

December 27, 2007

2008 JAN -7 AM 10:30

Office of the Chief Clerk
Attention: Agenda Docket Clerk
Texas Commission on Environmental Quality
Mail Code 105
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

CHIEF CLERKS OFFICE

Regarding: Docket No. 2007-1144-IWD
Interstate Southwest
Request(s) filed on Permit No. WQ0004073000

Our family owns the adjacent property which is down stream from the Citation Plant aka Interstate Southwest, Ltd. All waste that originates from the plant is fed into the creek and flows directly thru our property in route to the Brazos River.

There have been several "accidents" at the plant in the past which have required outside contractors in order to clean up the resulting mess. This required the clean up crews to be on our property for extended periods of time and interrupted our cattle operation.

Most recently we complained that the water in the creek had turned black. We met with the current plant manager, who is no longer employed at the Citation Plant and walked the entire area to show him our concerns which he duly noted.

Mysteriously the water cleared up several months later indicating to me that something was being dumped in the water by Citation that was causing the water to be black in the first place.

Oil spills and overflow from the retention ponds are washed into the creek especially during the times of the year that we are receiving heavy rains and storms. Each time we report the problem to the Texas Commission on Environmental Quality, they respond, and clean up of the mess is under taken. To date all of the soil tests conducted by the Texas Commission on Environmental Quality have come back ok, so there has not been any permanent damage to the land to date.

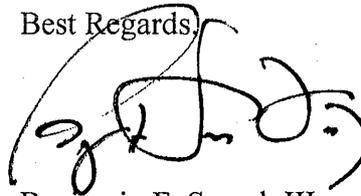
Our family wants Citation aka Interstate Southwest, Ltd to build a retaining wall around the perimeter of their property so that when they have a problem at the plant it is contained on their property and does not affect our property. In addition it would certainly be in our best interest as well as everyone else downstream for Citation to pump out the retaining ponds and dispose of the waste off site instead of dumping into the creeks. Of course, this still would not eliminate the problem of the underground water table being contaminated. Our creek is fed by springs which concerns me that the water could once again turn black. So the best solution would be for you to prohibit Citation from "dumping any waste" which is a contaminant and would adversely affect my family's property.

While the former plant manager acknowledged that there was obviously a problem when he saw the black water in the creek, to date I have still been unable to find out what was causing the discolored water or even how it was rectified. When I called

back to the plant, I was told that the plant manager was no longer with them. We lease our property to a cattle rancher for grazing, and he has been very concerned about his cattle drinking the contaminated water in the creek.

As land owners we should not have to deal with these problems on an ongoing basis, and we're very concerned about the waste contaminating our land and our water supply. We would greatly appreciate your assuming the responsibility to protect the environment as well as our land. Since you are more "versed" in these scientific studies and matters, I am entrusting you to make a decision which would be honorable and wise. All of our past incidents with Citation are documented and noted with the TCEQ. Please let me know if you are in need of further information.

Best Regards,

A handwritten signature in black ink, appearing to read 'Benjamin F. Swank III', written over the 'Best Regards,' text.

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