

MARTIN O. SIEGMUND
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Aledo, Texas 76008
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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2007 JUL 30 PM 2:46

CHIEF CLERKS OFFICE

July 30, 2007

LaDonna Castanuela, Chief Clerk
TCEQ, MC-105
P. O. Box 13087
Austin, Texas 78711-3087

Re: City of Aledo, TPDES, Permit No. WQ0010847001

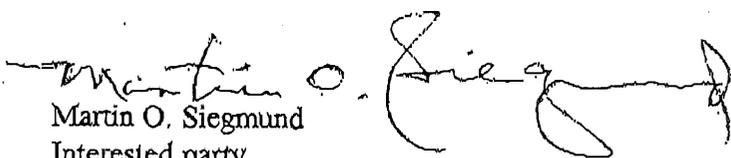
Dear Chief Clerk:

Attached for filing is Protestant's Response to Requests for Reconsideration regarding the above referenced cause.

I am by letter this date sending a copy of this filing to all parties on that attached mailing list. I am also sending 11 copies of this to you as is required of me.

I hereby request for reconsideration of Executives Directors decision.

Respectfully Submitted,


Martin O. Siegmund
Interested party

MOS/cj

Enclosures

cc: All parties Attached
File

APPLICATION BY THE
CITY OF ALEDO TO AMEND
PERMIT NO. WQ 0010847001

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY
2007 JUL 30 PM 2: 44
CHIEF CLERKS OFFICE

PROTESTANT MARTIN O. SIEGMUND'S RESPONSE TO THE EXECUTIVE DIRECTOR CITY OF ALEDO RESPONSE TO PROTESTANTS REQUEST FOR RECONSIDERATION OF EXECUTIVE DIRECTOR'S ISSUANCE OF A DRAFT PERMIT TO APPLICANT.

I.

Protestant, Martin O. Siegmund has in all the filings in this matter protested the site location in all respects, as being inadequate. A council look at the site will immediately show this to be true. It can not be fixed and the Executive Director knows this. That is why the applicant was originally going to apply for a new permit for a proper location. The applicant even had a council meeting regarding a new plant in a new location, and due to public opposition to the new location, it was decided to try to enlarge the existing plant, from 350,000 gallons per day to 600,000 per day and change the treatment process from chlorination disinfection to an ultraviolet system treatment. The Applicant's application contained many major misleading statements. The plant was apparently permitted for 350,000 gallon per day in 1998, and now has requested an increase of 600,000 per day. In less than 9 years the applicant will probably be requesting an increase to 1 million 200 thousand gallons per day. The discharge location is 12 feet from my property line, and a usable area of the site is about 60 foot wide and 150 feet long, with part of that area being in the 100 year flood plain. It is time for this madness to stop. There will probably be a series of lawsuits in this matter and I do not believe the legislature pursuant to 30 TAC meant for me to have to spend 100 to 200 thousand dollars to protect my interest. When the legislature passed 30TAC for the Executive Director to require strict compliance on granting amendments or new waste water treatment plant permits. The Executive Director is using the wrong rules in this matter. As the Executive Director is aware, if the permit request a substandard change to an existing permit then it shall be treated as an application for a new plant. The 350,000 gallons per day to the 600,000 gallons per day is certainly a substantial change coupled with the requested change of a chlorination disinfection system to a ultraviolet system. This case should have been processed by the Executive Director pursuant to 30TAC subchapter B Location Standards section 309.10 and section 309.13, unsuitable site characteristics

Response to Executive Director/Protestant

along with all applicable provisions regarding a new plant permit. If the Executive Director would have made the City of Aledo comply with all legal requirements for permitting a new plant, there would be no case as I would be protected by the Law the Legislature passed for my protection.

II.

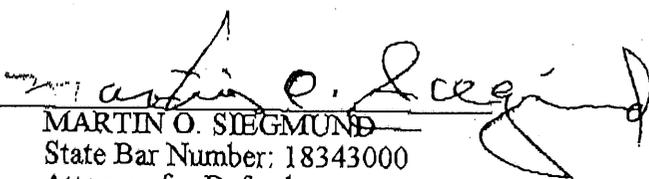
Applicant states that they have money the fund proposed improvement to control both noise and odor although specific improvements have not been designed yet. That is open ended and not in compliance with Applicants request, and gives them a night to determine what is good for me rather than have the Executive Director be responsible for the plant operation pursuant to the law. Applicant states they may not eliminate the chlorine as their application provided, but makes changes on their own later. Where is my protection if they can just do as they see fit. They also say the site is in the flood plain, but they will elevate the location although the permit does not require it.

III.

Based on the forgoing, I request that the Executive Director's decision be reconsidered and the Executive Director be required to apply the proper legal requirements on the basis, for a permit on a new plant.

Respectfully submitted,

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(817) 441-8138

By: 

~~MARTIN O. SIEGMUND~~
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STEVEN NATHAN CLOUD