TED POE
2ND DISTRICT, TEXAS

COMMITTEES:
INTERNATIONAL RELATIONS
TRANSPORTATION
SMALL BUSINESS
FOUNDER OF CONGRESSIONAL
VICTIM'S RIGHTS CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515–4302

WASHINGTON OFFICE:
1605 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225–6565
FAX: (202) 225–5547

DISTRICT OFFICES:

HUMBLE
20202 U.S. HIGHWAY 59 NORTH
SUITE 105
HUMBLE, TX 77338
PHONE: (281) 446–0242
FAX: (281) 446–0252

BEAUMONT
2615 CALDER ST.
SUITE 100
BEAUMONT, TX 77702
PHONE: (409) 212–1997
FAX: (409) 212–8711

Mr. Glenn Shankle
Executive Director
Texas Commission on Environmental Quality
12100 Park 35 Circle.
Austin, TX 78753

2008 MAY 23 PM 1:49
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Mr. Shankle:

Please review the attached documents sent to my office from Dorothy Kubicek who has a concern within your agency's jurisdiction.

Please feel free to contact this constituent directly to get further information or upon completion of this inquiry. I would appreciate a final written copy of your correspondence sent to my Beaumont District Office at 505 Orleans, Suite 100, Beaumont, Texas 77701, as soon as this matter is resolved.

If you have any questions, or need any additional information, please do not hesitate to contact me or a member of my staff at my Beaumont District Office at (409) 212 - 1997.

God and Texas,

TED POE
Member of Congress
TEXAS

TP\bh
Enclosure(s)

P. O. Box 87
Beaumont, TX 77704
May 5, 2008

CHIEF CLERKS OFFICE
2008 MAY 23 PM 4:49
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

The Honorable Ted Poe
United States House of Representatives
1605 Longworth House Office Building
Washington, D.C. 20515

Reference: Fannett Sewer Service and Water Supply Corporation
Proposed TPDES Permit No. WQ0014867001, (TX0131369)
(CN603277021; RN105385389)

Dear Representative Poe:

This is in response to the enclosed copy of your letter dated March 27, 2008, along with copies of letters from TCEQ, dated March 20, 2008 and 13, on the above-referenced proposed permit.

The Fannett Concerned Citizens (FCC) are working to resolve the construction of this sewage plant amicably with principal parties from Fannett Sewer Service and Water Supply Corporation (FSSWSC) who are adamant in pursuing the construction of this sewage plant at this particular location regardless if property has been declared WET LANDS. (Said will take the penalty.)

Their plan is to bring the sewer lines down Burrell Wingate Road, crossing private farm land, declaring imminent domain, to reach the land-locked proposed property site. This action on their part will hinder any Rice Farming on this acreage in the near future.

At the called meeting between FCC and FSSWSC principal owners on April 17, an alternate sewage site was proposed. It was suggested, connect the sewage lines with established sewage system at Ford Park in Beaumont, Texas, especially since 90 percent of their financing comes from FEMA and $4 Million from Agricultural Rural Department.

The bottom line is the owners of FSSWSC are planning to build a new subdivision in Fannett and this proposed plant would monetarily enhance their property and accommodate their project.

Please, we ask that TCEQ will NOT issue this referenced permit and request an alternate site be acquired.

Sincerely yours,

FANNETT CONCERNED CITIZENS

By: Dorothy Kubicek

encls.

TED POE
2ND DISTRICT, TEXAS

COMMITTEES:
INTERNATIONAL RELATIONS
TRANSPORTATION
SMALL BUSINESS
FOUNDER OF CONGRESSIONAL
VICTIM'S RIGHTS CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515–4302

WASHINGTON OFFICE:
1605 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225–6565
FAX: (202) 225–5547

DISTRICT OFFICES:

HUMBLE
20202 U.S. HIGHWAY 59 NORTH
SUITE 105
HUMBLE, TX 77338
PHONE: (281) 446–0242
FAX: (281) 446–0252

BEAUMONT
2615 CALDER ST.
SUITE 100
BEAUMONT, TX 77702
PHONE: (409) 212–1997
FAX: (409) 212–8711

March 27, 2008

Ms. Dorothy Kubicek
2635 Evalon Court
Beaumont, TX 77702

2008 MAY 23 PM 1:49
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Dear Ms. Kubicek:

The federal department or agency with whom you had a concern has been contacted; enclosed is their response.

I appreciate you taking the time to contact my office. I am glad I was able to intervene on your behalf, and hope you are satisfied with the outcome of the inquiry.

Please feel free to contact me or a member of my Eastern District staff at (409) 212 - 1997 if you need further assistance with this or any future matter.

God and Texas,

TED POE
Member of Congress
TEXAS

TP\bh
Enclosure(s)

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 20, 2008

RECEIVED
MAR 26 2008
BY:

The Honorable Ted Poe
United States House of Representatives
505 Orleans, Suite 100
Beaumont, Texas 77701

Dear Representative Poe:

We have received the correspondence you forwarded from Ms. Dorothy Kubicek outlining her concerns regarding the application for a wastewater permit from the Fannett Sewer Service and Water Supply Corporation.

Enclosed is a copy of our response regarding this issue.

We appreciate the opportunity to respond to your constituent's concerns. If you have any questions, please contact me.

Sincerely,

Glenn Shankle
Executive Director

Enclosure

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 MAY 23 PM 1:49
CHIEF CLERKS OFFICE

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 13, 2008

2008 MAY 23 PM 1:49
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ms. Dorothy Kubicek
2635 Evalon Court
Beaumont, Texas 77702

Re: Fannett Sewer Service and Water Supply Corporation
Proposed TPDES Permit No. WQ0014867001, (TX0131369)
(CN603277021; RN105385389)

Dear Mrs. Kubicek:

Thank you for your letter to Congressman Ted Poe concerning the application for a new Texas Pollutant Discharge Elimination System (TPDES) wastewater permit from the Fannett Sewer Service and Water Supply Corporation to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 120,000 gallons per day. In your letter, you indicate concerns about the effects from the proposed facility on health and quality of life for nearby citizens. In addition, you indicate the area is subject to flooding and you have concerns about the amount of treated effluent that is proposed to be discharged and odor from the proposed facility.

This new permit application was received on December 11, 2007 and declared administratively complete on January 7, 2008. The application is currently in technical review with staff in the Water Quality Division of the Texas Commission on Environmental Quality (TCEQ). Please note a proposed draft permit cannot be issued until the public notice requirements have been completed and public comments and public hearing requests have been addressed. Although technical review of the permit application has not been completed, I offer the following responses and information related to the concerns expressed in your letter.

Please note the applicant would be required to provide protection of the wastewater treatment facility from the 100-year flood. Also, TCEQ rules require domestic wastewater treatment facilities to meet buffer zone requirements for the abatement and control of nuisance odor according to Title 30 Texas Administrative Code Section 309.13(e). These rules provide three options for applicants to satisfy the nuisance odor abatement and control requirement which include ownership of the buffer zone area, restrictive easement from the adjacent property owners for any part of the buffer zone not owned by the applicant, or by providing odor control.

Wastewater permits are developed to protect aquatic life and human health in accordance with the Texas Surface Water Quality Standards. The requirements in a proposed draft permit would be established to be protective of human health and the environment as long as the applicant operates and maintains the facility according to TCEQ rules and the requirements in the proposed draft permit. As part of the permit application process, TCEQ must determine the uses of the receiving water and set effluent limits that are protective of those uses.

Concerning your comments on inadequate notice, the applicant is required to publish notice twice in a newspaper that is regularly published or circulated within the county where the proposed facility or discharge is located. In addition, the applicant is required to provide to the TCEQ, the names and addresses of landowners located adjacent to the facility and for one mile downstream of the point of discharge. The TCEQ mails notice to the list of landowners and to others that are on the mailing list for this application.

Please note the TCEQ is not aware of the grant or which agency that has provided the grant to the applicant for the proposed project.

The TCEQ has received numerous public meeting requests and public hearing requests thus far on this application. If a proposed draft permit is prepared, the applicant will then need to publish the second notice, the Notice of Application and Preliminary Decision. In addition, this notice will be mailed to affected landowners and to those persons who are on the mailing list for this application. The public comment period will end 30 days after the applicant publishes the second notice or if a public meeting is held, the comment period will be extended until the end of the public meeting.

A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. The mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.

Since hearing requests have been received during the public comment period, the executive director will forward the application to the commission for their consideration at a scheduled commission meeting. In determining the need for a public hearing, the commission will consider the hearing requests, related responses and replies, public comments and the executive director's response to comments. If a public hearing is held, an Administrative Law Judge at the State Office of Administrative Hearings may consider water quality issues and other evidence at the public hearing when making a proposal for decision on the permit.

If you should have any further questions, please contact Ms. Mary Ann Dimakos Airey, P.E., Permit Coordinator with the TCEQ Municipal Permits Team of the Wastewater Permitting Section at 512/239-4671.

Sincerely,

Earl Lott for Dan Eden

Dan Eden, Deputy Director
Office of Permitting, Remediation & Registration
Texas Commission on Environmental Quality

Congress of the United States
House of Representatives
Washington, DC 20515-4302

RECEIVED BY ORA
TRACKING # 16010
ASSIGNED TO: Office

MAY 12 2008

DUE DATE: 5-19-08

U.S. Representative Judge Ted Poe
Humble District Office
20202 Hwy 59 North, Suite 105
Humble, Texas 77338
Phone: 281-446-0242
Fax: 281-446-0252

X U.S. Representative Judge Ted Poe
Jefferson County District Office
505 Orleans, Suite 100
Beaumont, Texas 77701
Phone: 409-212-1997
Fax: 409-212-8711

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 MAY 23 PM 1:49
CHIEF CLERKS OFFICE

Fax

Date: May 9, 2008 **Pages:** 8

To: Mr. Glenn Shankle **From:** ☐Blake Hopper, Caseworker

CC: Blake.Hopper@mail.house.gov

Re: Dorothy Kubicek

Phone: **Fax:** 512-239-3939

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Any information you can provide about him and his case would be greatly appreciated. Please let me know if you have any questions or concerns. Thank you for your time and attention to this matter.

If you received this in error, please contact the sender.

RECEIVED
MAY 09 2008
EXECUTIVE DIRECTOR

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 22, 2008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2008 MAY 23 PM 1:34
CHIEF CLERKS OFFICE

The Honorable Ted Poe
United States House of Representatives
505 Orleans, Suite 100
Beaumont, Texas 77701

14867-001

Dear Representative Poe:

We have received the correspondence you forwarded from Ms. Dorothy Kubicek outlining her additional concerns regarding the application for a wastewater permit from the Fannett Sewer Service and Water Supply Corporation.

Enclosed is a copy of our response regarding this issue.

We appreciate the opportunity to respond to your constituent's concerns. If you have any questions, please contact me at (512) 239-3900.

Sincerely,

Glenn Shankle
Executive Director

Enclosure

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 20, 2008

Mrs. Dorothy Kubicek
2635 Evalon Court
Beaumont, Texas 77702

2008 MAY 29 PM 1:09
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Dear Mrs. Kubicek:

I am writing in response to your May 5, 2008 letter to Congressman Ted Poe with additional comments regarding the proposed Texas Pollutant Discharge Elimination System (TPDES) permit for Fannett Sewer Services and Water Supply Corporation. Your letter raises issues about the site selected for the project being wetlands, the applicant's land easements and the suggestion that existing sewage systems at Ford Park in Beaumont, Texas are a preferable alternative to the proposed location. I hope that you find the following information helpful.

Regarding the wetlands issue, the applicant has indicated in their application materials (Technical Report 1.0) that no wetland will be filled. The United States Army Corps of Engineers (USACE) is responsible for delineating waters of the United States, including wetlands that are under their jurisdiction. The USACE is also responsible for regulating the discharge of dredged or fill material into waters of the United States. If a wetland is on the site and would require fill activity necessary for the construction of the proposed facility, the USACE would require a USACE Section 404 permit for the fill activity. The proposed facility is located within the USACE Galveston District. For information regarding the USACE wetland jurisdictional determinations or permitting requirements, please contact the USACE Galveston District at 409-766-3930.

In addition, you raise concerns about the applicant's use of private land and eminent domain to acquire property for the collection system and that these actions will affect rice farming in this area in the near future. The wastewater permitting process is limited to water quality issues and it does not address issues relating to easements and other actions that the applicant undertakes in order to acquire property for the collection system.

The Texas Commission on Environmental Quality (TCEQ) implements the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment and disposal systems to serve the disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state. The applicant is required to submit information concerning other facilities located within three miles from the proposed facility that may be able to provide wastewater treatment for the proposed development in the application. There is one permitted domestic wastewater treatment facility located within three miles of the applicant's proposed facility and that facility provides service to a school district and is not intended as a regional provider. The closest wastewater treatment facility to the Ford Park area is The City of Beaumont Hillibrandt Wastewater Treatment Facility, which is located over eight miles from the proposed wastewater treatment facility.

The application for FSSWSC is currently in technical review with staff in the Water Quality Division of the TCEQ. If a draft permit is prepared, it cannot be issued until the public notice requirements have been completed and public comments and public hearing requests have been addressed. If you should have any further questions, regarding the application for FSSWCS please contact Ms. Mary Ann Dimakos Airey, P.E., Permit Coordinator with the TCEQ Municipal Permits Team of the Wastewater Permitting Section at (512) 239-4521.

Sincerely,

Dan Eden, Deputy Director
Office of Permitting, Remediation & Registration
Texas Commission on Environmental Quality

TED POE
2ND DISTRICT, TEXAS

COMMITTEES:
INTERNATIONAL RELATIONS
TRANSPORTATION
SMALL BUSINESS
FOUNDER OF CONGRESSIONAL VICTIM'S RIGHTS CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515–4302

WASHINGTON OFFICE:
1605 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225–6565
FAX: (202) 225–5547

DISTRICT OFFICES:

HUMBLE
20202 U.S. HIGHWAY 59 NORTH
SUITE 105
HUMBLE, TX 77338
PHONE: (281) 446–0242
FAX: (281) 446–0252

BEAUMONT
2615 CALDER ST.
SUITE 100
BEAUMONT, TX 77702
PHONE: (409) 212–1997
FAX: (409) 212–8711

MWD
61633

February 28, 2008

14867-001

OPA
FEB 03 2008
BY DM

CHIEF CLERKS OFFICE
2008 FEB 29 AM 10:04
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Mr. Glenn Shankle
Executive Director
Texas Commission on Environmental Quality
12100 Park 35 Circle.
Austin, TX 78753

Dear Mr. Shankle:

Please review the attached documents sent to my office from Dorothy Kubicek who has a concern within your agency's jurisdiction.

Please feel free to contact this constituent directly to get further information or upon completion of this inquiry. I would appreciate a final written copy of your correspondence sent to my Beaumont District Office at 505 Orleans, Suite 100, Beaumont, Texas 77701, as soon as this matter is resolved.

If you have any questions, or need any additional information, please do not hesitate to contact me or a member of my staff at my Beaumont District Office at (409) 212 - 1997.

God and Texas,

TED POE
Member of Congress
TEXAS

TP\bh
Enclosure(s)

PRINTED ON RECYCLED PAPER

MW

2635 Evalon Court
Beaumont, TX 77702
February 25, 2008

Congressman Ted Poe
505 Orleans St.
Beaumont, TX 77701

Reference: Proposed Permit
No. WQ0014867001

Dear Congressman:

We, the Fannett Environmental Group, vehemently object to the construction of a Sewage Plant on the above-referenced proposed permit requested by Fannett Sewer Service and Water Supply Corporation.

The proposed construction site for this facility is adjacent to Burrell Gully to discharge treated sewage water and toxic waste. This area is prone to FLOODING and is NOT feasible for this plant. The foul odor emitted from this pollutant plant and quanity of water released could adversely affect the health and quality of life among citizens living on Burrell Wingate Road and a nearby Subdivision.

The people most affected by this proposed pollutant sewage plant have not been adequately notified regarding the details. This project has been handled in a very secretive and underhanded manner. The parties involved in construction of this plant would benefit by developing land near Green Acres Subdivision. Therefore, this plant should be built near property to be served and NOT adjacent to Burrell Gully.

We urgently request that you scrub this proposed project and withdraw the $4 Million grant awarded to Fannett Sewer Service and Water Supply Corporation to build this sewage plant adjacent to Burrell Gully.

Sincerely yours,

Fannett Environmental Group

By: Dorothy Kubicek
Dorothy Kubicek

cc: Rep. Allen Ritter

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

PROPOSED PERMIT NO. WQ0014867001

APPLICATION. Fannett Sewer Service and Water Supply Corporation, P.O. Box 20492, Beaumont, Texas 77720, has applied to the Texas Commission on Environmental Quality (TCEQ) for a proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014867001 (EPA I.D. No. TX0130150) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 120,000 gallons per day. The domestic wastewater treatment facility is located 5,890 feet south of the intersection of Highway 365 and Gualding Road in Jefferson County, Texas. The discharge route is from the plant site via pipe to Burrell Gully; thence to the North Fork of Taylor Bayou; thence to Taylor Bayou Above Tidal. TCEQ received this application on December 11, 2007. The permit application is available for viewing and copying at the Jefferson County Precinct 4 Justice of the Peace Office, 19217 Farm-to-Market Road 365, Beaumont, Texas.

The application is subject to the goals and policies of the Texas Coastal Management Program and must be consistent with the applicable Coastal Management Program goals and policies.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

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

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for**

(over)

this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

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

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

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

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.state.tx.us.

Further information may also be obtained from Fannett Sewer Service and Water Supply Corporation at the address stated above or by calling Mr. Travis Williams, P.E., of Schaumburg & Polk, Inc., at (409) 866-0341.

Issuance Date: January 7, 2008

2635 Evalon Court
Beaumont, TX 77702
January 28, 2008

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

Reference: Proposed Permit
No. WQ0014867001

Dear Ms. Castanuela:

In response to the referenced proposal requested by Fannett Sewer Service and Water Supply Corporation in Beaumont, Texas, we vehemently object to the proposed location.

The proposed location is adjacent to our back property line located on Burrell Wingate Road, a highly traveled road in Fannett, Texas. In other words in our BACK YARD.

This facility would adversely affect, not only us, but our neighbors; i.e., foul odor, noise, flooding, and lowering property values.

For now, and in the near future, this facility would mainly benefit Green Acres Subdivision, located near Highway 124, being several miles from the proposed site.

Because Burrell Gulley is the prime reason to build on this proposed site, the plant should be built further down stream to discharge the treated sewage water and protect homeowners along Burrell Wingate Road.

We request a contested case hearing, and I will speak for our neighbors. My telephone number is: 409/835-4330 in Beaumont, Texas.

Sincerely yours,

DK

Dorothy Kubicek
(Mrs. Joe R)

PM OPA HR
MAR 03 2008
BY

FANNETT ENVIRONMENTAL GROUP

FEBRUARY 26, 2008

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

Reference: Proposed Permit
No. WQ0014867001

Gentlemen:

We vehemently object to the construction of a Sewage Plant on the above-referenced proposed permit requested by Fannett Sewer Service and Water Supply Corporation.

The proposed construction site for this facility is adjacent to Burrell Gully to discharge treated sewage water and toxic waste. This area is prone to FLOODING and is NOT feasible for this plant. The foul odor emitted from this pollutant plant and quanity of water released could adversely affect the health and quality of life among citizens living on Burrell Wingate Road and a nearby Subdivision.

The people most affected by this proposed pollutant sewage plant have not been adequately notified regarding the details. This project has been handled in a very secretive and underhanded manner. The parties involved in construction of this plant would benefit by developing land near Green Acres Subdivision. Therefore, this plant should be built near property to be served and NOT adjacent to Burrell Gully.

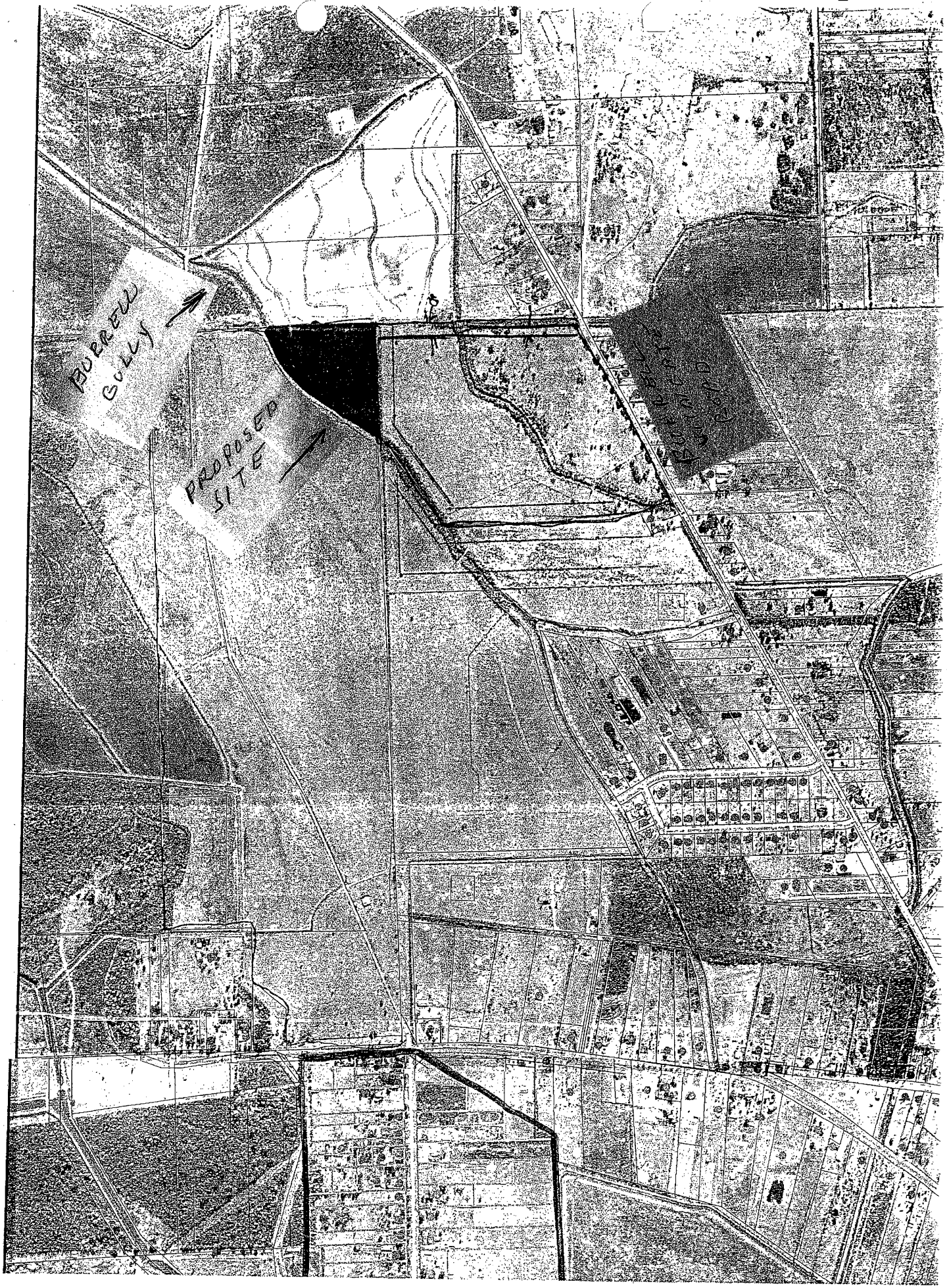
We request a Public Meeting and Contested Hearing. All future correspondence should be directed to Attorney David Bernsen, 490 Park Street, Beaumont, TX 77701, Telephone No. 409/832-1957.

2008 FEB 29 AM 10:04
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Sincerely yours,

Name: Dorothy Kubicek
Address 2635 Eldridge Beaumont TX 77702
Ph. No. 409-835-4330

MC


BUREAU
GULLY
PROPOSED
SITE

Congress of the United States
House of Representatives
Washington, DC 20515-4302

RECEIVED
FEB 28 2008
EXECUTIVE DIRECTOR
OPA

U.S. Representative Judge Ted Poe
Humble District Office
20202 Hwy 59 North, Suite 105
Humble, Texas 77338
Phone: 281-446-0242
Fax: 281-446-0252

X U.S. Representative Judge Ted Poe
Jefferson County District Office
505 Orleans, Suite 100
Beaumont, Texas 77701
Phone: 409-212-1997
Fax: 409-212-8711

BY
CHIEF CLERKS OFFICE
2008 FEB 29 AM 10:04
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Fax

Date: February 28, 2008 **Pages:** 9

To: Glenn Shankle **From:** ☐Blake Hopper, Caseworker

CC: Blake.Hopper@mail.house.gov

Re: Dorothy Kubicek

Phone: **Fax:**

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

If you received this in error, please contact the sender.