Certified Mail 7006 3450 0000 0045 9623

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

RFR OPA
FEB 26 2008
BY

2008 FEB 25 PM 3:04
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

MWD
59847

Request For Reconsideration
Executive Director's Decision
Guadalupe Blanco River Authority
TPDES Permit No. WQ 0011496001
February 21, 2008
Request Petition To Set On The Agenda
Statement Of Facts.

1) Relevant and material facts relating to the Permit are not addressed in the Executive Director Decision.
2) Such material facts affect State and Federal language
3) The omission of such facts affects the integrity of TCEQ
4) Such facts will be presented to the full Commission when placed on an Agenda setting.
5) Such facts should overturn the Executive Decision

This Request Petition is timely February 21, 2008. Submitted are the Original and eleven copies.

TCEQ Jan 28, 2008 "anyone may request reconsideration of the executive director's decision."

Respectfully Submitted
Lois M. Duggan Protestant
16391 Hwy 306
Canyon Lake, Tex. 78133

MWD

Letter to the Editor

September 3, 2007

IPX OPA
06 2007
BY

To: Executive Director
TCEQ
P.O. Box 13087
Austin, Texas 78711

From: Lori M. Duggan Researcher
16391 Hwy 306
Canyon Lake, Texas
78133

CHIEF CLERKS OFFICE

MWD
59847

GBRA Application to Increase Discharge
Acknowledgment and Appreciation
Change In Public Policy August 2007

A sincere "thank you" for providing the local newspaper, Times Guardian, the Notice of the Application and providing the permit application for "viewing and copying at the Tye Preston Memorial Library" in Canyon Lake, Texas

Your consideration in the above provisions, is, as a result of my direct insistence that the practice of supplying other newspaper and the New Braunfels Public Library, did not and could not provide affected persons with readily and accessible public information on the Pollutant Discharge Elimination System (TPDES), Permit No. TXQ 001149600 (EPA I.D. No. TX 0025224) held by the Guadalupe Blanco River Authority

Respectfully Submitted
Lori M. Duggan

Please include my name on the mailing list.

MW

MLD 59847

OPA
DEC 18 2007
BY dl

To: Chief Clerk's Office, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: Permit Amendment to Permit No. WQ0011496001
As described in letter from the Commission "Notice of Receipt of Application and Intent To Obtain Water Quality Permit Amendment," dated August 23, 2007

From: Dr. Seth Parker
825 Hancock Road
Canyon Lake, TX 78133-2601

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 DEC 17 PM 3:06
CHIEF CLERKS OFFICE

Date: December 14, 2007

Dear Sir:

I will not be submitting a request for a public hearing related to the above permit.

About two weeks ago, a Ms. Cathy Thomas (tel 409-789-9284; whom I believe does public relations for the company involved in the submission of the above permit. She informed me, that she had been informed by the Commission, that mine was the only written comment submitted to the Commission re the above permit.

Approximately six weeks ago, an engineer (I think it was Ms. Elizabeth Lamb) from the Guadalupe-Blanco River Authority contacted me. She had a copy of my letter to the Commission and asked to discuss my concerns with me.

We discussed for more than half an hour. The public copy of the application that I read is not entirely self-explanatory to someone (like myself) without prior knowledge of the operation of a wastewater treatment plant. The engineer's patient explanations and answering other questions not in my letter to the Commission, I feel satisfactorily answered my concerns concerning the above permit amendment.

Ms. Thomas asked if my concerns had been answered, would I write to the Commission to that effect. I have been busy, but I now write to that effect.

"I will not be submitting a request for a public hearing related to the above permit."

Yours truly,

Seth Parker

Dr. Seth Parker

MW

NWT
50347

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 OCT 12 AM 10: 14

CHIEF CLERKS OFFICE

OPA

OCT 15 2007

BY

To: Chief Clerk's Office, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RE: Permit Amendment to Permit No. WQ0011496001
As described in letter from the Commission "Notice of Receipt of Application and Intent To Obtain Water Quality Permit Amendment," dated August 23, 2007

From: Dr. Seth Parker
825 Hancock Road
Canyon Lake, TX 78133-2601

Date: October 10, 2007

Dear Sir:

A. The above Notice, in paragraph two, states, "After technical review of the application is complete, the Executive Director may prepare a draft permit and **will** (bold added by S. Parker) issue a preliminary decision on the application."

I urge the Executive Director **not to prepare** a draft permit and **not issue** any positive decision on the application. My reasons follow.

A.1. Getting a decision maker to change a decision that they have already made is extremely difficult. It requires the decision maker to re-evaluate the existing information (implying the information was not appropriately evaluated the first time) and to consider new information (implying the search for relevant information was not appropriately done). Both reflect negatively on the decision maker. Hence, a decision maker is not likely to change a decision, once made.

A.2. With no Executive Director draft permit or positive decision, the Public submitting comments and attending a Public Meeting will feel their comments "may be heard". The alternative is the Public feeling the Commission is going through the required process of public input with no intention of considering or changing the decision already made.

B. The above Notice, in paragraph one, states, ". . . to authorize an increase in the discharge of treated wastewater to a volume not to exceed a daily average flow of 260,000 gallons per day."

I urge the Executive Director to **strike the word**, "**average**," from the permit application.

B.1.a. I believe my reading of the permit application at the Tye Preston Memorial Library, Canyon Lake, Texas indicated that the daily full treatment capacity of the treatment facility is, or is to be, 260,000 gallons per day.

B.1.b. My mathematics concludes that a through put of 420,000 gallons during day one and 100,000 gallons during day two, gives "a daily average flow of 260,000 gallons per day" (520 divided by 2). Thus during day one, the 420,000 gallons is only partially treated. I don't know how one describes the measurement of partially treated wastewater. I do know that wastewater avoids the more descriptive terms of its contents, grey water and sewage. Thus, the Amendment, as described in the Notice, permits the discharge of partially treated sewage into Canyon Lake.

B.1.c. This very issue came up at the public hearing at Canyon Lake in 2006 or 2005 for the re-licensing for the treatment facility at this same location. Representatives of the Guadalupe-Blanco River Authority (I believe it was) "danced around" responding to questions on this very issue.

B.2.a. A map titled, "Texas Lake Maps: Canyon Lake" (endorsed by the Canyon Lake Chamber of Commerce) shows for fishermen, contour lines of depths in Canyon Lake. The 19-foot contour depth line is south of a line 90 degrees to the beach shore at the Comal County swimming area on Canyon Park Road. The 9-foot contour depth line cuts the 90-degree line into thirds. Thus, even at a Lake level of 909 feet (I believe the Army Corps normal level), the pool the partially treated sewage will be dumped into is shallow.

B.2.b. If the lake level drops below 909 feet, as it did during the summer of 2006, the partially treated sewage will be dumped into an even smaller quantity of lake water. For public health safety, someone will need to be monitoring water quality and have the authority to close off swimming and boating in that area of the lake.

B.2.c. Public knowledge that partially treated sewage is/will be dumped into Canyon Lake (even anywhere) will not contribute to making Canyon Lake a tourist destination. If it that dumping will be allowed, then for public disclosure and safety, signs would be need to be put up at each of the pubic beaches and boats ramps, "Don't drink the water! It may be contaminated." Is this a boost for tourism? I doubt it!

Yours truly,

Seth Parker

Dr. Seth Parker