environmental Quality regional office, for reasons associated with application

area flooding, saturated soils, or frozen soils.

(c) Staging of sewage sludge on-site, prior to land application, is allowable without executive director approval. Staging of sewage sludge may only occur for a maximum of seven calendar days.

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**Source Note:** The provisions of this §312.50 adopted to be effective October 13, 1995, 20 TexReg 7840; amended to be effective September 1, 2003, 28 TexReg 6300

Next Page Previous Page

List of Titles Back to List

HOME | TEXAS REGISTER | TEXAS ADMINISTRATIVE CODE | OPEN MEETINGS | HELP |

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

AM 10:51

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Anna L Houchin of (printed home address) P.O. Box 367 Lone Oak Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 16, 2007
Date

Anna L Houchin
Signature

P.O. Box 367 Lone Oak, Tx 75453
Address

903 662 5021
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bernice House of (printed home address) 1120 Cornelia St. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10 18
CHIEF CLERKS OFFICE

03-22-07
Date

Bernice House
Signature

1120 Cornelia St
Address

903-268-5575
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

# City of Emory

PO Box 100 Emory,Tx 75440 903-473-2465 / 903-473-2110 fax

*City Council Members*
Mayor: Cay B. House
Travis Lee Potts
Carolyn Hill
Max Fletcher
Emery Cathey
Lori Honeycutt

*City Administrator*: Clyde Smith
City Secretary: Judy Ransom
City Clerk: Donna Raper
Police Chief: Bruce Feagin
Code Compliance: Rusty Barham
Public Works Director:

March 29, 2007,

T.C.E.Q.
Office of the Chief Clerk
Attn. Donna Castanuela
P.O. Box 13087
Austin, Texas 78711

Dear Mrs. Castanuela,

The City of Emory opposes Beneficial Land Use Application #710896 (Gustavo H. Ortega) because of the drainage potential into the watershed that enters Lake Tawakoni and Lake Fork Reservoirs. Lake Tawakoni is the primary water source for nearly 2/3 of all the citizens of Rains County who purchase directly or by contract with the City of Emory, their processed water.

I would appreciate your consideration of our City and of Rains County when you hear arguments concerning this application.

Sincerely,

Cay House, Mayor
City of Emory

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 11:26
CHIEF CLERKS OFFICE

# CITY OF EMORY

PO Box 100 Emory, Tx 75440 903-473-2465 / 903-473-2110 fax

City Council Members
Travis Lee Potts
Max Fletcher
Emery Cathey
Lisa Lusk
Carolyn Hill

Mayor: Cay F.B. House
Secretary: Judy Ransom
City Clerk: Donna Rapar
Police Chief: Bruce Feagin
Director of Planning: Clyde Smith
Public Works Director: Dean Carroll
Code Enforcement Officer: James Basham

## FACSIMILE COVER SHEET

CHIEF CLERKS OFFICE
2007 MAR 30 AM 11:36
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DATE: 3-30-07

NUMBER OF PAGES 2 INCLUDING COVER SHEET

TO:
NAME: Donna Castanuela

COMPANY: TCEQ

FAX NUMBER: 1-512-239-3311

FROM: City of Emory

MESSAGE:

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -9 AM 11:19

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Anthony D. Huerta of (printed home address) 4301 CR 2230 Cleburne Mills TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary*)

Unsanitary Drinking water created by the Run off

It may not smell but I don't want to Drink it.

Date: 2 Apr 07

Signature: [signature]

Phone number: 903-525-5051

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Diana Hughes of (printed home address) 2208 Meadowview Cuddo Mills, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:18
CHIEF CLERKS OFFICE

3-12-07
Date

Diana Hughes
Signature

2208 Meadowview Dr, Cuddo Mills TX 75135
Address

903-527-3536
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 PM 2:30

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kathy Hullum of (printed home address) 2795 CR 3201 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/19/07
Date

Kathy Hullum
Signature

2795 CR 3201
Address

903-408-4038
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 PM 2:30

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Randy Hallum of (printed home address) 2795 CR. 3210 Lone Oak 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Randy Hallum
Signature

2795 CR. 3210 Lone Oak 75453
Address

214 679-3762
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:5

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carolyn Huie of (printed home address) 6413 C.R. 3205 Campbell Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Carolyn Huie
Signature

6413 CR 3205
Address

903-862-3285
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 21 AM 9:36

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DAYDEE HUTE of (printed home address) 199 RSCR 3130 Emory, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 15, 2007
Date

Daydee Hute
Signature

P.O. Box 875 - 199 RSCR 3130
Address Emory, Tx. 75440

903-268-1917
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 49

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Michele Hyde of (printed home address) 631 Alexander Ranch Lane make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/21/07
Date

Michele Hyde
Signature

631 Alexander Ranch Land
Address

903 268 2232
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 MAR 26 PM 3:17

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Judie INGRAM of (printed home address) 1246 MAMie Rd GRVL TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Isn't T.C.E.Q.'s responsibility to Preserve quality of our environment, both for humans and all the wildlife? If this isn't for most of importance, let's get it on TCEQ's "Priority" - "No 1 - Priority"

Date: 03-2007

Signature: Judie Ingram

Phone number: 903-455-7778

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

AM 10: 24

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Judie Ingram, Tx of (printed home address) 1246 Mamie Rd Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-15-07
Date

Judie Ingram
Signature

1246 Mamie Rd Greenville, Tx 75402
Address

903 455-7778
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 20 PM 2:46

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) R.L & Paula Jacobs of (printed home address) 1454 Mamie Rd Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is outrageous that anyone would be allowed to dispose of human waste on property other than the waste water facility. There is the danger of pollution of air and run off of water into creeks and/or rivers and property of others. A home owner is mandated by law to install systems that do not pollute and this is no different.

Date: 3/14/2007

Signature: R.L Jacobs Jr  Paula Jacobs

Phone number: 903-455-8556

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:33

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) R.L. Jacobs Jr & Paula Jacobs of (printed home address) 1454 Mamie Rd, Greenville Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

15 MARCH 2007
Date

R.L. Jacobs Jr Paula Jacobs
Signature

1454 Mamie Rd, Greenville Tx 75402
Address

903-455-8556
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 26 PM 3:19

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

We, (printed name) JOHN C. JAGGERS AND FLORA JAGGERS of (printed home address) 1300 MAMIE RD., GREENVILLE, TX. 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IT IS AN UNSANITARY PRACTICE, IT POSES A THREAT TO THE ENVIRONMENT; COULD CONTAMINATE OUR LAKES; POSE A THREAT TO THE WILDLIFE AND SPREAD DISEASES AMONG WILDLIFE AND HUMANS; AND DEVALUE LAND IN OUR AREA. IF THIS LOCATION IS ALLOWED, IT COULD BE ALLOWED CLOSER TO OUR HOME!

Date: 3-20-07 3-20-07

Signature: John C. Jaggers Flora Jaggers

Phone number (903) 455-3162

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 19 AM 10:30
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JOHN C. JAGGERS of (printed home address) 1300 MAMIE RD., GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

John C. Jaggers
Signature

1300 MAMIE RD.
Address GREENVILLE, TX. 75402

903-455-3162
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kathy Jenkins of (printed home address) 7021 Simmons Dr. LoneOak, Tx. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-2007
Date

Kathy Jenkins
Signature

7021 Simmons Dr. LoneOak, Tx. 75453
Address

903-994-2761
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:41
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ernest B. Jenkins of (printed home address) 7021 Simmons Dr. Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Ernest B Jenkins
Signature

7021 Simmons Dr.
Lone Oak Tx
Address

903-994-2761
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:45
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MAR 29 PM 2:38

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Donald L. Johnson of (printed home address) 5893 FM 1567 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Date

Donald L Johnson
Signature

5893 FM 1567 Lone Oak
Address

903-662-0961
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -4 PM 2:35

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) John Johnson of (printed home address) 7732 Pr Rd 2576 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Human Waste is the most Toxic of all wastes, It would be dumped in proximity of Lake Tawakoni, I politely ask you to reconsider this decision, for the environment and peoples health.

Date: 3/30/07

Signature: John Johnson

Phone number: (903)268-1321

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 21 AM 9:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lowell Johnson (printed home address) 2053 Hwy 69 South make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Lowell Johnson
Signature

2053 Hwy 69 South Greenville TX 75402
Address

903-456-9495 Cell
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:17

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Orgtega's B.L.U. Application site #710896, TCEQ Customer Number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lowell D Johnson, Jr & Barbara N Johnson of 2053 State Hwy 69 South, Greenville TX 75402, make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (Please give reason for your motion. You may attach an additional sheet if necessary)

It poses a threat to the environment; could contaminate lakes; spread diseases to wildlife and the area; devalue land in Hunt County; and is an unsanitary practice. Don't mess with TEXAS!!!!

Date: March 20, 2007

Signature: Lowell D Johnson Barbara N. Johnson

Telephone Number: 903-456-9495

MAIL IMMEDIATELY or within 23 days of March 14, 2007, with original and eleven (11) copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commission Environmental Quality
P O Box 13087
Austin TX 78711-3087

Additional copies are to be mailed to the attached mailing list.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 29 PM 2:39

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) LUCIENNE JOHNSON of (printed home address) 5893 FM 1567 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-18-07
Date

Lucienne Johnson
Signature

5893 FM 1567
Address

903-662-0961
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11:19

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Gordon R Jones of (printed home address) 403 Laurel Dr, Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (Please give reason for your motion. You may attach an additional sheet if necessary)

Concern that run-off will cause increase of pollution to local water supply reservoirs. Specifically Lake Tawakoni and Lake Fork

Date: 4-02-07

Signature: Gordon R Jones

Phone number: 903-450-0245

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 21 AM 9:36

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Katrina Jones of (printed home address) 6555 CR 3226 Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Katrina Jones
Signature

6555 CR 3226 Lone Oak, TX
Address

903-634-2455
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10:33

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lucy Jones of (printed home address) 243 Mohawk DR. Point TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/24/07
Date

Lucy Jones
Signature

243 Mohawk DR. Point TX
Address

903-447-4652
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:57

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Darlene Jordan of (printed home address) _____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Signature

PO Box 166 Campbell TX 75422
Address

903-862-2552
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:5

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) WILLIAM JORDAN of (printed home address) 412 S. MONROE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

William J Jordan
Signature

412 S. MONROE
Address

903 862 2552
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 12

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Barry Justice of (printed home address) 4494 CR 3131 Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/25/07
Date

Signature

4494 CR 3131 Lone Oak, TX
Address

903-455-3261
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 12

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kathie Justice of (printed home address) 4494 CR 3131 Lone Oak, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-25-07
Date

Kathie Justice
Signature

4494 CR 3131 Lone Oak, Texas
Address

903-455-3261
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 AM 10:15
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Audrey Kaliseh. of (printed home address) 5620 CR 3214 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Human waste runoff would contaminate our private wells, lakes & ponds that we and our animals depend on for our clean water supply. The proposed human waste dump would jeapordize our air quality and smell. Our property values would decrease since no ~~man~~ one wants to live near a smelly feces dump.

Date: 3/15/07

Signature: Audrey Kaliseh

Phone number: 903-662-4224

**MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 14 AM 9:51

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Audrey Kalisek of (printed home address) 5620 CR 3214 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/10/07
Date

Audrey Kalisek
Signature

5620 CR 3214 Lone Oak, TX 75453
Address

903-662-4224
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

33

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 22 AM 10:33

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carol Kalisek of (printed home address) 5646 CR 3214 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I get my water from a well and do not want my water contaminated I live within ½ miles of 2 soil conservation lakes and do not want them contaminated.

Date: 3-15-07

Signature: Carol Kalisek

Phone number: 9036625870

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carol Kalisek of (printed home address) 5646 CR 3214 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Carol Kalisek
Signature

5646 CR 3214
Address

9036625810
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 16 PM 2:32
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 22 AM 10: 30

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) KENNETH KALISEK of (printed home address) 5646 CR 3214 LONE OAK TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THIS WILL LOWER MY PROPERTY VALUE PLUS I GET MY WATER FROM A WELL. I WILL DEFINATELY FIGHT THIS AND WILL WANT COMPENSATION IF IT PASSES. WHY DO WE ~~[illegible]~~ HAVE LAWS ABOUT SEWAGE?

Date: 3-15-07

Signature: Kenneth Kalisek

Phone number: 903-662-5810

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

CHIEF CLERKS OFFICE
2007 MAR 16 PM 2:
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) KENNETH KALISEK SR of (printed home address) 5646 CR 3214 LONE OAK, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Kenneth Kalisek SR
Signature

5646 CR 3214 LONE OAK TX 75453
Address

903-662-5810
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 22 AM 10: 17

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) WAYNE KALISEK of (printed home address) 5010 CR 521 LONE OAK, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Reasons being: The waste would eventually end up in the water table. We drink water from an underground well. Since we live so close to Mr. Ortega's site, we would be able to smell the waste. Property values would also be affected.

Date: 3/15/07

Signature: Wayne Kalisek

Phone number: (903) 662-4224

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 14 AM 9:50

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) WAYNE KALISEK of (printed home address) 5620 CR 3214 LONE OAK make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/11/07
Date

Wayne Kalisek
Signature

5620 CR 3214
Address LONE OAK, TX

903-662-4224
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Darrell B. Kilpatrick of (printed home address) 2802 Cary Dr. Mesquite, TX* make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

* Moving to 2124 CR 3210 Campbell, TX 75422

Mar. 28, 07
Date

Darrell B. Kilpatrick
Signature

P.O. Box 326, Campbell, TX 75422
Address

214/202-5251
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 9:11
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:57

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Herb King of (printed home address) 412 West MAIN Campbell Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

Herb King
Signature

412 West Main
Address

903-461-2295
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

**TCEQ PROPOSED REGISTRATION NO. 710896**

**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

*  *  *  *  *

**Motion to Overturn TCEQ Executive Director's Final Approval of Proposed Registration No. 710896**

CHIEF CLERKS OFFICE
2007 MAR 29 AM 10:02
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**March 26, 2007**

Background:

On February 27, 2006, the Applicant applied to TCEQ for a new registration to authorize the land application of up to 68,077 gallons of domestic septage per acre per year on 40 acres situated in Hunt County, Texas. The land is currently owned by the Applicant. On August 29, 2006, after filing of notices and other administrative actions by TCEQ, a public meeting was held in Greenville, Texas. On March 13, 2007, notice of TCEQ Executive Director's Final Approved of the above-captioned registration was issued, setting April 5, 2007 as the administrative deadline for filing any Motion to Overturn. This motion is dated March 26, 2007, and was mailed on the same day; therefore, it falls within the administrative deadline.

This motion is filed by a resident of the southern part of Hunt County who would be potentially affected by the above-captioned registration. I attended the public hearing and I am listed as a "Protestant/Interested Party".

Basis for Motion to Overturn:

1. The vast majority of Hunt County residents are opposed to Proposed Registration No. 710896. This is based on the following:
   a. Public comments and questions during the public hearing, including those of local and county government officials, as well as officials from the Sabine River Authority. Evidence of these comments and question would be available in TCEQ records and files.
   b. Public letters published in local newspapers, quotes in local newspaper articles and other general public comments. Evidence of these comments is in archived sections of the Herald Banner and other local publications.
   c. Discussions that I have had with other Hunt County residents.

2. Consideration of Proposed Registration No. 710896 has not been adequately made by other effected constituents. This would include the largest users of water from Lake Fork and Lake Tawakoni such as the City of Dallas. These parties, if contacted to intervene, would like question and possibly oppose this proposed registration.

3. TCEQ Staff's analytical work was principally limited to determining if the application met certain standard operational requirements and set-offs. No specific site testing in wet or flooding conditions was conducted to determine if run-off from land-applied domestic septage would not actually occur in the location proposed under this application, and if such run-off would not adversely affect local water supplies, including Lake Fork and Lake Tawakoni. The Executive Director has unreasonably relied on TCEQ Staff's limited analytical and testing work in making his determination.

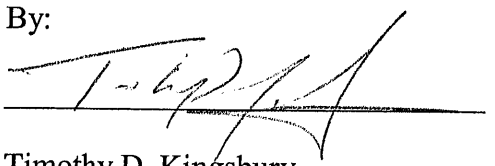
4. There are currently other viable sources for disposal of septage in Hunt County, including the waste water treatment facility owned and operated by the City of Greenville. This alternative avoids the risks of water pollution and other contamination that may occur from the land application of septage which would be allowed under Proposed Registration No. 710896.

Conclusion:

The Texas Commission on Environmental Quality ("Commission") should overturn the TCEQ Executive Director's final approval of Proposed Registration No. 710896. In the alternative, the Commission should seek to have obtained the views of other interested parties, such as the City of Dallas, who have apparently either not been provided notice of the proposed application and the TCEQ Executive Director's decision, or who have not intervened in this process.

Respectfully Submitted to:

Ms. LaDonna Castanuela
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P.O. Box 13087
Austin, Texas 78711-3087

By: 

Timothy D. Kingsbury
2057 County Road 3305
Greenville, Texas 75402

Dated: 3-26-07

with copies to:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

Robert Brush, Staff Attorney
TCEQ
Environmental Law Div.MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Mr. Blas J. Coy, Jr., Attorney
TCEQ
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

AM 9:36

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Janna Kiowski of (printed home address) 2315 CR 3517 Quinlan, Texas 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Janna Kiowski
Signature

2315 CR 3517 Quinlan Tx 75474
Address

903-883-4601
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
07 MAR -3 AM 10:
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ruby Annell Kradle of (printed home address) 105 Norma Circle, Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Against putting raw sewage or human waste on ground.

Date: 3-30-07

Signature: Ruby Annell Kradle

Phone number: 903-455-9556

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 44

CHIEF CLERKS OFFICE

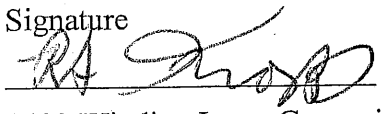
MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, Ronald Kropp, of 1490 Winding Lane, Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12, 2007

Signature



1402 Winding Lane, Greenville, TX 75402

903/454-9394

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139(d) I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lin Langford of (printed home address) 596 CR. 4737 Brashear make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Li Langford
Signature

596 C.R. 4737 Brashear
Address

582-8835
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:41
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

07 MAR 12 AM 10:43

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary E Lambert of (printed home address) 2908 Mitchell, Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/11/07
Date

Mary E Lambert
Signature

2908 Mitchell, Grn. 75402
Address

903-455-1582
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

10 AM 10:25
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dorothy LARKIN of (printed home address) 4523 Co Rd 3220 LoneOak Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12, 2007
Date

Dorothy Larkin
Signature

4323 Co. Rd. 3220
Address LONE OAK, TX 75453

903-662-5156
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ronald Layton of (printed home address) 314 Radio Rd Sulphur Springs, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

4-1-07
Date

Ronald R Layton
Signature

314 Radio Rd. Sulphur Springs, Tx.
Address

903-885-8571
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -9 AM 11: 27

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) David Lemons of (printed home address) 8164 South 513 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Concern About Our Rivers And Waterways Including Lake Tawakoni And Lake Fork.

Date: April 2 - 07

Signature: David Lemons

Phone number: 903 447-2093

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERK'S OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jesse S. Leutwyler of (printed home address) 3002 CR 3210 Lone Oak TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega. (1) Mr. Ortega can dump his domestic septage with the city of Greenville's Sanitation Department.

March 29, 2007
Date

Signature

3002 CR 3210 Lone Oak TX 75453
Address

903-634-2064
Phone number

(2) My property-home site- is about ½ mile NE of the proposed dump site. The prevailing winds blow from the SW. Setting on my porch will be like setting in an outdoor toilet- stinky.

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -3 AM 10:14

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PATRICIA LEUTWYLER of (printed home address) 3002 CR 3210 Lone Oak TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega. If Mr. Ortega can lawfully pump out my septic tank and haul it and dump it a ½ mile from my property to save a few dollars, why can't I pump my own sewage and dump it on my property to save a few bucks.

March 29, 2007
Date

Patricia Leutwyler
Signature

3002 CR 3210 Lone Oak TX 75453
Address

903-634-2064
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 9:43
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carol Lipsey of (printed home address) 109 N. 6th St Celest Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I am against the dumping of human waste derived from septic system. Cities have waste Treatment plants for the same reasons human waste should not be dumped on land and allowed to run off into our water supplies.

Date: 21 March 2007

Signature: Carol Lipsey

Phone number: 903 568-4770

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 28 AM 10: 15

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Debbie Little of (printed home address) 3915 Dalton St. Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The people that live out there moved out there to enjoy the country not to have waste dumped in their back yards to have to smell all the time.

Date: 3-23-07

Signature: Debbie Little

Phone number: 903-455-5896

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10:45

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Debbie Little of (printed home address) 3915 Dalton St. Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Debbie Little
Signature

3915 Dalton St. Greenville, TX. 75401
Address

903-455-5896
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -4 AM 9:50

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Amos H. Lowry of (printed home address) 1671 Co. Rd. 3304, Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

To keep our water Supply SAfe

Date: 3-30-2007

Signature: Amos H Lowry

Phone number: 903-455 3378

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERK'S OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Benita Lucas of (printed home address) 3269 CR 3552. Greenvile make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Benita Lucas
Signature

3269 CR 3552
Address

903-883-5204
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2013 MAR 15 AM 10:39

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, Martin Reese Luhn II of 5403 CR 3208, Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

13 MAR 07

5403 CR 3208, Lone Oak, TX 75453

903-662-5479

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DEBRA LUKER of (printed home address) 150 PIERSON ST. EMORY, TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-4-'07
Date

Debra Luker
Signature

150 Pierson St.
Address

903 474 9565
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -9 AM 11:02
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 MAR 30 PM 2:58

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CAROL MANN of (printed home address) 1996 PR 3395 GREENVILLE TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THE DUMPING OF RAW SEWAGE IN THE WATERSHED OF LOCAL LAKES AND RIVERS WILL RUIN OUR WATER SUPPLY AS WELL AS THE RECREATIONAL USE OF THE LAKES

Date: 23MAR07

X Signature: Carol Mann

Phone number: 903-455-9089

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MC

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 23 AM 10: 08

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) EDWARD MANN of (printed home address) 1996 PR 3395 GREENVILLE TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

RAW SEWAGE DUMPED ON THE GROUND WILL POLLUTE OUR RIVERS AND LAKES. NO INDIVIDUAL IS ALLOWED TO DUMP RAW SEWAGE AND NO BUSINESS SHOULD BE ALLOWED

Date: 23 MAR 07

Signature: Edward Mann

Phone number: 903-455-4089

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11: 2

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) TOM MANSON of (printed home address) 425 3 GERANIMO LONE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary).*

THE SEWAGE WILL SOON REACH WATER WELLS, LAKES AND KILL FISH AND PEOPLE WILL BE SICK FROM THE BATERIA

Date: 4/2/07

Signature: Tom Manson

Phone number: 903-447-4390

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Billye Marion of (printed home address) 3119 Bonham - Greenville 7540 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We do not want polluted water in our lakes which will end up in our water system.

Date: 3/29/07

Signature: Billye Marion

Phone number: 903-455-8733

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -2 AM 10:42
CHIEF CLERKS OFFICE

MTO

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 AM 9:37

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jean Martin of (printed home address) 2891 CR 3303, Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The Executive Director has made a mistake on his decision. He has been given bad information and has made a decision on that information. TCEQ has intentionally made and detured citizens to make remarks + overturn by having them mail these to all the different place.

Date: 3-26-2007

Signature: Jean Martin

Phone number: 903-455-1176

1 original 11 copies?
4 copies to other people?
Get Real.
who does TCEQ work for?
The people of Texas or Ortega -

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 19 AM 10:49
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lena A. Martin of (printed home address) 2528 Hunt CR 1077, Farmersville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/14/07
Date

Lena A. Martin
Signature

2528 Hunt CR 1077, Farmersville TX 75442
Address

903-455-0999
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -3 AM 10: 07

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Phillip A. Martin of (printed home address) 2891 CR 3303 Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

SEE Attached

Date: 3-30-07

Signature: Phillip A. Martin Commissioner Pct 3 Hunt Co.

Phone number: 903-4551176

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -3 AM 10:07
CHIEF CLERK'S OFFICE

To The Citizens of Hunt Co and Surrounding Counties and To The T.C.E.Q. Commission,

In August of 2006, local residence attended a T.C.E.Q. public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. site # is 710896. This would allow him to spread Human waste on 40 acres of property that the runoff could possibly end up in Lake Tawakoni and Lake Fork. T.C.E.Q stated that they would individually answere each and everybody's questions, This would be on a one on one basis. They did not.

The Executive Director of The Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, of 2007 in favor of the application. A letter dated March 13 2007 was sent out advising the public his decision. We were given 23 day from March 13 to Make a Motion To overturn Executive Directors Decision on this matter. This would have us have the forms to him by April 5, 2007. we the people have to Mail one Original and 11 Copies To LaDonna Castanuela, Chief clerk of the T.C.E.Q. and then 1 copy To Gustavo Hernandez Ortega; 1 copy to Robert Brush Staff Attorney TCEQ; 1 copy To Kathy Faz, Technical staff TCEQ; and ~~them~~ then 1 Copy to Mr Blas Coy Jr. Attorney TCEQ. Four of the five addres are the same Box # with T.C.E.Q. ~~Does of any opinion that this~~ appears Maybe ~~is~~ a ploy by T.C.E.Q. to deter response from the Public.

This has put a burden on the citizens to voice their continued opposition. State Law Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G Rule 50.139 "Motion to Overturn Executive Director's Decision" States

(a) "The applicant, public interest counsel or other person may file with the chief clerk a motion to overturn of the executive director's action on an application or water quality management plan (WQMP) update certification." It is of my opinion that the commission needs to review all letters sent to the chief clerk in reference to a Motion to overturn. It will not be just, if they don't. T.C.E.Q sent me the law that addressed the issue of Motion to overturn Executive Director's Decision It is of my opinion, that this one page addresses the procedure. One Original To Chief Clerk, should have been enought.

The Sabine River authority requested that the Staff of the TCEQ give careful consideration to protecting the water quality of these invaluable resources during their evaluation", Referring to Lake Tawakoni and Lake Fork. They requested the staff of the T.C.E.Q. take in consideration the location of this site and the potential impacts to surface water quality in this area. The Sabine Authority advised the Water Shed at the site location could effect Lake Fork and Lake Tawakoni.

The Natural Resources Conservation service has built Flood prevention Dams in the area. Nine of these lakes are built to the South and Southeast of the B.Z.H. Site. Site 1 of Lake Fork watershed upper Lake Fork CREEK. was Built in 1976 and completed 8-11-77. The drainage area consists of 3,136 Acres, which includes the B.Z.H. Site. These lakes are considered to be 50 year old lakes, meaning they will silt in in approximately 50 years. Soil errosion will silt them in. From Site one Lake Fork creek runs directly into lake Fork. An unidentified person with the Natural Resources Conservation made the statement "I cannot believe the T.C.E.Q. approved the applicaton."

All the facts about the area were not at Shankle's disposal. There are water wells within a mile radius. There is a problem with erosion and flooding. There is a problem with what can be grown. There was a problem with Ortega's applicaton. The T.C.E.Q made the statement that they don't address this site causing property values declining in the area. I do and They should.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

07 MAR 15 AM 10:43

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130.. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carolyn Maxwell of (printed home address) 6002 Stonewall Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hemandez Ortega.

3-12-07
Date

Carolyn Maxwell
Signature

6002 Stonewall #250 Greenville Tx 75402
Address

903 454 3239
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 26 AM 10: 43

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Karen May of (printed home address) 2465 County Rd 3118, Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Date

Karen D. May
Signature

2465 County Rd 3118, Campbell, TX 75422
Address

972-834-4270
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
07 APR -3 PM 3:26
CHIEF CLERKS OFFICE

Received
APR 02 2007
TCEQ Wastewater Permitting
Land Application Team

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) L. C. Mayo of (printed home address) 213 Friendship Cr, West Tawakoni Tx. 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Mr. Gustavo Ortega should not be allowed to dump sewage on his property. TCEQ made a mistake in approving his application. TCEQ should reverse its decision.

Date: March 27, 2007

Signature: L C Mayo

Phone number: 903-447-4355

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -2 PM 3:26
CHIEF CLERKS OFFICE

Received
APR 02 2007
TCEQ Wastewater Permitting
Land Application Team

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Peggy Mayo of (printed home address) 213 Friendship Cr, West Tawakoni, Tx 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not agree with TCEQ's decision. It should be reversed.

Date: March 27,2007

Signature: Peggy Mayo

Phone number: 903-447-4355

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10:35

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) L. C. Mayo of (printed home address) 213 Friendship Cr, West Tawakoni Tx. 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Mr. Gustavo Ortega should not be allowed to dump sewage on his property. TCEQ made a mistake in approving his application. TCEQ should reverse its decision.

Date: March 27, 2007

Signature: L C Mayo

Phone number: 903-447-4355

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 37

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Peggy Mayo of (printed home address) 213 Friendship Cr, West Tawakoni Tx 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not agree with TCEQ's decision. It should be reversed.

Date: March 27,2007

Signature: Peggy Mayo

Phone number: 903-447-4355

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Anna McGee of (printed home address) 2808 CR 3210 Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

Anna McGee
Signature

2808 CR 3210 Lone Oak 75453
Address

903-662-5734
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -4 AM 10: 01

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Josie McGee + Jerry McGee of (printed home address) 2929 CR 3116, Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

1. Water Pollution to Our Lakes, 2. Health issue of dumping raw sewage on our Land, 3. flies + pests, 4. tearing up our Roads, 5. Children + GRANDKids live in area + it effects them as well, 6. OVERseeing the Restrictions 7. sewage plant

Date: 3-26-07

Signature: Josie McGee + Jerry McGee

Phone number: 903-662-5704

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

1. Water Pollution of our Lakes
This land runs off into 2 lakes that supplies water for several cities, Lake Fork & Lake Tawakani for Dallas, Greenville, Lone Oak, Campbell, Quinlan, & Etc. - How would you like to drink sewer water?

2. Heath issues -
I already have cancer, I'm doing treatments now for. I don't need extra problems. we hear on the news every nite about contaminations of our food Now we have to worry about our water too. How would you & your Family well or not like to drink this water?

3. flies & pests
We all know that food or the waste (crap) draws gnats & flies & other pests. would you want to be barbecuing & have to fight these things off of your food or your kids food?

4. tearing up of Roads
Several trips a day to the land would tear up the Road & costing the tax payers. Heavy trucks.

5. Kids & GRANDKIDS
my kids & GRANDKIDS live within 2 miles from this and it will effect them & their lives as much as ours. Please Reconsidee?!!

6. OVERseeing the Restrictions & making sure guidelines are met.
Again I refer you to the news. you know MR. Ortega will for awhile but then everybody slacks & quits doing what is expected & Right. Example: water Restrictions - People now of the drought - yet they continue to use water without regard to anyone else, they throw cigarettes out cars. Please don't let MR. Ortega have the right to do this.

7. sewage plant.
we have a plant (facility) to take care of the waste safely without any of these problems.

Please Reconsider your decision on this & realize there are more against it than for it &

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Wanda McKenzie of (printed home address) 1214 E I-30 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Wanda McKenzie
Signature

1214 I30
Address

903 4536235
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 AM 9:36

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Marcus McKinney of (printed home address) Canvas Back Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is not right for the Environment

Date: 3/25/07

Signature: Marcus McKinney

Phone number: 903-303-3015

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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Received
MAR 29 2007
TCEQ Wastewater Permitting
Land Application Section

RECEIVED
MAR 2 2007
WASTEWATER PERMITTING
WASTEWATER & PRETREATMENT

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Marcus McKinney of (printed home address) Canvas Back Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is not right for the Environment

Date: 3/25/07

Signature: Marcus McKinney

Phone number: 903-303-3015

FILED
2007 MAR 30 AM 9:39
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 30 AM 9:40

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Quida McKinney of (printed home address) Commanche Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Its not enviomentally right

Date: 3/25/07

Signature: Quida McKinney

Phone number: 903-303-3015

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jered Mawhorter of (printed home address) 150 South Planters St make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-2007
Date

Jered Mawhorter
Signature

150 South Planters
Address

903-473-3948
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 PM 1:04
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) E. L. MEEK of (printed home address) 1929 MAMIE RD make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)* TCEQ "PROTECTING TEXAS BY REDUCING AND PREVENTING POLLUTION" YOUR SAD AGENCY DOES NOT LIVE UP TO ITS CHARTER. YOU WILL ALLOW A 40 ACRE OUT-HOUSE IN THE COUNTY BUT NOT IN A CITY. YOU CANNOT TRUST SELF-INSPECTION IN THIS DAY & AGE. WAKE UP! USE THE AVAILABLE FACILITIES THAT ARE NOW IN USE & Carefull WAKE UP!!! THIS IS 200

Date:

Signature: E. L. Meek

Phone number: 903-454-6034
GREENVILLE TEXAS
75407

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 PM 3:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) E. L. MEEK of (printed home address) 1929 MAMIE RD make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)* TCEQ "PROTECTING TEXAS BY REDUCING AND PREVENTING POLLUTION" YOUR SAD AGENCY DOES NOT LIVE UP TO ITS CHARTER. YOU WILL ALLOW A 40 ACRE OUT-HOUSE IN THE COUNTY BUT NOT IN A CITY. YOU CANNOT TRUST SELF-INSPECTION IN THIS DAY & AGE. WAKE UP! USE THE AVAILABLE FACILITIES THAT ARE NOW IN USE & Carefull WAKE UP!!! THIS IS 2007

Date: _____

Signature: E. L. Meek

Phone number: 903-454-6034
GREENVILLE TEXAS
75407

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

Missi Weaver
3813 King St
Greenville TX
75401

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
OFFICE OF CHIEF CLERKS OFFICE
19 MAR 20

I, (printed name) E. L. MEEK 75402 of (printed home address) 1929 MAMIE RD GREENVILLE make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Jauchon B. Meek
and 1929 Mamie

3-15-07
Date

E. L. Meek
Signature

1929 MAMIE RD
Address

903-454-6034
Phone number

Laura Lee
8369 Big Oaks
Quinlan, TX 75474

Cindy Dickson
160 Wanda Ln
Greenville TX 75401

[illegible]
5700 Industrial Blvd.
#4212
Greenville, TX
75401

Cathy Stephens
2404 Kendall Cir
Greenville Tex 75402

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 26 PM 3:30
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) FANCHON B. MEEK of (printed home address) 1929 MAMIE - GRNVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03/02/07
Date

Fanchon B. Meek
Signature

1929 Mamie Rd. -
Address Greenville, TX 75402

Phone number
903-454-6034

I feel you set a precedent when you go around a law already on the books! What will the other septic tank pumpers do with their loads? What will the home owners do - let the filled septic tanks run down to the rivers or on to their neighbors? We have no inspectors to check and a man that will go this far to get around the law will NOT follow a promise that he will take [illegible] water samples (Whose supply will he choose?) [illegible]

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

There will be no inspector to ck. lye and chemical levels & safety thereof. No inspector will check on how many loads per month will be dumped on these premises.

Fanchon B. Meek

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 PM 2:25
CHIEF CLERKS OFFICE

Received
MAR 30 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CHRIS MERWORTH of (printed home address) 3266 CR RD 3213 Lone Oak Tex 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I Live 2 miles From The place where He plans To Dump Human Waste. There is a creek That Runs across my Land That my cattle Drink out of some Times and when it rains The run off From His place will run in The Creek and poison The water my cattle Drink, plus I Dont wans To smell The stuff,

Date: 3-17-07

Signature: Chris Merworth

Phone number: 903 662-4267

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 26

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CHRIS MERWORTH of (printed home address) 3260 CT RD 3213 Lone Oak Tex 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I Live 2 miles From The place where He plans To Dump Human waste. There is a creek That Runs across my Land That my cattle Drink out of some Times and when It Rains The Run off From His place will Run In The Creek and poison The water my cattle Drink, plus I Dont want To smell The stuff,

Date: 3-17-07

Signature: Chris Merworth

Phone number: 903 662-4267

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

16 AM 10:21

CHIEF CLERK'S OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CHRIS MERWORTH of (printed home address) 3260 CR RD 3213 Lone Oak Tex 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-10-07
Date

Chris Merworth
Signature

3260 CR RD 3213 Lone Oak Tex 75453
Address

903-662-4267
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ELIZABETH MERWORTH (printed home address) 4534 CO RD 3416 LONE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Elizabeth Merworth
Signature

4534 Co RD 3416
LONE OAK TX 75453
Address

903-447-2118
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 15 AM 10:44

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DOROTHY Miller of (printed home address) 3581 CR 3216 LONE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Dorothy Miller
Signature

3581 CR 3216 LONE OAK
Address

903-662-5109
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JERRY MILLER of (printed home address) 7071 SIMMONS DR. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Signature

7071 SIMMONS DR
Address

214 240 5202
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -5 AM 10:19
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 9 AM 11: 18

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

We, (printed name) John & Sue Miller of (printed home address) 1655 CR 1131, Farmersville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (Please give reason for your motion. You may attach an additional sheet if necessary)

(1) Drainage affects our water Supply
(2) Odors will affect the Quality of life & Property Values
(3) Sets a bad precedent
(4) Inspections never are done properly.

Date: Apr 2, 2007

Signature: John Miller

Phone number: 903-276-2910

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 3:04
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Johnny Wilson of (printed home address) 3606 F.M. 563 S. Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I OBJECT TO Your Decision. This will be the downfall of our community, - health wise and land-value wise.

Date: 4-2-07

Signature: Johnny Wilson

Phone number: 903-682-5114

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 34

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dana Melack of (printed home address) 643 Old Mill Ln Paint Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-26-07
Date

Dana Melack
Signature

643 Old Mill Ln Paint
Address

972-269-6706
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 28 AM 10:
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joseph Malnack of (printed home address) 643 old Mill Ln Point TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-26-07
Date

Joe Malnack
Signature

643 Old Mill Ln Point
Address

214-587-3119
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Betty Jo Moore of (printed home address) 5942 CR 3214 Lone Oak, Tx. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Consider what will be dumped - Raw Sewage can cosist of: Urine and feces of possibly - Aids, Cancer, other diseases - blood - rotten food from garbage disposals. Would you want it dumped anywhere around you?

Date: March 19, 2007

Signature: Betty Jo Moore

Phone number: 903-662-5791

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 21 PM 2:29
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 14 AM 9:58

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Betty Jo Moore of (printed home address) 5942 CR 3214 Lone Oak, Texas 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12, 2007
Date

Betty Jo Moore
Signature

5942 CR 3214 Lone Oak, Texas 75453
Address

903-662-5191
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Received
MAR 21 2007
TCEQ Wastewater Permitting
Land Application Team

Received
MAR 22 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Charles H & Betty Jo Moore of (printed home address) 5942 CR 3214 Lone Oak, Tx. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We live Approximately 1 mile south of dump sight with a Soil Conversation lake on our property. The creeks connected to dump sight eventually run into our lake and property. This sewage can contain: Urine and feces of Aids - cancer - blood and other diseases. Would you want it dumped near you?

Date: 03-19-07

Signature: Charles H. Moore + Betty Jo Moore

Phone number: 903-662-5191

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 AM 10:13
CHIEF CLERKS OFFICE

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 14 AM 10:04

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Charles H. Moore of (printed home address) 5942 CR 3214 LoneOak, Texas 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12, 2007
Date

Charles H. Moore
Signature

5942 CR 3214 LoneOak, Texas 75453
Address

903 662-5191
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 21 PM 2:30

CHIEF CLERK'S OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Charles H. Moore of (printed home address) 5942 CR 3214 Lone Oak, Texas 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We have 70 acres we live on south of dump site. We pay $175 per year because of laws governing raw sewage from the state. You are willing to let this company dump gallons upon gallons of raw sewage on less than 4 acres. Would you want feces from aids, cancer, blood and other diseases dumped near you?

Date: 3-19-07

Signature: Charles H. Moore

Phone number: 903-662-5191

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Freida Morgan of (printed home address) 6904 Gold St. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

April 2, 2007
Date

Freida Morgan
Signature

6904 Hold St, Greenville, Tx. 75402
Address

903-456-1955
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 19

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) GAIL MORGAN of (printed home address) 420 CR 3101 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-23-07

Date

Gail Morgan

Signature

420 CR 3101

Address

903-455-1782

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** PM 2:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) June Morgan of (printed home address) 3559 Road runner Lane, 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

My research shows that the application of sludge, can be harmful if not done properly. I see no guarantee of regulation or supervision of the requested application of septic sludge.

Date: 3/27/07

Signature: June Morgan

Phone number: 903-450-1934

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 14

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Nell MORGAN of (printed home address) 3765 CR 2214 Cason Mills make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-21-07
Date

Nell Morgan
Signature

3765 CR 2214 Cason Mills
Address

903 627 4949
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ronnie Morgan of (printed home address) 7785 Cochise Lone Oak Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:46
CHIEF CLERKS OFFICE

3/9/07
Date

Ronnie Morgan
Signature

7785 Cochise Lone Oak Tx 75453
Address

903 447 2972
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 3:50
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ronnie Morgan of (printed home address) 7765 Cochise Lone Oak, Tx. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Am a Fisherman that fishes this area. Your research is not right. Country Road 3205 has a creek that comes from that area. It is not enough length to clear up the water to have enough O2 to support the life in the creek. Once this amount of lime reaches the lake; the same low O2 will kill the life in the lake. This will kill the fish I usually catch.

Date: 3/27/07

Signature: Ronnie Morgan

Phone number: 903 447 2972

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 19 AM 10:41
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Barbara & Joe Morris of (printed home address) 638 CR @ 3106 Campbell, Tx. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 16, 2007
Date

Barbara Woodlock
Signature

638 CR 3106 Campbell, Tx.
Address

903-862-2365
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 15 AM 10:42
CHIEF CLERK'S OFFICE

**Motion to Overturn Executive Director's Decision**

**March 12, 2007**

**Under the Texas Administration Code Title 30 part 1 Chapter 50 Subchapter G. Rule 50,130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site # 710896, TCEQ customer #CN602999963, Regulated Entity number RN104916820.**

**I, Frieda Morton of 5588 CR 3110 - Campbell, Tx. 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) In reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.**

Frieda Morton

**Frieda Morton**
**5588 CR 3110**
**Campbell, Tx. 75422**
**Phone: 903-862-3297**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 16 AM 10:20

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Walter F. Moseley of (printed home address) P.O.Box 153 Point, Tex 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 12- 2007
Date

Walter F. Moseley
Signature

P.O.Box 153 Point, Tx.
Address

903-598-2821
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:02

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Linda Mouton of (printed home address) 2308 CR 2526 Quinlan make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Flood land + I don't our water to be contaminated.

Date: 4-2-07

Signature: Linda Mouton

Phone number: 903-356-2738

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR 10 PM 2:44

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kay Munger of (printed home address) 1521 CR 3327 - Greenville, Tx 754... make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not understand our TCEQ of allowing this man to conduct this business by dumping this waste on property that could be harmful to our water supply - do to all the country is concerned about our water supply - Please don't allow this to happen.

Date: 4-5-07

Signature: Kay Munger

Phone number: 9032832648

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

If this was in your backyard - would you agree to it?

Thanks -
Please listen to us
citizens of this country.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:47

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lori Murphy of (printed home address) 6828 CR 3208, Lone Oak TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-4-07
Date

Lori Murphy
Signature

6828 CR 3208 Lone Oak TX 75453
Address

903 634 4059
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

133

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11:13
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) RAYMOND JOHN MURPHY of (printed home address) 501 ERMINE DRIVE, GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Heavy rain can cause runoff that will get into drinking water

Date: 4/2/07

Signature: Raymond J Murphy

Phone number: 903 454 9629

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:29

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jon Myers of (printed home address) 2317 Taylor St. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Signature

2317 Taylor St. / Commerce, TX 75428
Address

903 886-1352
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jimmy Nelson of (printed home address) P.O 141 VZ CR 1824 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Jimmy L. Nelson
Signature

141 VZ CR 1824
Address

903-962-4230
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:42

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Melissa Newbold of (printed home address) 4457 Diamond D Rd, Lone Oak, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-19-07
Date

Melissa Newbold
Signature

4457 Diamond D Rd
Address
Lone Oak, TX 75453

903-662-5401
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MAR 19 AM 10:29

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Annette Newman of (printed home address) 3311 CR4414, Greenville, TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Annette Newman
Signature

3311 CR-4414 Greenville, TX. 75401
Address

903-455-2311
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** R 19 AM 10: 29

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bess Newman of (printed home address) 3311 C.R. 4414 Greenville, TX. 75401 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Bess Newman
Signature

3311 C.R. 4414 Greenville, TX. 75401
Address

903-455-2311
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:29

CHIEF CLERK'S OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Laura Newman of (printed home address) 2317 Taylor St., Commerce, TX 75428 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03/11/07
Date

Laura Newman
Signature

2317 Taylor St.
Address Commerce, TX 75428

903-886-1352
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10: 29

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MIKE NEWMAN of (printed home address) 3311 C.R. 4414 Greenville TX 75401 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/10/07
Date

Mike Newman
Signature

3311 C.R. 4414 Greenville, TX 75401
Address

Home
903-455-2311 / cell 903-513-4732
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:32

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Donna Norton 75402 of (printed home address) 5000 FM 2947 Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Donna Norton
Signature

5000 FM 2947 Greenville, TX 75402
Address

903 883-2251
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 29 AM 10: 33

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Angie O'Neal of (printed home address) 109 Indian Oaks make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/26/07
Date

Angie O'Neal
Signature

109 Indian Oaks W. Tamaulipas Tr
Address

972-310-7871
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -3 AM 10: 11

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jose m ortiz of (printed home address) 513 Combell tex make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I think it will damage our environment it will damage our creeks + lakes in my area.

Date: 3-30-07

Signature: Jose m ORtiz

Phone number: 903-8623964

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jose ortiz of (printed home address) FM 513 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Jose ortiz
Signature

FM 513 s Campbell
Address

903 862-3964
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:45
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 28

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jimmy Ottwell of (printed home address) 4171 C.R. 3326 Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I believe it is bad for the people to dump human waste on land. It can get into our lakes and underwater ground water supply and contaminate it. Please overturn this decision!

Date: 3/22/07

Signature: Jimmy Ottwell

Phone number: 903883 5226

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 28 AM 10:25

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sandra Ottwell of (printed home address) 4171 CR 3326 Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is unbelievable the "Commission on Environment Quality" would grant someone to dump human waste where the run off goes into Lake Tawakoni and Lake Fork where "WE" get our water from. This is a motion to overturn executive Directors Decision.

Date: 3/22/07

Signature: Sandra Ottwell

Phone number: 9038835226

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

07 MAR 19 AM 10:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) James & Jennifer Owen of (printed home address) 500 Gladys Street Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

James Jennifer J. Owen
Signature

500 Gladys Street Lone Oak Tx
Address

(903) 662-4926
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11: 0

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) HAZEL L. OWENS of (printed home address) 213 FRIENDSHIP CR #3 W. TAWAKONI, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

This is the most repulsive and obnoxious thing I have ever heard of. Not only is it unsafe for our water, it will certainly result in a hassle to the environment. What kind of limits came up with this plan?

Date: 3-27-07

Signature: Hazel L. Owens

Phone number: 903-447-4924

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Michelle Oznick of (printed home address) 8872 FM 35 Royse City Tx 75189 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-27-07
Date

M. Oznick
Signature

8872 FM 35 Royse City, Tx. 75189
Address

972-636-9671
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11:32

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Judy Crow Padgett of (printed home address) 1680 Hollow Way Ln, Quinlan make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is a disgrace to think that this person would be allowed to "contaminate" the area. Not only now - but for the future. As a realtor and homeowner - this is unacceptable!

Date: 4-3-07

Signature: Judy Crow Padgett

Phone number: 903-883-0327

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 23 AM 10: 34

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Richard Paramore of (printed home address) 109 Indian Oaks Quinlan make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/26/07
Date

Richard Paramore
Signature

109 Indian Oaks W. Tawakoni TX
Address

214-876-1126
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 42

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) Wendy R Parker of (printed home address) 1059 E Hwy 276 West Tawakoni make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*.

This is unsanitary and should not be allowed to happen!

Date: 3-22-07

Signature: Wendy R Parker

Phone number: 972 977-4920

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

Received
MAR 28 2007
TCEQ Wastewater Permitting
Application Team

TEXAS
COMMISSION
ON ENVIRONMENTAL

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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Signature: Wendy R Parker

Phone number: 972 977-4920

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LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -5 AM 2:48

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Casie Patterson of (printed home address) 2930 C.R. 3514 Greenville, Tx. 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Contaminating water.

Date: April 2, 2007

Signature: Casie Patterson

Phone number: (903) 461-5065

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHIEF CLERKS OFF

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Cindy Patterson of (printed home address) 3044 cty Rd 3312 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Cindy Patterson
Signature

3044 cty Rd 3312 Greenville TX 75402
Address

903-455-1307
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:5

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) James C. Patterson of (printed home address) 7660 FM-36 South, Caddo Mills, TX 75135 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

This Is Far Too Much Risk of Pollution of Our Water Supply, Lake Tawakoni, Lake Fork, Private Wells Etc. - This Project Is Too Risky

Date: 4-2-07

Signature: James C Patterson

Phone number: 903-455-9414

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mark Patterson of (printed home address) 4244 CR 3220 Love Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/9/07
Date

Mark Patterson
Signature

4244 CR 3220 Love Oak Tx
Address

903-662-5597
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR -5 AM 9:46
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:44

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Augustus T Paulson of (printed home address) 932 CR 4518 wolfe city Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-18-2007
Date

Augustus T Paulson
Signature

932 CR 4518 Wolfe City, Tx 75496
Address

903 408 7582.
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:40

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Judy Paulson of (printed home address) 832 CR 4518 Wolfe City Tx 75496 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-18-2007
Date

Judy Paulson
Signature

832 CR 4518 Wolfe City, TX 75496
Address

903 455 5833
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name Frank Garcia Penna of (printed home address)_ 5597 CR 3209 Campbell TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

May-12-2007

Date

Frank Garcia Penna

Signature

5597 CR 3209 Campbell TX. 75422

Address

903-662-5397

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:09

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Francisco Garcia Penna of (printed home address) 5599 CR 3209 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I had 2 Heart Attacks I come here to Rest & Relax on Weekends, I will not be able to do that if you OK this, I am less than 300 Ft from there, we have to much Ecoli problems now & this will cause more.

Date: 03-22-2007

Signature: Francisco Garcia Penna

Phone number: 903-662-5397

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 15 AM 10: 39

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) James Pettis of (printed home address) 2691 RSCR 1525 Point, TX. 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

James Pettis
Signature

2691 RSCR 1525 Point, TX. 75472
Address

903-598-2097
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 56

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) Carol C. Pittman of (printed home address) 213 Friendship Circle #59 W. Tawakoni, TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Please, in the Sake of Healthy Water for all Concerned, Please Rescind

Date: 3/30/07

Signature: Carol C. Pittman

Phone number: 903-447-5641

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

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Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 58

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) PERRY PITTMAN of (printed home address) 213 FRIENDSHIP CIR. #59, W. TAWAKONI TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I RESPECT FULLY REQUEST THE TCEQ TO OVERTURN THE EXECUTIVE DIRECTORS DECISION.

Date: 3/30/07

Signature: Perry E Pittman II

Phone number: 903-447-5641

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

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Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Patricia Plain of (printed home address) 816 RCR 1470 Point, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07.
Date

Patricia Plain
Signature

816 RCR 1470 Point
Address

903-598-3248
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:34
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

DS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -2 AM 11:25

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MAXIMINO PLATA of (printed home address) 1407 Bois D' Arc, Commerce, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Run-off into lakes where several cities get their drinking water.

Date: April 2, 2007

Signature: Maximino Plata

Phone number: 903-217-4485

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10:33

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) P.E. Payne of (printed home address) 643A OLD MILL E. TAWAKONI make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-23-07
Date

P E Payne
Signature

643A Old Mill E. Tawakoni Tx 75472
Address

903-447-5405
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 28 AM 10: 3
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Virginia Pope of (printed home address) 634A OLD MILL E. TAWAKONI-TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-23-07
Date

Virginia Pope
Signature

643-A Old Mill Lane, E. Tawakoni 75472
Address

903-447-5405
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 30 AM 9:38

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Adeena Potter of (printed home address) 9814 Shawnee Ln Quinlan Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-27-07
Date

Adeena Potter
Signature

9814 Shawnee Ln Quinlan Tx 75474
Address

903-356-3901
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 16 PM 2:21
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Pam Poulain of (printed home address) 6822 CR 3223 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Pam Poulain
Signature

6822 CR 3223
Address

903-662-5775
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

DM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 22 AM 10:28

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PAM POULAIN of (printed home address) 6822 CR 3223 LONE OAK make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not want my property value to go down. Also we own a soil conservation Lake. & do not want this near it. We try to keep our land free of trash, pesticides & any other thing that is not natural to our land & wild life

Date: 3-15-07

Signature: Pamela Poulain

Phone number: 903-662-5775
903-456-1546

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE
2007 MAR 16 PM 2:50
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) BENOIT POULAIN of (printed home address) 6822 CR 3223 LONE OAK make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

B. Poulain.
Signature

6822 CR 3223 LONE OAK, TX 75453
Address

903 662 5775
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

2

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 AM 9:42

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jimmy Powell of (printed home address) 2948 Murchison Ave Farmersville Tx 75442 (merit) make a motion to overturn the Executive Director's decision (M. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Jimmy Powell
Signature

2948 Murchison Ave Farmersville Tx (mailing address) 75442
Address

903-776-2725
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 21 AM 9:45

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Linda Powell of (printed home address) 2948 Murchison Ave, Merit, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

Linda Powell
Signature

2948 Murchison Ave, Farmersville Tx 75442 (mailing address)
Address

903-776-2725
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -4 AM 10:04

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) BART PRESTI KELLY PRESTI of (printed home address) 690 OAKDALE CIRCLE, FAIRVIEW, TX 75069 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

See attached;

Date: 3/31/07

Signature: Bart Presti Kelly Presti

Phone number: 972-396-1530

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

I can not understand why one individual would want to dump raw sewage in another person's neighborhood. This is one of the most disgusting, filthy, assaults a person can do to a neighbor.

This law is an antique, that needs to be abolished. This law is held over from when they wanted to aid dairy farmers to fertilize their pastures. It was not intended for human waste to be dumped on the land. When you see how close people reside to this 40 acres it is unbelievable that anyone would want to ruin their view, land, and peace with such a disgusting venture.

We have no way of knowing if there are toxic chemicals being spread on this property. Since the TC EQ only inspects when called, even local residents would not know if Mr. Ortega is collecting chemicals and dumping it along with other sewage. Unfortunately, we have no respect for Mr. Ortega and would not put this past him since he has no regard for anything except money.

With a Waste Treatment Plant within 13 miles of Lone Oak, and another being proposed, this filthy venture is unacceptable.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -4 AM 10:06

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JON + DIVA PRESTI of (printed home address) 5505 CR 3208, LONEOAK, 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

SEE Attached

Date: 4/1/07

Signature: Jon Presti - Diva Presti

Phone number: 903-634-2444

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

I can not believe the disregard that the TCEQ has for local residents and the value of their land. When you work for years to purchase a piece of land, maintain it, raise livestock, plant crops, to make a living with hopes of selling the land when you retire and be able to live comfortably, or leave it to your children for them to use or sell and then have some fool start dumping raw sewage near your farm and drop your land value down to nothing. Would anyone at the TCEQ buy a plot of land with a sewage dump next door? Perhaps someone needs to think of that issue. How about the odor? Pouring lime on the land does not eliminate the odor when the wind blows. How about the flies? Mr. Ortega is not going to put a net so the flies can not travel to local residents. Why didn't Mr. Ortega plan this dump near his residence? Or near his neighbors? I guess he does not want to deal with any of these issues. Perhaps the TCEQ should reconsider their decision since this action benefits Mr. Ortega only and not the people of Texas.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -4 AM 10: 05

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DOUG PRESTT JENNIFER PRESTT of (printed home address) 1090 CR 2446, Royse City - 75189 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

See attached

Date: 3/31/07

Signature: Doug Prestt Jennifer Prestt

Phone number: 972-635-7121

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

Since the TCEQ has stated that they will not have time to check on Mr. Ortega's compliance with the law unless some person complains, I want to register my complaint about his possible activities. How about the possibility of picking up, motor oil, antifreeze, battery acid, paint, pesticides, herbicides and other poisonous, restricted containments? Has anyone addressed this issue? Mr. Ortega can say he will not do such a thing knowingly, however, since he has no problem dumping raw sewage in someone else's back yard, I do not think he would be concerned about the possibility that this could happen. That is why there is a waste treatment plant locally to insure that there is no possibility of this happening. This is just one more reason not to issue his request.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -4 AM 10:03

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PAUL + ROSALIE PRESTI of (printed home address) 5439 CR3208 - LONE OAK, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

For Ignoring - (See attached)

Date: 4/1/07

Signature: Paul Presti + Rosalie Presti

Phone number: 903-662-5439

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

For Ignoring the following:

Health issues relating to contaminated water;
Killing fish in the lakes,
Killing livestock for drinking the water runoff when we have Texas storms (like we just Had)
Monitoring (except when called) if the proper maintenance is being done
Not taking into account needles, bandages, sanitary napkins, etc. that is flushed down the toilet and pumped into trucks that will unload on the land
The Sabine water authority's concerns about contaminating the lakes that feed water to local and Dallas residents.
The water wells of local residents.
The road maintenance required when the trucks start down a country road and tear it up. Mr. Ortega does not pay taxes in Lone Oak, only the residents of Lone Oak pay these road taxes and we are supposed to support this disgusting venture that no one wants except Mr. Ortega.
The technical information that was submitted in relation to the PH that must be maintained for vegetation and the water runoff to the lakes.

If this is what the environmental agency in Texas is all about, it seems there needs to be an investigation of their practices.

To approve a request to benefit one selfish self-centered person monetarily and ignore health issues to hundreds or thousands of residents of Northeast Texas that drink lake water from Lake Fork and Tawakoni is absolutely absurd.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:47

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bill Prince of (printed home address) _____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Run-off goes to Lake Fork
Not Good

Date: 4-02-07

Signature: Billie J. Prince

Phone number: 903-366-1017

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 27 PM 3:00

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Randy Prince of (printed home address) 5549 CR 3214 Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Randy Prince
Signature

5549 CR 3214 Lone Oak TX
Address

903 6625635
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 16 AM 10: 19

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lynda Pruitt of (printed home address) 441 Industrial Point tx 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07

Date

Lynda Pruitt

Signature

Box 341

441 Industrial Point tx

Address

903 598 2320

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

21 AM 9:36

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) SuannPullen of (printed home address) 5918 FM 513 South make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Suann Pullen
Signature

5918 FM 513 South
Address

Lone Oak, TX
75453

903-634-2077
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10:49

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mike Rackley of (printed home address) 3103 CR 3213 Lone Oak Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-22-07
Date

Mike Rackley
Signature

3103 CR 3213 Lone Oak TX 75453
Address

9036625400
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11: 17

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jennifer Ragsdale of (printed home address) 1438 CR 3304 Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

My brand new house is in that area. it lowers the value of our land, endangers the health of livestock & water in that area & not to mention kids drinking water in that area.

Date: 4-2-2007

Signature: Jennifer Ragsdale

Phone number: 903 454-2426

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -9 AM 11: 17

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Scott Ragsdale of (printed home address) 3011 CR 3116 Lone Oak, TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

resale value of property lowers; health of water, livestock & self is endangered of getting ill from waste.

Date: 4.3.07

Signature: Scott Ragsdale

Phone number: 903 454-2426

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 29 AM 9:52

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Brittany Raney of (printed home address) 6902 Justin Lane make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not want my drinking water contaminated. Also, the dumping of human waste is not healthy for the environment or the people around that area.

Date: March 22, 2007

Signature: Brittany Raney

Phone number: (903) 454-6614

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 37

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Robert Raney of (printed home address) 6902 Justin Lane Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I think this is a horrible concept, not only for the environment but also the citizens of Hunt County. I would like to see more environmental studies conducted to validate short and long term issues. The idea of dumping human waste on open land as a cheap means of disposal is somewhat counter productive to the concept of environmentally friendly waste treatment plants.

Date: 20 Mar 07

Signature: [signature]

Phone number: 214 782 4068 wk

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 30

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Tammie Raney of (printed home address) 6902 Justin Lane Greenville Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not want our drinking water contaminated. We get our drinking water from Lake Tawakoni.

Date: _____

Signature: Tammie Raney

Phone number: 903-454-6614

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:5

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARY Lou Rankin of (printed home address) 844 CR 4215 Campbell TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/14/07
Date

Mary Lou Rankin
Signature

PO Box 25
Address

903-862-3463
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:15

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

Donna Reese

I, (printed name) Paul Reese of (printed home address) 1909 Mamie Rd Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We feel this poses a threat to the environment, Contaminates water, Cause disease & Devalue property. We are required to maintain our Septic Systems to Avoid these very issues.

Date: 3-19-07

Signature: Donna My Reese
Paul W Reese

Phone number: 903-450-9383

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 19 AM 10:50

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Paul & Donna Reese of (printed home address) 1909 Mamie Rd make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

Donna M Reese Paul A. Reese
Signature

1909 Mamie Rd Glen 75402
Address

903-450-9383
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 21 AM 9:38

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Erin Reese of (printed home address) 1909 Mamie Rd. Greenville, TX. 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/18/07
Date

ERR
Signature

1909 Mamie Rd. Greenville, TX. 75402
Address

903-450-8711
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 21 AM 9:38

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Kelly Reese of (printed home address) 1909 Mamie Rd. Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/18/07
Date

Kelly Reese
Signature

1909 Mamie Rd. Greenville, TX 75402
Address

903-450-9383
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Steve Reid of (printed home address) P.O. Box 8791 Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:16
CHIEF CLERKS OFFICE

3-12-07
Date

Signature

P.O. Box 8791 Greenville TX 75404
Address

903-454-3622
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 29 AM 9:51

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G, Rule 50.130, I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bettilee Reynolds of (printed home address) 3707 CR 3110 Campbell TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/22/07
Date

Bettilee Reynolds
Signature

3707 CR 3110 Campbell TX 75422
Address

903-862-3275
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P.O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10:49

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Martha Reynolds of (printed home address) 3727 CR 3110 Campbell TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/21/07
Date

Martha Reynolds
Signature

3727 CR 3110 Campbell TX 75422
Address

903-862-3728
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 4

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Michael Reynolds of (printed home address) 3727 CR 3110 Campbell Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/21/07
Date

Michael Reynolds
Signature

3727 CR 3110 Campbell Tx 75422
Address

903-862-3778
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11:04

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Howard L. Richards of (printed home address) 2801 Charity Rd Apt 2, Commerce, 75428 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I am concerned that runoff from rains may contaminate lakes used for drinking water.

Date: April 2, 2007

Signature: Howard L. Richards

Phone number: 903-886-8773

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 30 AM 9:41
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Carolyn Riddle of (printed home address) 3645 CR 3116 Lone Oak, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Do not want human waste in the water. Do not want the smell in the air. Will make it hard to sell my property when I get ready to sell it. I'd like to know what happened to protecting & cleaning the environment? It is disgusting!

Date: 3-27-07

Signature: Carolyn Riddle

Phone number: 903-634-2337

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR 11 PM 11:13

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ronnie C. Roberts of (printed home address) 1882 CR 3308, Greenville, Tx. 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-30-07

Signature: Ronnie C. Roberts

Phone number: 903 450 0225

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

APR -2 AM 11:22

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) WILSON ROBINSON of (printed home address) 2559 C/R 3306 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary*)

UN HEALTHY

Date: APRIL 2-207

Signature: Wilson Robinson

Phone number: 9034547828

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies to:**

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 28 AM 10: 15

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Louise Rogers of (printed home address) 2501 CR 3210 Campbell, TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Louise Rogers
Signature

2501 CR 3210
Address Campbell, TX 75422

903-662-5362
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 29 AM 9:51
CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Deborah Rosebure of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/27/07
Date

Deborah Rosebure
Signature

917 Shoreline D. West Tawakoni, Tx. 75474
Address

903-447-4990
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P.O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Stephanie Sanchez of (printed home address) 5700 Industrial Apt 4202 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

Stephanie Sanchez
Signature

5700 Industrial Apt 4202 - Greenville, Texas 75401
Address

903-246-1822
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Debbie Sanders of (printed home address) 5620 FM 2947 Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:18
CHIEF CLERKS OFFICE

3.12.07
Date

Debbie Sanders
Signature

5620 FM 2947
Address

903 883-9948
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 JAN 16 AM 10: 24

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Anna S. Saddlin of (printed home address) 4009 CR 3323 Greenville, Tx. 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

1-15-07
Date

Anna Saddlin
Signature

4009 CR 3323 Greenville, TX 75402
Address

903-883-2229
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 16 AM 10:20
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) HARRELL D. SANDLIN of (printed home address) 4009 CR 3323 GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Harrell Sandlin
Signature

4009 CR 3323
Address

GREENVILLE, TEXAS 75402

Phone number
(903) 883-2229

RM

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) INA SCALF of (printed home address) 7081 SIMMONS DR. LONE OAK, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-10-07
Date

Ina Scalf
Signature

7081 Simmons Dr.
Address Lone Oak, Tx. 75453

903-994-2421
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:49
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) TROY A. SCALF of (printed home address) 7081 SIMMONS DR. LONE OAK, TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

03-10-07
Date

Troy Scalf
Signature

7081 Simmons Dr.
Address Lone Oak, Tx. 75453

903-994-2421
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:46
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11: 24

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CURTIS G. SCOTT of (printed home address) 614 BEAVER PL. GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I DO NOT ~~AGREE~~ WANT THE RUN OFF INTO OUR LAKES WHICH PROVIDE WATER TO CITIES.

Date: 4/2/07

Signature:

Phone number: 903-454-7242

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) David Seago of (printed home address) 127 PR 6372, Alba, Tx. 75410 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

David Seago
Signature

127 PR 6372, Alba, Tx. 75410
Address

903-765-3339
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lynda Seago of (printed home address) 127 PR 6372, Alba Tx. 75410 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Lynda Seago
Signature

127 PR 6372, Alba, Tx. 75410
Address

903/765-3339
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

240

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

07 MAR 14 AM 9:59

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JERRY SEIBER of (printed home address) P.O. Box 185 - Howe OAK TX. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-10-07
Date

Jerry Seiber
Signature

P.O. Box 185
Address

903-662-5702
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11:24

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jerry Selter of (printed home address) 312 Furlong Dr. Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (Please give reason for your motion. You may attach an additional sheet if necessary)

I do not want raw Sewage Spread upon the ground, which could dessolve and seep into my and my family & Friend drinking water.
This business should dispose of this in a proper manner -

Date: Jerry Selter 4/2/07

Signature: _____

Phone number: 903-454-8544

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Additional copies are to be mailed to the attached mailing list

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 15 AM 10:46
CHIEF CLERK'S OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Paul Sexton of (printed home address) 9658 Bus. Hwy. 34 S. Quinlan, TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 9, 2007
Date

Signature

9658 Bus. Hwy. 34 S. Quinlan, TX.
Address

(903) 268-6115
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

10: 44

CHIEF CLERK'S OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) GRADY Shepherd of (printed home address) 1288 MAMIE, GREENVille, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

Grady Shepherd
Signature

1288 Mamie, Greenville, TX 75402
Address

903-455-8503
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENT
QUALITY

2007 MAR 26 PM 3:

CHIEF CLERKS OFFIC

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Grady W. Shepherd / Rita J. Shepherd of (printed home address) 1288 Mamie Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IT Poses A Threat to the Environment; Could Contaminate Lakes; Spread Diseases to Wildlife and the Area; Devalue Land in Hunt County; And is An Unsanitary Practice. Don't Mess with Texas!

Date: 3-19-07

Signature: Grady W Shepherd Rita J. Shepherd

Phone number: 903-455-8503

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 51

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Debbie Shiflet of (printed home address) 125 Friendship Cr. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Due To the fact we Live on the water shed & people spend Tens of Thousands of Dollars on septic purefied systems this is A Rediculous Request

Date: 3-27-07

Signature: Debbie Shiflet

Phone number: 903-447-2764

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11:04

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Elada Shiflet of (printed home address) 213 Friendship Cir. #65 West Tawakoni make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 03-27-07

Signature: Elada Shiflet

Phone number: 903-447-5192

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

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In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

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I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

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I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11:01

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Melvin Shiflet of (printed home address) 125 Friendship Cr. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-27-07

Signature: Melvin Shiflet

Phone number: 903-447-2764

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

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I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Nelda Slatter of (printed home address) 2422 E. Hwy 69, Emory, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

5-4-07
Date

Nelda Slatter
Signature

2422 E. Hwy 69, Emory, TX
Address

903-473-3283
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -9 AM 11:02
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 19 AM 10:48

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Nita Smiley of (printed home address) 3234 PR 3550 Greenville Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Nita Smiley
Signature

3234 PR 3550 Gvl, TX 75489
Address

903-883-2527
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Received
2 1 2007
TCEQ Wastewater Permitting
Land Application Team

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Charlene H. Smith of (printed home address) 4002 FM 513 No of Lone Oak, Tex 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We do not need Contamination of existing water wells, rivers or Creeks by Human waste. This is not healthy for people who live close to, nor do we need to destroy our land. This will cause disease. The ground can only absorb so much and will ruin our water underground. Plus no one will buy land close by, so low value on property. Who will check on Mr. Ortega?

Date: March 13, 2007

Signature: Charlene H. Smith

Phone number: ~

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 AM 10:15
CHIEF CLERKS OFFICE

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

APR -4 AM 10: 11

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CULLEN J. SMITH of (printed home address) 7727 LOIS DR. QUINLAN TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

DANGER TO THE WATER WELLS IN THIS AREA. ALSO TO LAKE TAWAKONI WHERE THE WATER RUNS INTO.

Date: 04-02-07

Signature: Cullen J. Smith

Phone number: 903-356-4543

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:02

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DAVID R. SMITH of (printed home address) 11483 Hwy 345 Quinlan Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I dont want our water polluted.

Date: 3-21-2007.

Signature: David R Smith

Phone number 903-356-3333

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 PM 1:02
CHIEF CLERKS OFFICE

Received
MAR 27 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) David R Smith of (printed home address) 1483 Hwy 345 Quitman make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)* We dont want our water polluted

Date: 3-23-2007

Signature: David R Smith

Phone number: 903-355-3333

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 MAR 27 PM 1:02
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

10:50
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dolores Smith of (printed home address) 5000 Peacock Ln, Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/14/07
Date

Dolores Smith
Signature

5000 Peacock Ln, Greenville, TX 75402
Address

(903) 455-4133
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

SETTLEPOU
ATTORNEYS ▪ COUNSELORS

J. ALLEN SMITH
BOARD CERTIFIED-CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION
E-MAIL: ASMITH@SETTLEPOU.COM

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -5 AM 3:23

CHIEF CLERKS OFFICE

April 3, 2007

Via CM/RRR No. 7160 3901 9849 9678 2236

LaDonna Castañuela
Chief Clerk
Texas Commission on Environmental Quality
Office of Chief Clerk
MC-105, P. O. Box 13087
Austin, Texas 78711-3087

Re: Gustavo Hernandez Ortega
Registration No. 710896

Dear Chief Clerk:

I am the attorney for a number of property owners affected by the application of Gustavo Hernandez Ortega for Registration No. 710896. The property owners are including but not limited to the Singing Bell Ranch and the Double U Ranch located near the subject property. This is a motion to overturn the decision of the Executive Director, Glen Shankle dated March 13, 2007.

In the Executive Director's Response to Public Comment filed February 16, 2007, the Executive Director stated "the ED does not consider property values, the marketability of adjacent property, or economic development in determining whether to issue a water quality permit or registration." This is in violation of existing Texas law. The approval by the Executive Director and the Texas Commission on Environmental Quality of the Application for Domestic Septage on Land is a governmental action subject to the Texas Private Real Property Rights Preservation Act. *Texas Government Code, Section 2007*, et al. Under such act, the governmental agency must conduct a Takings Impact Assessment study of any actions subject to this Act. The Executive Director's admission of not conducting such Takings Impact Assessment study or considering the impact on the adjacent property by such measure taken by the Texas Commission on Environmental Quality is in violation of the Texas Private Real Property Rights Preservation Act and, thus, is a basis to overturn the approval of the above-named registration.

In addition, this Motion to overturn incorporates the basis for overturning the decision contained in County Judge John Horn's letter opposing the Executive Director's decision. Specifically, this action could potentially hold egregious consequences for the county and adjacent properties. This site, if used in the manner as approved by the Executive Director could pose serious health and economic risk to many and benefits few. As Judge Horn stated, the City of Greenville already offers a safe disposal site and the site is for private gain, not for the public good.

SETTLEPOU
ATTORNEYS • COUNSELORS

As a result of the above-referenced basis, this is a formal request to overturn the decision of the Executive Director. This motion is sent as an original and eleven (11) copies filed with the Chief Clerk by certified mail. Additionally, a portion of the interested parties involved are copied on this letter.

Thank you for your attention to this matter and please do not hesitate to contact me should you have any further questions or comments.

Sincerely,

J. Allen Smith

JAS/da
cc: Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Blas J. Coy, Jr., Esq.
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

Honorable John Horn
6312 FM 1567
Lone Oak, Texas 75453-6222

P:\LITIGATE\ALLEN\Singing Bell Ranch\Castanuela.doc

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -4 AM 10: 10

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARGARET P. SMITH of (printed home address) 7727 LOIS DR. - QUINLAN, TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

DETRIMENTAL TO OUR ENVIRONMENT.

Date: 4-2-07

Signature: Margaret P. Smith

Phone number: 903-356-2516

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 53

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARTIN L. SMITH of (printed home address) 213 FRIENDSHIP CIR. #41 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)* It is a hazard to health!

Date: 3/27/07

Signature: Martin Smith

Phone number: 903 447 3852

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

07 MAR 15 AM 10:41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mickie Smith of (printed home address) PO Box 43 4904 CR 3403 Lone Oak Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Mickie Smith
Signature

P.O. Box 43 4904 CR 3403
Address

903-456-4512
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

PM

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 3:05
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Rick Swyden of (printed home address) 7809 Hunters Run, Greenville TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary)*

Quality of Life & Health Issues

Date: 04/03/07

Signature: [signature]

Phone number: (903) 450-0762

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

AM 10: 24

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I; (printed name) GLENN SPRADLING of (printed home address) 2004 FM 513 SOUTH CAMPBELL, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/12/07
Date

J. Glenn Spradling Jr
Signature

2004 FM 513 SOUTH CAMPBELL, TX. 75422
Address

214-354-1171
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 19 AM 10:34

CHIEF CLERK'S OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Leslie Spradling of (printed home address) 2004 fm 513 S. Campbell, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

L. Spradling
Signature

2004 fm 513 S. Campbell, TX 75422
Address

(903) 662-5759
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TO WHOM IT MY CONCERN:
Chief Clerk-TCEQ

Gustavo Hernandez Ortega
Registration # 710896

I'm sending a copy of this letter to all the people on this list. My place is approximately ½ mile Northwest of the dump site and I expect to get contamination to my 4 pools and water well. I do not wish to have this kind of system in this county and I don't believe it should be authorized in this state. This sewage dumping, in any other case would be against the law. To have sewage on top of the ground in the vicinity of any other occupants. This site is on the side of a hill and it will have drainage into Lake Tawakoni and Lake Fort. The Sabine River Authority even spoke against it. The TCEQ chose to turn a deaf ear to it.

The TCEQ office should have been done away with 50 years ago but apparently all they are trying to do is justify their job. This kind of certificate puts Texas 100 years behind and makes laws against dumping sewage a mockery to law abiding citizens, who try to keep their property clean and sanitary.

I feel it's a waste of taxpayers money to even have an office that gives this kind of permit, justification.

Mr. Ortega admitted that he is doing this primarily for financial reasons and does not wish to live on the property in question.

The lady at the town hall meeting admitted that they had no control over Mr. Ortega after they give him the license to do this. It would be more or less useless, since with a permit he can do anything he wants. I think it would lower the property value and increase health problems in the area. Without any extra commercial vehicles we have enough trouble keeping our roads up.

This is a few of many reasons this certification should be stopped.

Tommy Spradling

TEXAS
COMMISSION
ON
ENVIRONMENTAL
QUALITY

2007 APR 12 PM 2:25

CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 57

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Betty Souther of (printed home address) 213 Friendship cir. W Tawakoni TX 75474 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I do not believe raw sewage should be dumped on land. I think it is Environmentaly unsage. Exspecially this close to our lake water. Mr. Ortiga should find another way to expose of this ~~t~~ Waste.

Date: 03-27-07

Signature: Betty Souther

Phone number: 903-447-3552

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 59

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CLYDE SOUTHER of (printed home address) 213 FRIENDSHIP CIRCLE, W. TAWAKONI make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I DO NOT WANT TO DRINK SEWER WATER

Date: 3-27-07

Signature: Clyde Souther

Phone number: 903-447-3552

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:42

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Curtis Haford of (printed home address) 2415 CR 3104 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

health

Date: 4-2-07

Signature: [signature]

Phone number: 903-217-4433

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 PM 3:18
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Robert D Stacy Judith N Stacy of (printed home address) 1268 Mamie Rd, Greenville Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is AN unsanitary practice that is a threat to the environment, lakes, wildlife and people. It also will devalue the land

Date: 3-19-07

Signature: Robert D Stacy Judith N Stacy

Phone number: 903 455-7746

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:25

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) PAM STAHR / JIMMY STAHR of (printed home address) _____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary)*

IT POSES A THREAT TO THE ENVIRONMENT, COULD CONTAMINATE LAKES & STREAMS, SPREAD DISEASE, DEVALUATE LAND IN HUNT CO., IS UNSANITARY, WOULD YOU WANT IT NEXT TO YOU? MAY BE BY LETTER of ~~LAW~~ LAW, BUT THE SPIRIT of the LAW.

Date: 3-21-07

Signature: Jimmy Stahr Pam Stahr

Phone number: 903-454-7469

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 22 AM 10: 34

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Helen Stevens of (printed home address) Po Box 8612 Greenville, Tx 75404 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-21-07

Signature: Helen Stevens

Phone number: 903-454-3084

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JERRY STEVENS of (printed home address) 190 PR 3345 Greenville TX 75402 P.O. Box 3063 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-20-07

Signature: Jerry Stevens

Phone number: 903-454-3008

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) KEN STEVENS of (printed home address) 2724 HIDEAWAY QUINLAN make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3/22/07

Signature: [signature]

Phone number: 903-883-3238

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:08
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 27 AM 10:08

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, , TCEQ customer number CN602999963, , Regulated Entity number RN104916820.

I, (printed name) SAM STEVENS of (printed home address) 3724 HIDEAWAY, QUINLAN make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

ENVIROMENTAL ISSUES / / /

Date: 3/22/07

Signature: Sam Stevens

Phone number: 903-883-3238

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11: 25

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bobby G. Stewart of (printed home address) P.O. Box 266 Lone Oak, Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Not a Good Decision Mr Shankle Hunt Co. Has Proper Place To Put Human Waste And Qualified Personell To Treat Waste

Date: 4-2-07

Signature: Bobby G Stewart

Phone number: 903-447-2665

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

CHIEF CLERKS OFFICE
2007 MAR 16 PM 2:33
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Candace Stokes of (printed home address) 0822 CR 3223 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Candace Stokes
Signature

0822 Cr 3223
Long Oak, TX 75453
Address

(903) 686-5275
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Received
MAR 19 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Candace Stokes of (printed home address) 6822 CR 3223, Ione Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: (*Please give reason for your motion. You may attach an additional sheet if necessary*)

This is going to be harmful to all the plants animals and wildlife. This will also cause problems to the surrounding homes.

Date: 3-15-07

Signature: Candace Stokes

Phone number: (903) 662-5776

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 AM 9:47
CHIEF CLERKS OFFICE

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 22 AM 10: 31

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

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I, (printed name) Candace Stokes of (printed home address) 6822 CR 3223, Ione Tex make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THIS IS GOING TO BE HARMFUL TO ALL TREE PLANTS ANIMALS AND WILDLIFE. THIS WILL ALSO CAUSE PROBLEMS TO THE SURROUNDING HOMES.

Date: 3-15-07

Signature: Candace Stokes

Phone number: (903) 662-5775

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 48

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) Robert R. Stokes of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07
Date

Robert R. Stokes
Signature

P.O. 158 Lone Oak, Texas 75453
Address

903-662-5410
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

07 APR -2 AM 10:43

CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CRYSTAL Suggs of (printed home address) FM 2649 LONE OAK, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I've Been Raised Here All My Life. The Area for this dump site will Contaminate what once was my playground. The Creeks and Lakes in this area carry large amounts of water from this dump site area. I don't want to see this area spoiled with Sewage and other waste. Keep this Community Clean.

Date: March 28, 2007

Signature: Crystal Suggs

Phone number: 903-634-2453

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MAX + Cleta Summers of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 14, 2007
Date

Cleta Summers
Signature

7200 FM1565 Royse City, Texas 75189
Address

972-636 7856
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 14 AM 9:57

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jeri Sweet of (printed home address) 3107 Eastland Grvl Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Jeri Sweet
Signature

3107 Eastland Grvl Tx 75402
Address

903-454-2364
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

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Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

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I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -2 AM 10: 41

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Valorie Kay Tanton of (printed home address) 801 Sundance W. Tawakoni, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

This is unsanitary and we don't need anymore unhealthy/unsanitary hazards in our environment. Especially anything that can wash into the lake. This is our source for water.

Date: 3-22-2007

Signature: Valorie Kay Tanton

Phone number: 903-447-5175

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
07 MAR 30
CHIEF CLERKS OFFICE

Received
MAR 28 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Valorie Kay Tanton of (printed home address) 801 Sundance W. Tawakoni, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

This is unsanitary and we don't need anymore unhealthy/unsanitary hazards in our environment. Especially anything that can wash into the lake. This is our source for water.

Date: 3-22-2007

Signature: Valorie Kay Tanton

Phone number: 903-447-5175

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 PM 3:20
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dennis Tarrant & Claudia Tarrant of (printed home address) 18316 Mamie Rd. Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Hazard to our Health
Smell from Raw Sewage
Hazard to the Lives-tock
Contaminated Drinking Water

Date: 3-21-07

Signature: Dennis Tarrant Claudia Tarrant

Phone number: 903-454-9723

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERK'S OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Anna Taylor of (printed home address) 111 Magnolia, Lone Oak, TX. 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Anna Taylor
Signature

@111 Magnolia, Lone Oak TX. 75453
Address

903-634-3402
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 50

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Cyndi Taylor of (printed home address) 1108 3 CR 4204 Campbell make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-20-07

Date

Cyndi Taylor

Signature

1108 3 CR 4204 Campbell, TX 75422

Address

903-862-2751

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Marilyn Thomas of (printed home address) P.O. Box 1183 Emory make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Marilyn Thomas
Signature

P.O. Box 1183
Address

903-473-2790
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR -5 AM 10:

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bill Thompson of (printed home address) 3136 C.R 3311 Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I am totally opposed to the decision that the state agency has made to allow Ortega's site # 710896 to allow him to dump human waste on his property. Please overturn this decision.

Date: 3-27-07

Signature: Bill Thompson

Phone number: 903/455-5904

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -3 AM 10: 12

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Blanca Thompson of (printed home address) 3136 CR 3311 Greenville TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I am totally opposed to state decision Ortega site # 710896 & allowing him to dump human waste on his property. This affected not only him but everyone around him & all those who use Bush water & Greenville water. Please overturn this decision

Date: 3-27-07

Signature: Blanca Thompson

Phone number: 903 | 454-0362 hm
455-5904 wk

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Linda Thompson of (printed home address) 676 CR 3101 Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07

Date

Linda Thompson

Signature

676 CR 3101 Greenville, Tex. 75402

Address

903-455-1911

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Jennifer Thompson of (printed home address) 1124 RS CR 3330 Emory TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Jennifer C Thompson
Signature

1124 RS CR 3330 / Emory TX
Address

903-473-1593
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 21 AM 9:44

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Lois Thornton of (printed home address) 3253 Bent Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-18-07
Date

Lois Thornton
Signature

3253 Bent Oak W - Celeste, Texas
Address

903-455-3101
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -9 AM 11: 14

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DELL TICE of (printed home address) 4223 RUNNING BEAR LONE OAK make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Will Contaminate Water supply if Dumped in this Area to Close to Lakes

Date: 4-2-07

Signature: Dell Tice

Phone number: 903 447-2848

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 PM 3:27
CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JACalyn TORRES MARIO D. TORRES of (printed home address) 2287 FM 3132 Klondike, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IT POSES A THREAT TO the ENVIRONMENT; Could Contaminate LAKES; SPREAD DISEASES, DEVALUE LAND. IT IS ABSOLUTELY DISGUSTING !!!

Date: 20 March 07

Signature: Mario D. Torres Jacalyn Torres

Phone number: 903 - 886-7308

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:5

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Terry Trapp of (printed home address) 5036 IH. 30 EAST, Campbell, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Terry L Trapp
Signature

5036 FH 30 East
Address

903-862-2683
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 3

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Diann Trevathan of (printed home address) West Tawakoni make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-24-07
Date

Diann Trevathan
Signature

P.O. Box 2278 Quinlan
Address

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 49

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Amy Tumlinson of (printed home address) 2520 Hillcrest (Grnv) TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/22/07
Date

Amy Tumlinson
Signature

2520 Hillcrest Greenville, TX 75402
Address

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 14 AM 9:50

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sue Turk of (printed home address) 1907 Auburn Dr., Richardson, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/14/07
Date

Signature

1907 Auburn Dr., Richardson, TX 75081
Address

214. 906. 4273
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

PM

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 PM 1:04
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Raymond S Turner of (printed home address) 1949 mamie Rd Greenville Tx 75 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

LACK OF RESPECT FOR ENVIRONMENT. SPREADING OF DISEASE. WE SHOULD ALL BE ALLOWED TO LET OUR SEPTIC SYSTEMS FLOW OPEN ON OUR PROPERTY. DECREASE PROPERTY VALUES. UN HEALTHY!

Date: 3-20-07

Signature: Raymond S Turner

Phone number: 903-455-4595

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 26 PM 3:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Raymond D Turner of (printed home address) 1949 Mamie Rd, Greenville Tx 75 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Lack of Respect For Invironment. Spreading of Disease. We should all be allowed to let our Septic Systems Flow Open on our Property. Decrease Property Values. Un healthy!

Date: 3-20-07

Signature: Raymond D Turner

Phone number: 903-455-4595

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 19 AM 10:38

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sherry Turner of (printed home address) 1949 MAMIE RD. GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Date

Sherry Turner
Signature

1949 MAMIE R.D
Address GREENVILLE, TX 75402

903-455-4595
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

PM

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bobbie Turrentine of (printed home address) 241 Hcr 1009 Wolfe City, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/12/07
Date

Signature

241 Hcr 1009
Address Wolfe City, TX 75496

903-496-2425
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:19
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

APR -5 AM 2:43

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Gena Upchurch of (printed home address) 720 Mays Lane, West Tawakoni make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We don't need to pollute Lake Tawakoni or Lake Fork.

Date: April 2, 2007

Signature: Gena Upchurch

Phone number: 903 447 4571

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 19 AM 10: 25

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JOHN C. VANCE of (printed home address) 1403 MAMIE RD., GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

John C. Vance
Signature

1403 MAMIE RD., GREENVILLE, TX 75402
Address

(903) 450-1899
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 19 AM 10: 25

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DR. MARY VANCE of (printed home address) 1403 MAMIE RD, GREENVILLE, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

Dr. Mary Vance
Signature

1403 MAMIE RD., GREENVILLE, TX 75402
Address

(903) 450-1899
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:14

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JOHN C. VANCE & MARY J. VANCE, Ed.D. of (printed home address) 1403 MAMIE, GREENVILLE TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IT POSES A THREAT TO THE ENVIRONMENT; COULD CONTAMINATE LAKES; SPREAD DISEASES TO WILDLIFE AND THE AREA; DEVALUE LAND IN HUNT COUNTY; AND, IS AN UNSANITARY PRACTICE, DON'T MESS WITH TEXAS!

Date: 3-18-07

Signature: John C. Vance  Mary J. Vance, Ed.D.

Phone number: (903) 450-1899

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:29

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) John C. Vance, Jr. Carmen Vance of (printed home address) 1367 Mamie, Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

It is an environmental threat that could pollute our lakes, spread disease and decrease land value in Hunt County.

Date: 3-18-07

Signature: John C Vance Jr. Carmen Vance

Phone number: 903-450-1590

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 26 AM 10: 47

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CORDELL VANDAGRIFF of (printed home address) 1948 PR 3340 - GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I think again Mr. Shankle about this decision, it will be a health hazard to so many people. I think there could be a better solution for this problem, I think again, please

Date: 3-21-2007

Signature: Cordell Vandagriff

Phone number: 903-450-0821

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) J.C. Vincent & Cheryl Vincent of (printed home address) 1604 Hollow Way Lane, Quinlan, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

We object to this procedure due to the extreme threat to the environment, and residents health. Also we feel this is an unsanitary, antiquated practice which would set the county back 50+ years – all for the benefit and profit of one individual! We feel it would also adversley affect property values!

Date: 4-02-07

Signature: JC Vincent Cheryl Vincent

Phone number: 903-883-4008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:33
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

MAR 30 AM 9:38

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ashlie Wade of (printed home address) 6504 oriole Circle make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-12-07
Date

Ashlie Wade
Signature

6504 oriole Circle Greenville
Address

903-269-6646
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

FILED
2007 MAR 16 AM 10:17
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) E.J. Waligura Jr of (printed home address) 4615 CR 3133 Lone Oak Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

E.J. Waligura Jr
Signature

4615 CR 3133 Lone Oak, Tx. 75453
Address

903-634-2413
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 16 AM 10:17

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joyce Waligura of (printed home address) 4645 Cty Rd 3133 Lone Dale Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-11-07
Date

Joyce Waligura
Signature

4645 County Rd 3133 Lone Dale Tx. 75453
Address

903 634 2413
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION** 2007 APR -2 AM 10: 52

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) HAROLD E. WALKER of (printed home address) 213-48 FRIENDship Circle make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

PREVENT THE CONTAMINATION OF THE WATER OF LAKE TAWAKONI.

PREVENT THE CONTAMINATION OF THE UNDERGROUND WELLS OF SURROUNDING AREAS

Date: 3-27-07

Signature: Harold E. Walker

Phone number: 903-447-0623

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -2 AM 11:01

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) HELEN L. WALKER of (printed home address) 213-48 FRIENDSHIP CIR. WEST TAWAKONI make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

I am againts giving anyone permission to dump human waste on their property. Prevent anyone from contaminating our lakes, wells and gardens.

Date: March 27, 2007

Signature: Helen L. Walker

Phone number: 903-447-0623

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 11: 23

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. *I have the right to make a motion to overturn* Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joe Walker of (printed home address) 5000 Joe Ramsey Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Directors Decision not thought out and needs reconsideration

Date: 4/2/07

Signature: Joseph F Walker

Phone number: 903-455-9062

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with original and 11 copies to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Additional copies are to be mailed to the attached mailing list

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 20 AM 10:52
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary Rafe Wallace of (printed home address) 4160 FM 5135, Lorena, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Health issues!!! Also the contamination of existing water wells by human waste

Date: March 15, 2007

Signature: Mary Rafe Wallace

Phone number: 903-662-5233

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 21 AM 9:44

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARJORIE WALTHER of (printed home address) 902 S. PATTERSON, CAMPBELL make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-17-07
Date

Marjorie Walther
Signature

902 S. Patterson, Campbell, Tx 75422
Address

903-862-3740
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 21 PM 2:31

CHIEF CLERKS OFFICE

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hemandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN 10491 6820.

I, (printed name) Trey Warren of (printed home address) 501 CR 3101 Greenville Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/20/07

Date

Signature

501 CR 3101 Greenville Tx. 75402

Address

903-456-0977

Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:

La Donna Castanuela

Chief Clerk (MC-104)

Texas Commisison Environmental Quality

P.O. Box 13087

Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Patricia S. Waters of (printed home address) 640 RCR 2510, Emory TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-2-07
Date

Patricia S. Waters
Signature

640 RCR 2510 Emory TX 75440
Address

903-473-2222
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 APR -5 AM 3:05

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CHARLES K. WATSON of (printed home address) 4168 BROKEN BOW LANE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IF ORTEGA CAN DUMP HUMAN EXCRETA ON TOP OF THE GROUND IN ORDER TO TAKE UNFAIR ADVANTAGE OVER HIS COMPETITION, WHAT WILL YOU THEN DO WHEN OTHER PUMPERS FILE A BENEFICIAL LAND USE APPLICATION?

Date: 4-2-07

Signature: Charles K Watson

Phone number: 903-447-2407

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 30
CHIEF CLERKS OFFICE

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) HERMAN WATSON of (printed home address) 7747 COCHISE LONE OAK TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THE WATER WE DRINK WILL BE CONTAMINATED FROM THE HUMAN WASTE RUN OFF IN CREEKS GOING INTO LAKES

Date: 4-2-07

Signature: Herman Watson

Phone number: 903-447-2908

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 APR -9 AM 11: 15

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) JEANETTA WATSON of (printed home address) 4168 BROKEN BOW LONE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

ONCE OUR WATER SUPPLY IS CONTINATED PEOPLE WILL GET SICK AND DIE IF THIS MAN PUTS HUMAN EXCRETA ON TOP OF THE GROUND IT WILL REACH OUR WATER SUPPLY

Date: 4-2-07

Signature: Jeanetta Watson

Phone number: 903 447-2407

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 2:46

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sandra Watson of (printed home address) 4230 Geronimo make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

human waste is dangerous Dump near water supply That's nasty

Date: 4-2-2007

Signature: Sandra Watson

Phone number: 903 947 3335

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) CARROLL WEINRICH of (printed home address) 6605 FM 514 Point, TX 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Signature

6605 FM 514 Point TX
Address

903 473-0187
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Dorothy West of (printed home address) 2605 Ridge OAK PL. GARLAND TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:44
CHIEF CLERKS OFFICE

Date: _____

Signature: Dorothy West

Phone number: 972-530-1346

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139 I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARK A. WESTBROOK of (printed home address) 503 COLLEGE ST. LONE OAK TEXAS 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-9-07
Date

Mark A. Westbrook
Signature

503 COLLEGE ST LONE OAK TEXAS 75453
Address

903 6345857
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -5 AM 10:44
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 APR -9 AM 11: 21

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Bert A. White of (printed home address) 3104 Eastland, Greenville, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Possible Contamination of water sources in the area from which we recieve drinking waters.

Date: 4-2-2007

Signature: [signature]

Phone number: (903) 453-0648

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sherrie White of (printed home address) 390 PR 5451 Point, TX 75472 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/4/07
Date

Sherrie L White
Signature

390 PR 5451 Point, TX 75472
Address

903 598 2323
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -9 AM 11:02
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 AM 11:37
CHIEF CLERKS OFFICE

Received
MAR 22 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Elizabeth Whitehead of (printed home address) 5721 CR 3214 Lone Oak TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Please See Attached

Date: 3-17-07

Signature: Elizabeth Whitehead

Phone number: 903-662-5420

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

There will be a direct impact to the cleanness to our environment, as well to the underground streams that run underneath that piece of property that will transport harmful bacteria to local conservation lakes and water wells. It will also be carrying waste and harmful bacteria through run off rain water to the local creeks, one of which, runs through my property and occasionally will over flow into my yard, therefore my children will be directly exposed to this bacteria and waste, and possibly diseases which is completely inexcusable! I don't want my children exposed to this. Would you want yours exposed to it? Many illnesses can be caused by this act, & WHO will be responsible? The water from the creeks will eventually empty into Lake Tawakoni, and Lake Fork therefore getting into a much wider water supply. How with this information can anyone possibly in good conscience think of voting to allow this waste dump!!

The outcome of this on the children, the water supply, wildlife ecology, & local environment could be devastating, are you ready for the ramifications?

Elizabeth Whitehead

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 23 AM 11: 13

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Elizabeth Whitehead of (printed home address) 5721 CR 3214 Lone Oak TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Please See Attached

Date: 3-17-07

Signature: Elizabeth Whitehead

Phone number: 903-662-5420

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

There will be a direct impact to the cleanness to our environment, as well to the underground streams that run underneath that piece of property that will transport harmful bacteria to local conservation lakes and water wells. It will also be carrying waste and harmful bacteria through run off rain water to the local creeks, one of which, runs through my property and occasionally will over flow into my yard, therefore my children will be directly exposed to this bacteria and waste, and possibly diseases which is completely inexcusable! I don't want my children exposed to this. Would you want yours exposed to it? Many illnesses can be caused by this act, & WHO will be responsible? The water from the creeks will eventually empty into Lake Tawakoni, and Lake Fork therefore getting into a much wider water supply. How with this information can anyone possibly in good conscience think of voting to allow this waste dump!!

The outcome of this on the children, the water supply, wildlife ecology, & local environment could be devastating, are you ready for the ramifications?

Elizabeth Whitehead

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 3:19

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) James Whitehead of (printed home address) 5721 CR 3214 Lone Oak make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

The wash off from this land flows directly into the creek that runs through my property. When the creek floods the water and waste washes up on my yard where my children play

Date: 3-30-07

Signature: Robert Whitehead

Phone number: 903 662 5420

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 19 AM 10:3
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sharon Whitehead of (printed home address) 1736 Mamie Rd, Greenville, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 15, 2007
Date

Sharon Whitehead
Signature

1736 Mamie Rd Greenville, TX 75402
Address

903-450-4967
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 13 AM 10:24

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Smoky & Nora Whitehead of (printed home address) 5000R Del Ra Dr. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 13-07
Date

Nora Whitehead
Signature

5000R Del Ra Dr. - Greenville, Texas 75402
Address

903-455-1052
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -5 AM 8:29

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Cheryl Whitmore of (printed home address) 1479 CR 3304, Greenville, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Contamination of water, air and surrounding environment is objectionable, this action has potential to set a precedent for others to do the same and multiply the damage.

Date: 03-21-07

Signature: Cheryl Whitmore

Phone number: 903-450-6194

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ENVIRONMENTAL
QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

11 19 AM 10:47

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) DOUGLAS E. WILLIAMS of (printed home address) 2445 CR 318, CAMPBELL TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Date

Douglas E. Williams
Signature

2445 CR 318, CAMPBELL TX 75422
Address

903 862 2472
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 19 AM 10:30

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Geneva Williams of (printed home address) 384 CR 3101 GREENVILLE TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-07
Date

Geneva Williams
Signature

384 CR 3101 GREENVILLE TX 75402
Address

903 450 1818
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 PM 3:18

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Herb Williams of (printed home address) 1354 Mamie, Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

THERE IS NO VALID REASON FOR ORTEGA TO DUMP SEWAGE WHICH WILL ENTER THE WATER SUPPLY. HE HAS ALTERNATE CHOICES.

Date: March 20, 2007

Signature: Herb Williams

Phone number: 903) 455-0294

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Linda Williams of (printed home address) 1354 Mamie, Greenville Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 15, 2007
Date

Linda Williams
Signature

1354 Mamie, Greenville, Texas 75402
Address

903) 455-8623
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Linda Williams of (printed home address) 1354 Mamie, Greenville, Tx 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Dumping Human Waste takes up back to the dark ages. Shame on mr. Ortega and shame on mr. Shankle for their unbelievable bad decision. There are other choices.

Date: March 20, 2007

Signature: Linda Williams

Phone number: 903) 455-0294

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 15 AM 10:46

CHIEF CLERK'S OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MELBA C WILLIAMS of (printed home address) 2445 CR 3118, CAMPBELL TX 75422 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/15/07
Date

Melba C Williams
Signature

2445 CR 3118, Campbell TX 75422
Address

903 862 2477
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 49

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number, CN602999963, Regulated Entity number RN104916820.

I, (printed name) Michelle + John Williams of (printed home address) 3047 CR 3213 Lone Oak TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3.22.07
Date

M Williams
Signature

3047 CR 3213 Lone Oak, TX 75453
Address

9036343018
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -4 AM 10: 06

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Charles Wilson of (printed home address) 3168 CR 3210 Lone Oak Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4-1-07
Date

Charles Wilson
Signature

3168 CR 3210 Lone Oak Tx 75453
Address

903 634 3201
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Domestic Septage

Registration # 710896

D. Regulated Management Conditions
1. Must not cause harm to WILD LIFE

E. Pathogen Control
5. Animals must not be allowed to graze on land for 30 days after application of Domestic .

Question

How does he keep the Wild Life (deer/ hogs and we are near the eagle capital of TEXAS) from grazing on this sight for 30 days ?
Shouldn't he be required to have a deer and hog prove fence to protect these animals.
Your list does not say just domestic animals .
6. Public must be restricted for one year after domestic septage has been applied to land .
Regulated Management Conditions
11. Must not allow uncontrolled public access
To protect the Public from Potential Health and Safety Hazards at site .

Question

Is there going to be a guard are a lock gate to prevent the public from entering ? There are other land owers on the same road . Just a sign will not stop any one . Land fills have proved that .
The deer / hog fence would take care of both these problems.
This is not a step foreward this is many steps backwards.

**Please over turn your decision on this application.**

Thanks
Charlie Wilson
3168CR3210
Lone Oak Tx. 75453

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -3 AM 10:02

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Sally Wilson of (printed home address) 3168 CR 3210 Lone Oak Tx 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega. Due to —

1. Human and animal health risk
2. Water quality to Lake Fork, water run off from B.L.U. application site 710896 flows onto our land and into creek that feeds Lake Fork.
3. Defensive odor issues to surrounding residents.

4-1-07
Date

Sally Wilson
Signature

3168 CR 3210 Lone Oak Tx 75453
Address

903-634-3201
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

C.C.
Dan Flynn
State Representative
House District Two
P.O. Box 2910
Austin, Texas 78768-2910

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Howard S. Winans of (printed home address) 1307 Steeplechase Ln Greenville TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/12/07
Date

Howard Winans
Signature

1307 Steeplechase ln, Greenville, TX 75402
Address

903-455-5152
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 27 AM 10:19
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 26 AM 10: 20

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARIETTA WINEINGER of (printed home address) 1808 MAMIE GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IT POSES A THREAT TO THE ENVIRONMENT; COULD CONTAMINATE LAKES; SPREAD DISEASES TO WILDLIFE AND THE AREA; IT WILL CHOSE LAND IN HUNT COUNTY TO LOSE ITS VALUE, ALSO IS UNSANITARY.

Date: 3-23-07

Signature: Marietta Wineinger

Phone number (903) 455-3832

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

2007 MAR 19 AM 10:43

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARIETTA WINEINGER of (printed home address) 1808 MAMIE RD. GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-16-07
Date

Marietta Wineinger
Signature

1808 MAMIE GREENVILLE, TX 75402
Address

903-455-3832
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

CHIEF CLERKS OFFICE

Received
MAR 29 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MARIETTA WINEINGER of (printed home address) 1808 MAMIE GREENVILLE, TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IT POSES A THREAT TO THE ENVIRONMENT; COULD CONTAMINATE LAKES; SPREAD DISEASES TO WILDLIFE AND THE AREA; IT WILL CAUSE LAND IN HUNT COUNTY TO LOSE ITS VALUE, ALSO IS UNSANITARY.

Date: 3-23-07

Signature: Marietta Wineinger

Phone number (903) 455-3832

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Joe D. Winniford of (printed home address) 523 Turtle Cr. Greenville make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERKS OFFICE
MAR 27 AM 10:18

3-12-2007
Date

Signature

523 Turtle Cr, Greenville, Texas 75402
Address

903-450-4723
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TCEQ
LaDonna Castañuela
Regarding Gestavo Hernandez Ortega, permit 710896

To Whom It May Concern:

Thank you for your time as you read this letter. I am writing to request from TCEQ a motion to overturn the ruling allowing the registration for Mr. Ortega to dump septage on property in northeast Texas. There are three primary reasons that I would request your immediate action.

1) I do not feel that the questions were answered from the meeting at the Greenville Civic Center. I understand that the commission must only consider if Mr. Ortega's plan is possible, but I think that you are working with inaccurate information. If a wrong decision was made based on wrong information, then the only thing to make it right would be to overturn the wrong decision. The errors vary from things like inaccurate information about the closest well and water depth. Tula Douglass (a widow in my church) has a well on her land less than ½ mile from the proposed dump site where the water depth was only 30 feet! I will gladly enumerate other questions that were not answered if that is the information you need.
2) There is additional information of which I have just become aware. We have been in a drought, as I am sure that you know. We recently had a good rain. There are pictures available that will clearly show that the land in question not only has significant run-off, but that it also gathers into low areas along the edge of his property. A silt fence will not solve the problem, because my concern is primarily a standing water question. The land simply cannot handle a good rain even after a drought, much less constant application of liquid and solid waste. Standing water is a concern for bacteria and mosquitoes. How much more then is standing septage – especially if even one application were to be accidentally or intentionally untreated?
3) I have a concern with regard to the first amendment, which states that Congress shall make no laws regarding the free-exercise of religion. I know that in urban areas, there are laws about how close certain things can be to places like schools and churches. I will be honest, I cannot expound on my concerns, except to say that I am fearful that a decision allowing someone to dump septage less than ½ mile from the church would be in effect a decision limiting the free-exercise of religion. Our church will have to modify the things that we typically do because of nuisance odors, etc. We use our baseball field for practice, church softball, and little league. The field is about ¼ mile from the dump site. If there is a problem with standing water, as I am suggesting above, we will be physically affected long before the complaint even reaches Austin. If TCEQ is certain about the safety of an operation like this, will you at least mandate direct oversight with legal consequences if this registration prohibits the free exercise of religion. I am not certain that my concerns are something that would warrant legal action, but I wanted your office to be aware of my concerns while there was still time to simply overturn the decision.

Thank you again for your time. I do not want anything I have written to imply that I am taking legal action at this point, except to ask for you to overturn your decision based on inaccurate information filed, new information available, and specific concerns with regard to a church and its legal protections.

Thank you,

Thomas L. Witt

Tom Witt
Pastor
Prairie Valley Baptist Church
2417 FM 513 S
Campbell, Tx 75422

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2017 APR -5 AM 3:14
CHIEF CLERKS OFFICE

OPA

MAR 19 2007

CHIEF CLERKS OFFICE

2007 MAR 20 AM 10:06

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Mary A. Witty of (printed home address) 2049 CR 3210 Campbell, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Mary A. Witty
Signature

2049 CR 3210 Campbell, TX 75422
Address

903-662-4150
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

ID: 42

CHIEF CLERK'S OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) Mary A. Witty of (printed home address) 2049 CR 3210 Campbell, TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Mary A. Witty
Signature

2049 CR 3210 Campbell, TX 75422
Address

903-662-4150
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

Received
MAR 19 2007
TCEQ Wastewater Permitting
Land Application Team

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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3/16/07
Date

Mary A. Witty
Signature

2049 CR 3210 Campbell, TX 75422
Address

903-662-4150
Phone number

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 MAR 22 AM 9:46
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

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I, (printed name) Robert Witty of (printed home address) 2049 CR 3210 Campbell, Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Robert Witty
Signature

2049 CR 3210 Campbell, TX 75422
Address

903-662-4150
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 MAR 22 AM 9:46
CHIEF CLERKS OFFICE

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 19 AM 10:42

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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3/16/07
Date

Robert Witty
Signature

2049 CR 3210 Campbell, Tx 75422
Address

903-602-4150
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

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I, (printed name) Robert Witty of (printed home address) 2049 CR 3210 Campbell TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/16/07
Date

Robert Witty
Signature

2049 CR 3210 Campbell, TX 75422
Address

903-662-4150
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 45

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MELISSA WOEHLEKE of (printed home address) 1023 CR 3310 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Our Sewage System is extremely regulated to protect us & surrounding property. Why should Ortega be allowed to dump waste on his property that would effect other land, lakes, and people?

Date: 3/29/07

Signature: Melissa Woehleke

Phone number: 903/450-1814

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10:44

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) W. P. WOEHLEKE of (printed home address) 1023 CR 3310 GREENVILLE TX 75402 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

IF THIS "BENEFICIAL LAND USE PERMIT" BENEFITS ONLY MR. ORTEGA, ONLY FINANCIALLY. IF THIS PROCESS OF DUMPING SLUDGE IS SO BENEFICIAL, WHY IS IT THAT HE, AND OTHERS IN HIS BUSINESS, ARE NOT ALLOWED TO "FERTILIZE" EVERY YARD AND PASTURE WITH THIS MATERIAL?

Date: 3/29/07

Signature: W. P. Woehleke

Phone number: 903-450-1814

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 15 AM 10:42

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) THOMAS F. WOLFE of (printed home address) 4821 CR 3133 LONE OAK TX 75453 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-13-07
Date

T F Wolfe
Signature

4821 CR 3133 LONE OAK, TX.
Address

903-662-5677
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 15 AM 10:41

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) ROSE WOLFE of (printed home address) 4821 CR 3133 LONE OAK TX make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/13/07
Date

Rose Wolfe
Signature

4821 CR 3133 LONE OAK TX 75453
Address

903-662-5677
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Doris Wood of (printed home address) 2502 Terry Place, make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-14-07
Date

Doris Wood
Signature

2502 Terry Place - Greenville, Texas 75402
Address

903-455-4218
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 APR -2 AM 10: 48

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) MELVIN WOOD of (printed home address) 213 FRIENDSHIP CIR. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

Date: 3-28-07

Signature: Melvin Wood

Phone number: 214-802-8776

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

MAILING LIST FOR
Gustavo Hernandez Ortega
Registration No. 710896

FOR THE APPLICANT:

Gustavo Hernandez Ortega
P.O. Box 1959
Quinlan, Texas 75474

FOR THE EXECUTIVE DIRECTOR:

Robert Brush, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Kathy Faz, Technical Staff
Texas Commission on Environmental Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

March 7, 2007

To the citizens of Hunt County and surrounding counties:

In August of 2006, local residents attended a TCEQ public hearing to voice their opposition to a Beneficial Land Use Application filed by Gustavo Ortega. The B.L.U. application site number is 710896. Let me make it plain. This would allow him to dump human waste on his property derived from septic systems.

I am sorry to inform the people the Executive Director of the Texas Commission on Environmental Quality, Glen Shankle, made a decision March 5, 2007 in favor of the application.

I, along with the people I represent am very upset. It is unbelievable that a state agency calling itself "The Texas Commission on Environmental Quality" would make such an outrageous decision. This has set us back 100 years or more. They are contradicting their own philosophy on protecting our water supplies. People have underground wells and this site is situated where run off goes into Lake Tawakoni and Lake Fork. I ask the people where do you get your water? This affects you and your loved ones.

Every day I pray to God for wisdom, understanding, and patience. We have been patient; this has been going on for over a year. I do not understand TCEQ's decision to grant the application. Wisdom tells me to do the right thing and fight TCEQ's decision.

We have twenty three (23) days from the date the chief clerk sends out the answers to the questions that were ask in August of 2006. Along with these answers Glen Shankle will make the people aware of his decision to grant the application. According to TCEQ these letters will be sent out within days. I talked to Katherine Fazz on March 6, 2007 at 4:10 p.m.

I have drafted a "Motion To Overturn Executive Director's Decision". I ask the citizens, leaders of the communities, churches association and you to get involved. When we receive the letter in response to our questions, we at that time need the citizens of Northeast Texas to respond with the "Motion To Overturn Executive Director's Decision". I will make this Motion available and will notify the public.

Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

MAR 14 AM 9:49

CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Doyle E. Woodall of (printed home address) 3304 Austin Ave, Greenville Tx, make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3/12/07
Date

Doyle E. Woodall
Signature

3304 Austin Ave, Greenville, Tx 75402
Address

903-455-2726
Phone number

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

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I, (printed name) Fred Worley of (printed home address) 3848 RS CR 1150 Emory make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Fred Worley
Signature

3848 RS CR 1150 Emory TX. 75440
Address

(903) 473-7281
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 APR -4 PM 2:26
CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

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I, (printed name) Sue Worley of (printed home address) 3848 RS CR 1150 Emory TX. make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

4/2/07
Date

Sue Worley
Signature

3848 RS CR 1150 Emory TX. 75440
Address

(903) 473-7281
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

2007 MAR 19 AM 10:31
CHIEF CLERKS OFFICE

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Ramona Wright of (printed home address) 1578 Mamie Greenville Tx 7540 make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-17-07
Date

Ramona Wright
Signature

1578 Mamie, Greenville, Tx 7540
Address

(903) 455-8848
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

CHIEF CLERKS OFFICE

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I, (printed name) CARLOS WRIGHT of (printed home address)_____ make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

March 17 07
Date

Carlos Wright
Signature

1578 Monica Rd.
Address

903 455 8848
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

March 7, 2007

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Respectively submitted,

Phillip A. Martin

Phillip A. Martin
Commissioner Pct. 3
Hunt County

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 MAR 26 PM 3:23

CHIEF CLERKS OFFICE

**MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION**

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.139. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820. Ramona Wright Ramona Wright 3/21/07

I, (printed name) CARLOS WRIGHT of (printed home address) 1573 Mamie Rd make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega to wit: *(Please give reason for your motion. You may attach an additional sheet if necessary)*

A possible threat to the environment
Land Value could depreciate
Our pools & lakes could be Contaminated
Our wild life could be effected.

Date: 3-21-07

Signature: Carlos Wright + Ramona Wright

Phone number: (903) 455-8948

MAIL IMMEDIATELY or within 23 days of March 14, 2007 with **original and 11 copies** to:

LaDonna Castanuela
Chief Clerk (MC-105)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

**Additional copies are to be mailed to the attached mailing list**

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 MAR 30 PM 2:57

CHIEF CLERKS OFFICE

# MOTION TO OVERTURN EXECUTIVE DIRECTOR'S DECISION

Under the Texas Administrative Code Title 30 Part 1 Chapter 50 Subchapter G. Rule 50.130. I have the right to make a motion to overturn Executive Director's decision on Gustavo Hernandez Ortega's B.L.U. application site #710896, TCEQ customer number CN602999963, Regulated Entity number RN104916820.

I, (printed name) Pansy Young of (printed home address) 1203 S. Patterson Campbell Tx make a motion to overturn the Executive Director's decision (Mr. Glen Shankle, Executive Director T.C.E.Q.) in reference to B.L.U. Application #710896 of Gustavo Hernandez Ortega.

3-15-2007
Date

Pansy Young
Signature

1203 S. Patterson
Address Campbell Tx 75422

903-862-3789
Phone number

MAIL IMMEDIATELY or within 23 days of March 9, 2007

TO:
LaDonna Castanuela
Chief Clerk (MC-104)
Texas Commisison Environmental Quality
P. O. Box 13087
Austin, Texas 78711

MC