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# TCEQ Public Meeting Form

Thursday, February 21, 2008

## Las Lomas Municipal Utility District No. 4

### Proposed Water Quality TPDES

Permit #WQ0014803001

**OPA RECEIVED**

FEB 21 2008

**AT PUBLIC MEETING**

PLEASE PRINT:

Name: JAMES & KATHY BATES

Address: 9625 N. FM 148

City/State: TERRELL TX Zip: 75160

Phone: (972) 524-9459

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.  
(Written comments may be submitted any time during the meeting)

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2008 FEB 22 PM 2:01  
CHIEF CLERKS OFFICE

Please give this to the person at the information table. Thank you.

*MW*

February 21, 2008

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2008 FEB 22 PM 2: 01

CHIEF CLERKS OFFICE

**OPA RECEIVED**

FEB 21 2008

**AT PUBLIC MEETING**

James & Kathy Bates  
9625 N. FM 148  
Terrell, TX 75160

RE: Questions for TCEQ Permit Application #WQ0014803001, Las Lomas  
Municipal Utility District No. 4 of Kaufman County for proposed Texas Pollutant  
Discharge Elimination System (TPDES) a Wastewater Treatment Plant.

To Whom It May Concern:

In regards to the above referenced, we have these questions:

1. Terry Creek runs through our property less than ½ mile east of the proposed Wastewater Treatment Plant site. Since I-20 was built, and especially during heavy rain, the amount of water entering Terry Creek has increased to the point of flooding. Water funnels down Terry Creek, under a bridge at I-20 and through our property, then, rises out of its banks to flood our pond, hayfields and low lying trees. This occurs two to three times per year (see Exhibits 1- A through 1-L). Recently, heavy water flow down Terry Creek has been eroding large trees into the creek.
  - a. How do developers plan to prevent the additional 1,500,000 gallons of wastewater discharge per day into Terry Creek from flooding back to our property further compromising and contaminating our pond, our hayfields and our trees?
  - b. With that much additional wastewater moving through these creeks, how do developers plan to keep these floodwaters moving so that they will not compromise our pond, hayfields and trees?
2. How will the discharge of 1,500,000 million gallons of wastewater affect the floodplain on which it is being proposed?
3. How will industrial waste influence Terry Creek, Brushy Creek and Kings Creek, and Cedar Creek Lake?
4. Has a water flow evaluation been conducted on both Terry and Brushy Creeks?
5. What time frame is involved between permit approval and the building and implementation of the Wastewater Treatment Plant?

MW

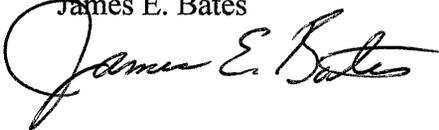
February 21, 2008

TCEQ Permit Application #WQ0014803001, (Cont'd.)

6. Will the proposed Baylor Hospital sewage be discharged into this Wastewater Treatment Plant?
7. Is the Las Lomas Wastewater Treatment Plant required to employ personnel on site 24 hours per day?
  - a. On-call?
8. Do any of the surrounding cities plan to be involved in releasing sewage into the Las Lomas Wastewater Treatment Plant for sanitation?
  - a. Are there sewage treatment limits that cannot be exceeded?
  - b. What is the maximum capacity of the proposed Las Lomas Wastewater Treatment Plant?
9. Are the fossil-shells found, shown in Exhibits 2A and 2B, of *any* significance in preserving the integrity of Terry Creek?
10. What provisions have been made in case of an 'emergency discharge'?
  - a. To what organization will those discharges be reported, if at all?
  - b. What is the developers' accountability of such discharges?
  - c. What should be the expectations that 'emergency' discharges might occur?
11. Please explain the developers' proposal for piping raw sewage, industrial hazardous waste, and/or medical waste into the proposed Wastewater Treatment Plant.
12. Will there be any noise level associated with the operation of the Wastewater Treatment Plant?
13. How will air quality change with the operation of a Wastewater Treatment Plant? What is the radius of air quality changes?
14. Will any odor be detected, if so, within what radius of the Wastewater Treatment Plant?

Sincerely,

James E. Bates



Kathy Bates



15. Is this facility being built in a floodplain? According to everything I have known about this particular location, it is a floodplain.

16. How old are the topo maps that were used to propose this plan?

17. Since the developer is not responsible for the flow of Terry Creek outside their own, what recourse might we have ~~for~~ flooding?



SAMPLE OF FOSSILS  
FOUND ON PROPERTY

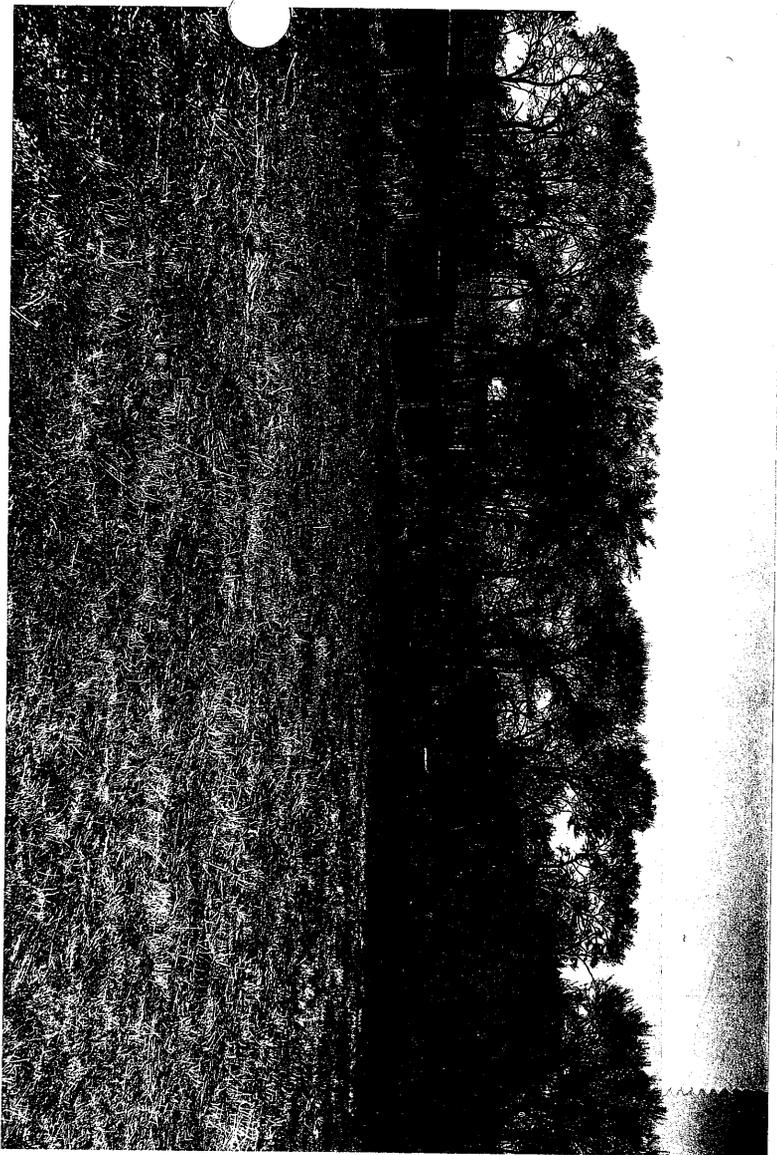
EXHIBIT 2B



OYSTER FAMILY FOSSILS  
FOUNDS ON PROPERTY

EXHIBIT 2A





PASTURE - FLOODED

2/12/08

PASTURE - NORMAL

2/18/08

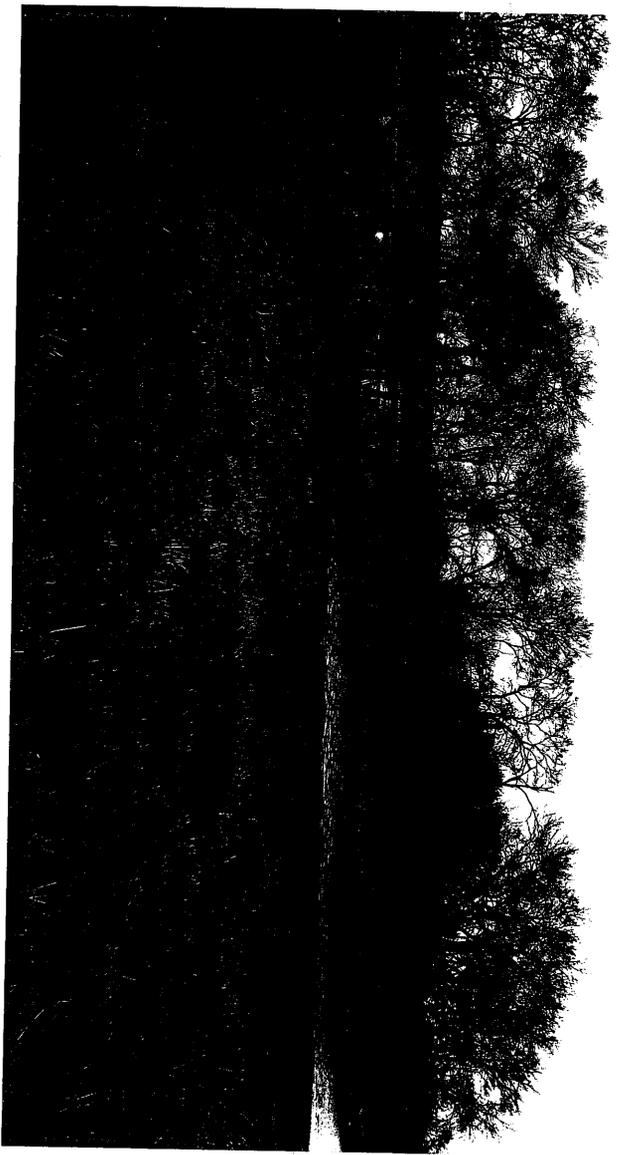
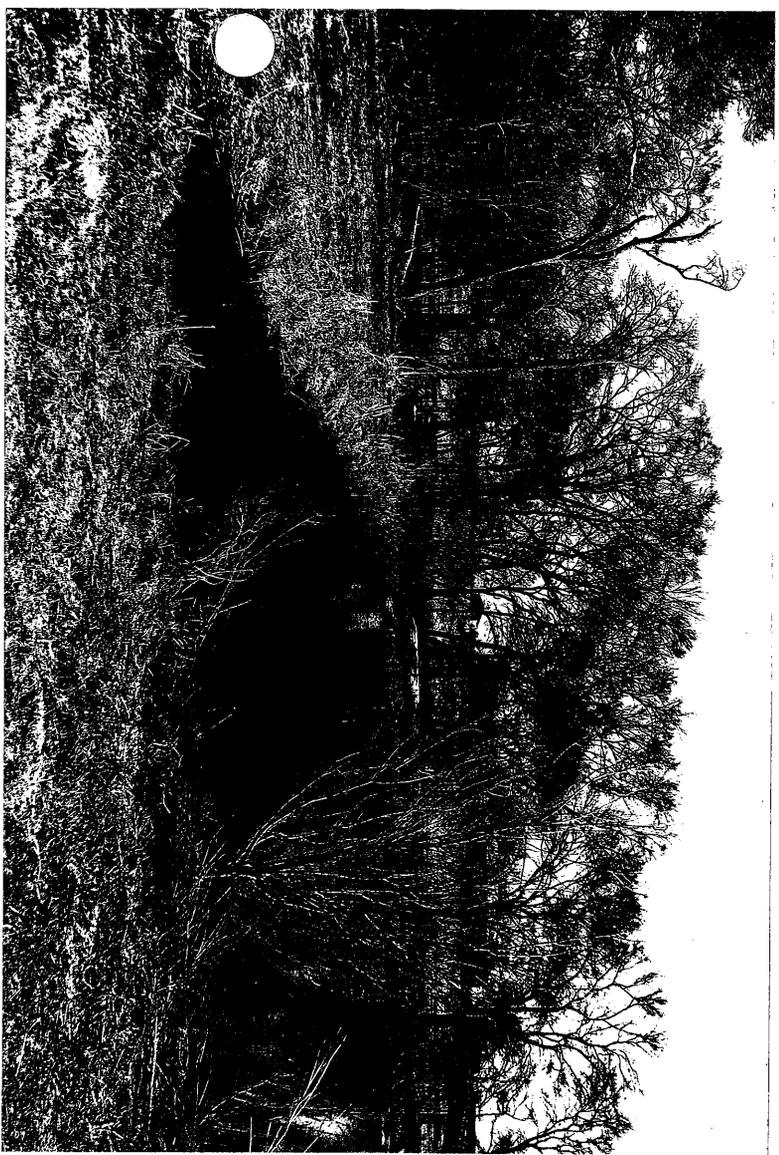


EXHIBIT 1-K

POND - ND RMA TL

2/18/08



POND - FLOODED

2/12/08



EXHIBIT 1-5

POND - NORMAL  
2/18/08



POND - FLOODED  
2/12/08



EXHIBIT 1-1

POND - EXISTING  
2/18/08



POND - FLOODED  
2/12/08

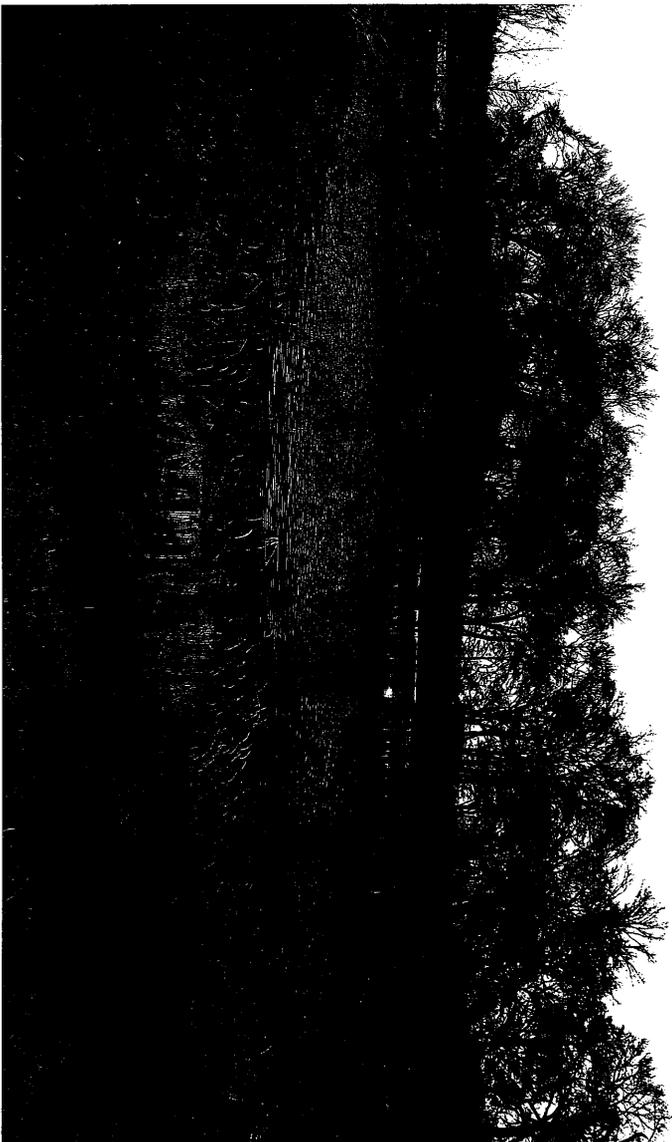




EXHIBIT 1-H

TREES + PASTURE - NORMAL

2/18/08

TREES - PASTURE  
FLOODING

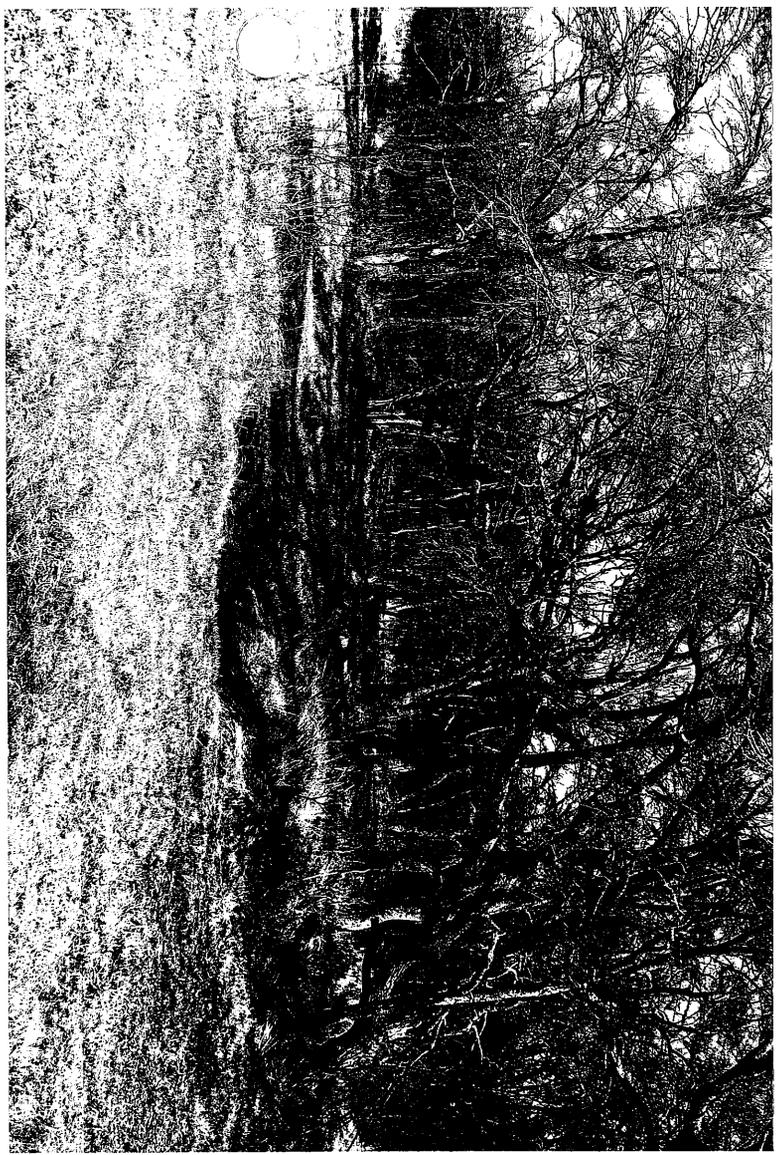
2/12/08



EXHIBIT 1-G

TREES - NORMAL

2/18/08



TREES -  
FLOODING

2/12/08

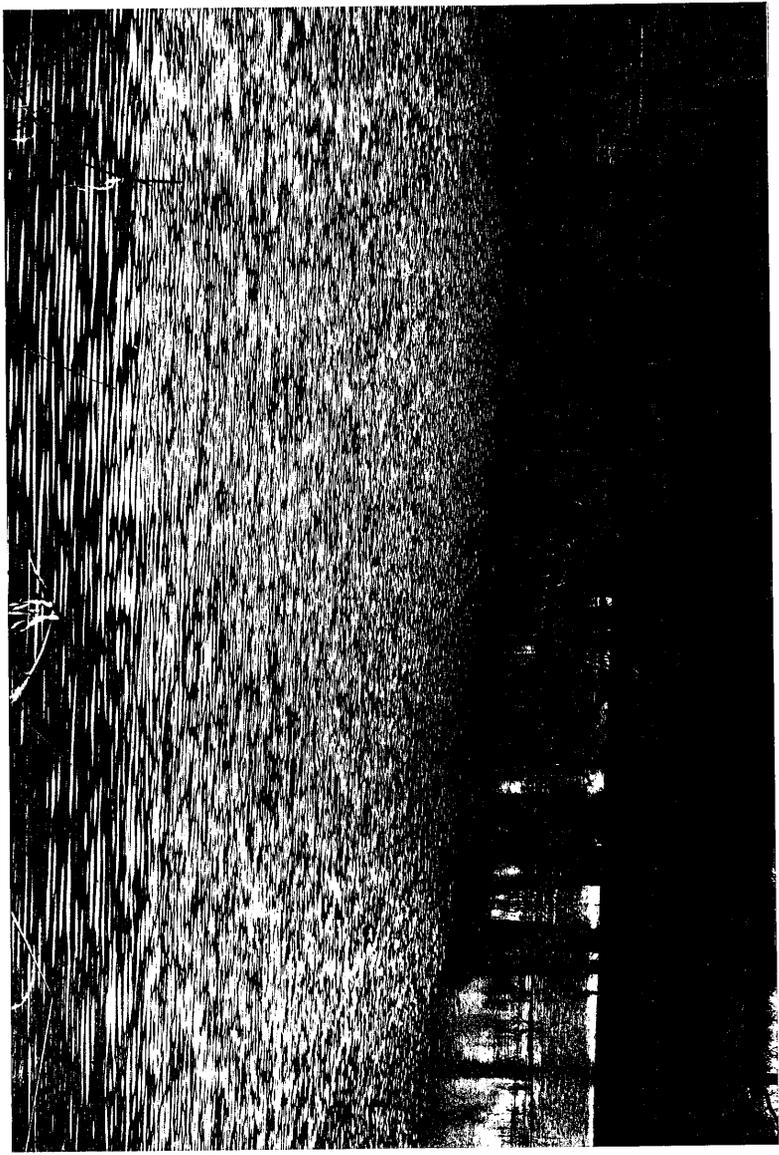


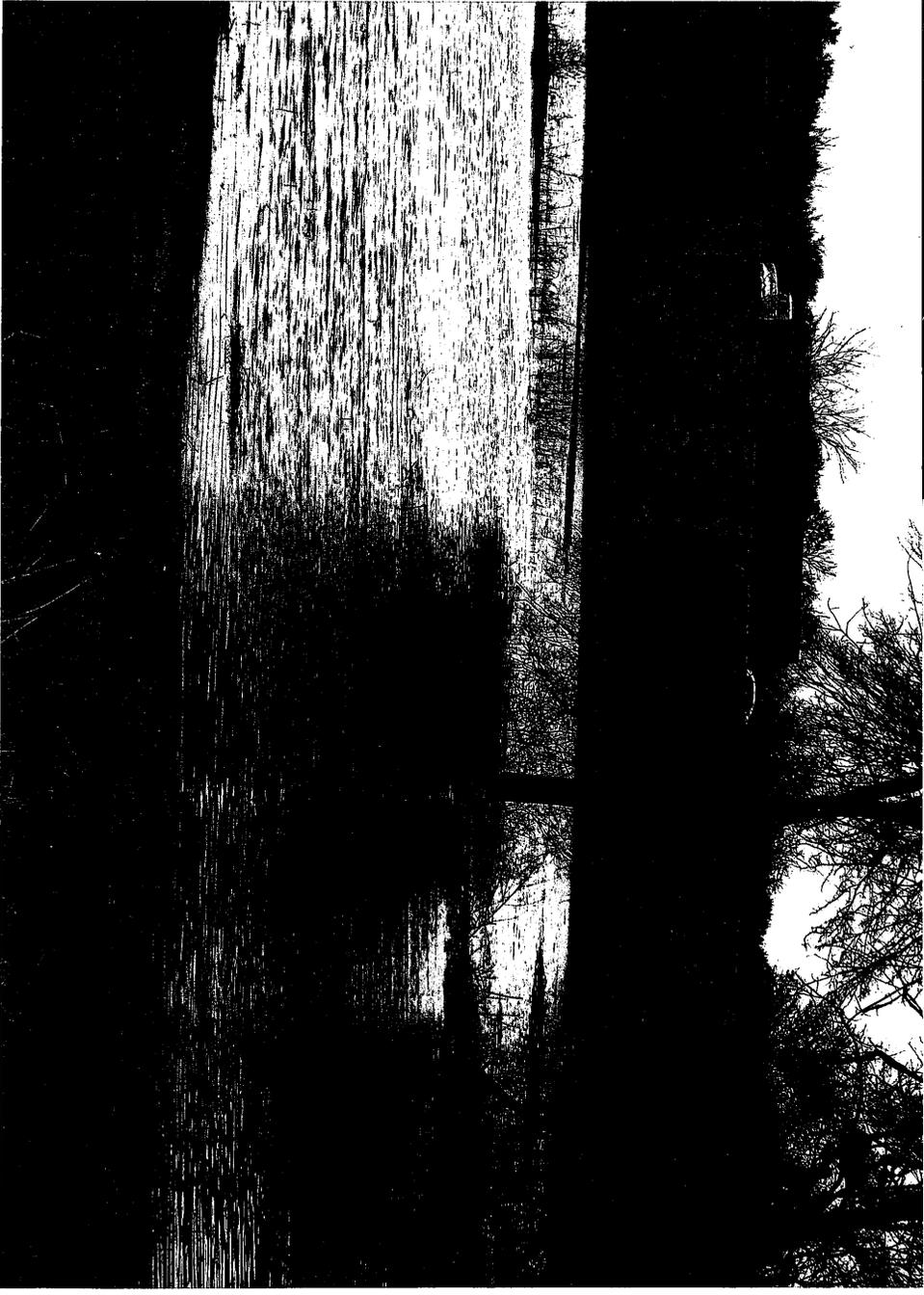


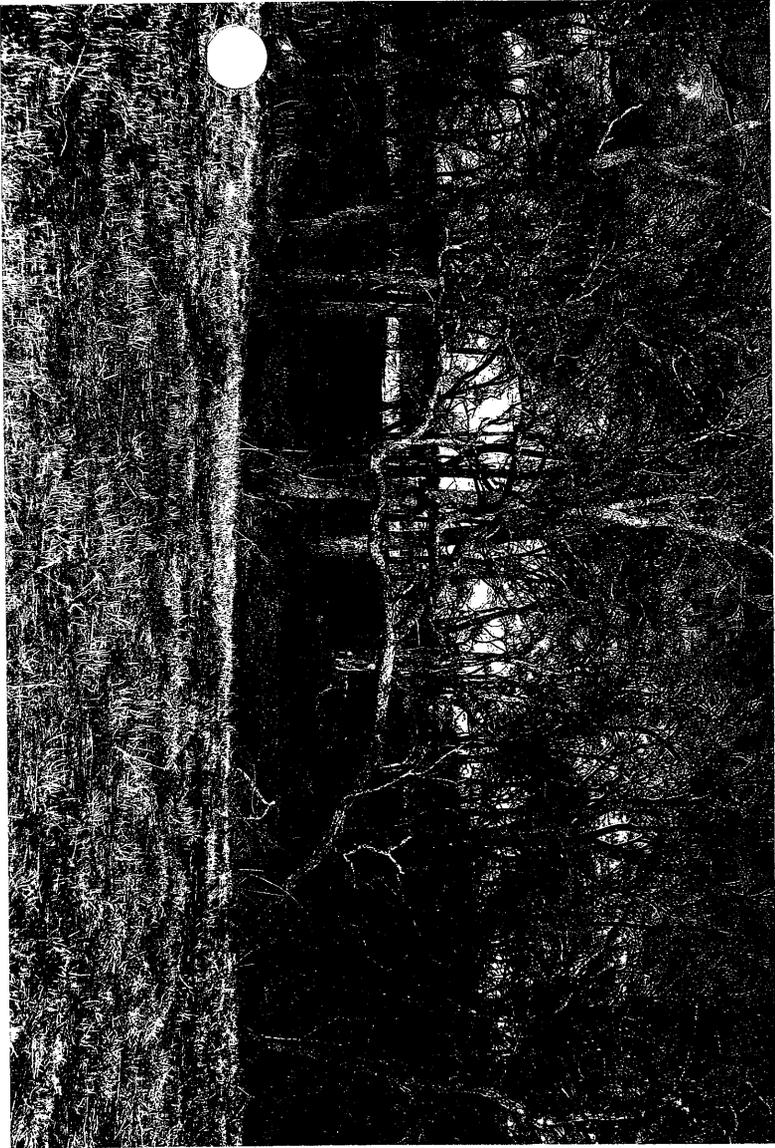
EXHIBIT 1-F

POND - NORMAL

2/18/08

PASTURE - FLOODED  
FROM TERRY CREEK  
2/12/08





— POND :  
PASTURE - FLOODED

2/12/08



EXHIBIT 1-E

PASTURE - NORMAL

2/18/08

EXHIBIT 1-D

PASTURES - NDRMNL

2/18/08



PASTURE - FLOOD DED

2/12/08

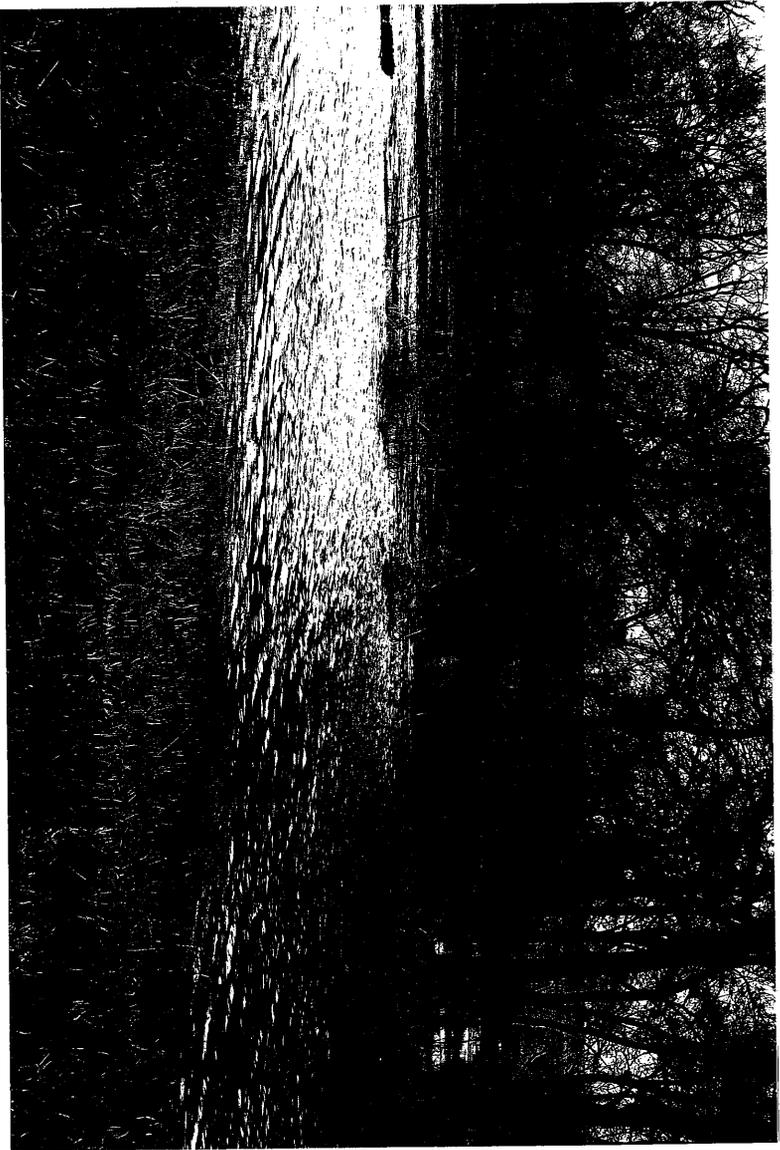


EXHIBIT 1c

2/18/08  
PASTURE - NORMAL



PASTURE - FLOODED  
TERRY CREEK  
2/12/08

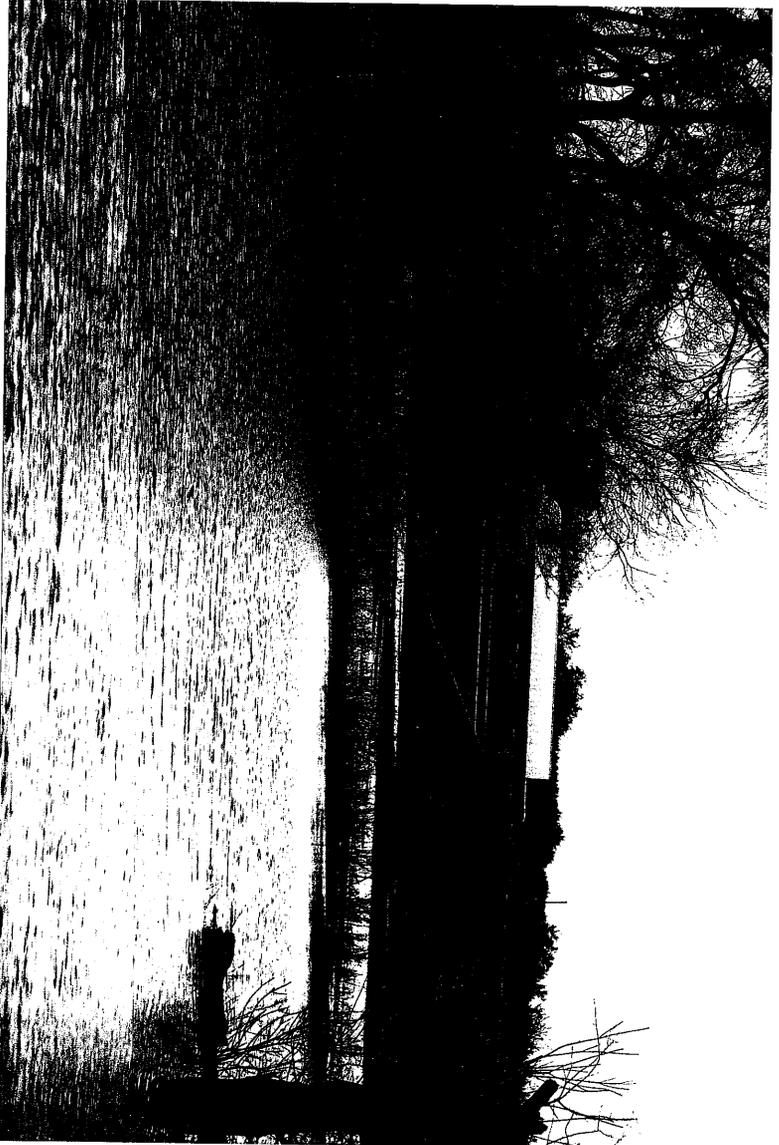
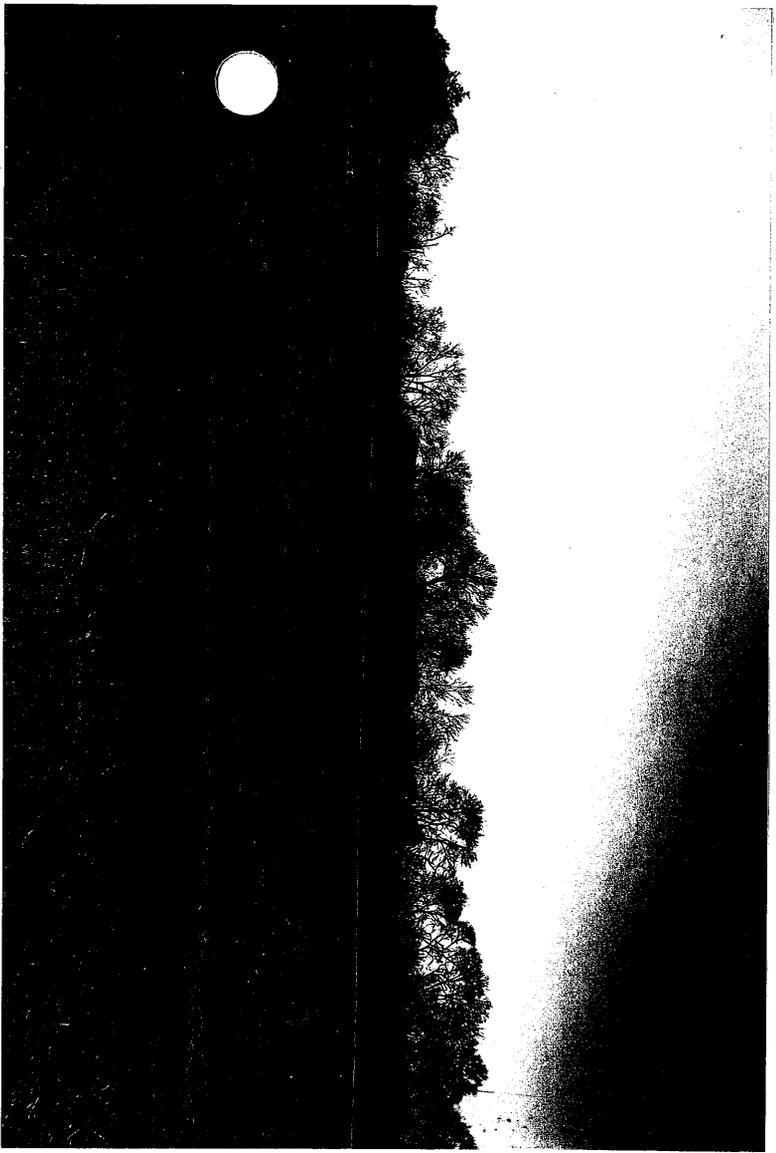


EXHIBIT 1-B

PASTURE - NORMAL

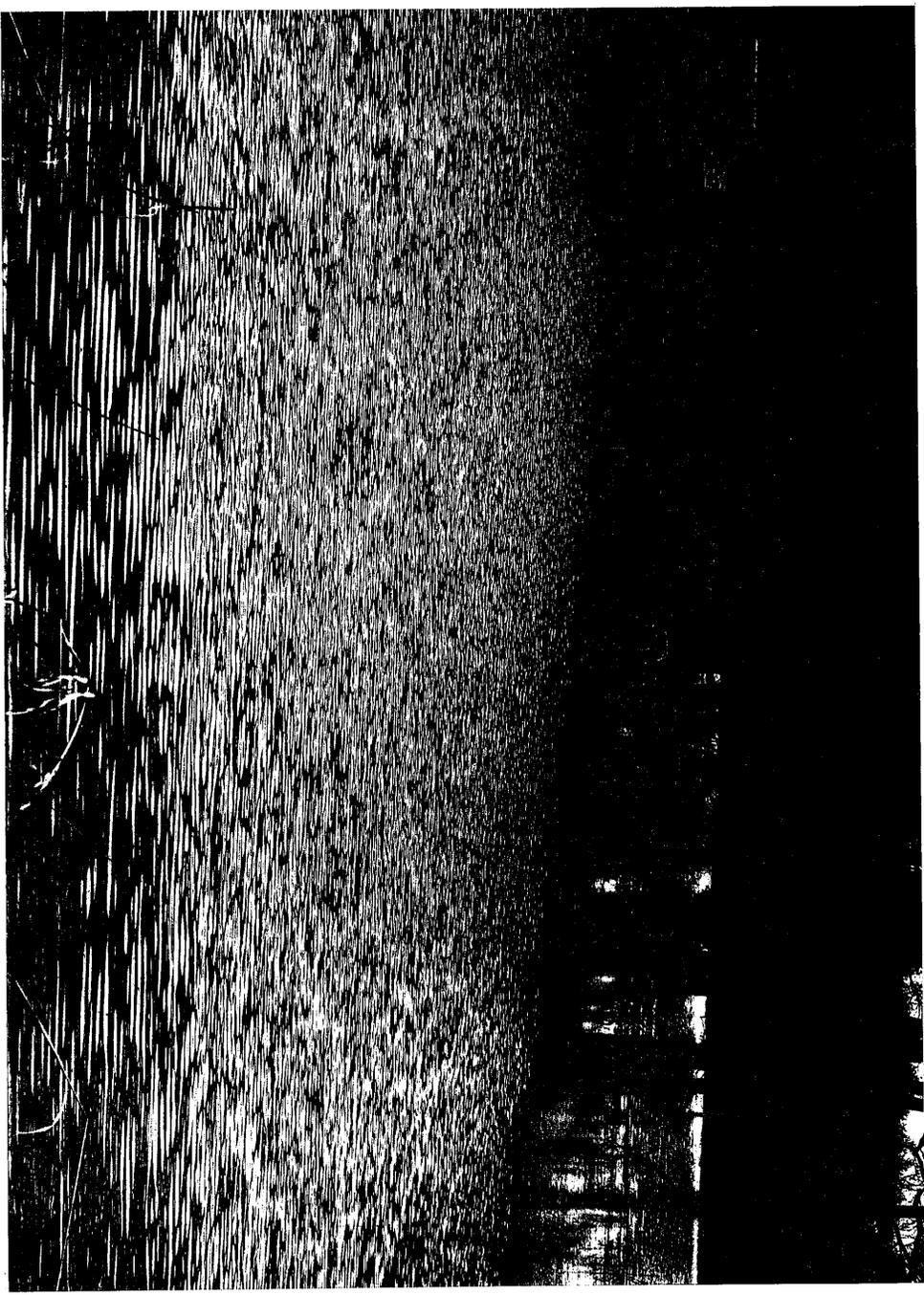
↑ 2/18/08



PASTURE - FLOODING  
2/12/08 →



FLOODING 2/12/08 TERRY CREEK  
EXHIBIT 1-A



9625 N. FM 148  
Terrell, TX 75160  
June 23, 2007

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

**CERTIFIED MAIL 7005 1820 0001 9333 7683**

2007 JUN 25 PM 2:36

Office of the Chief Clerk  
MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087

*MWD  
58721*

OPA

CHIEF CLERKS OFFICE

JUN 26 2007

BY *ll*

Subject: PROPOSED PERMIT NO. WQ0014803001  
(A proposed Texas pollutant Elimination System, TPDES, to discharge treated wastewater into Terry Creek at a volume not to exceed 1,500,000 gallons of water per day.)

Dear Director:

Although our property (19.332 acres) does not directly join the proposed property boundary for the proposed site, we feel we could and probably will be adversely affected.

The proposed route of discharge from this facility includes Terry Creek, the proposed location of the treatment plant. This creek enters our property just south of Interstate 20, then follows inside our west property line until it turns and enters our neighbors property (Milowe and Janice Jungjohann), then continues southwest, dissecting their property to the location of the proposed site, approximately 1800' (.34 mile) from their west property line.

During heavy rains, which occur at least twice each year, this creek is not able to handle the natural flow of water and floods from its banks, covering the lower one-third of our property, including a 100'x130' pond which was partially sponsored by the United States Department of Agriculture (USDA), and a large portion of the Jungjohann property on both sides of the creek. This overflow completely covers our pond and beyond, injuring trees and all adjacent property.

We feel the additional flow of 1,500,000 gallons of water cannot be in our interest, especially during periods of heavy rain. Unless provisions are made to alleviate the natural flow of water in Terry Creek and then into Brushy Creek, constant flooding should be expected, thus destroying our pond, our trees, and making it impossible to cut and harvest hay from these areas, which has been our practice for many years.

In addition, please add our names to your mailing list for any communication regarding this permit and any other permits requested by the Las Lomas Municipal Water Districts.

Any consideration given to this problem concerning the subject permit will be greatly appreciated.

Sincerely,

*James E. Bates*

James E. Bates

*Kathy L. Bates*

Kathy L. Bates

cc: House District 4 Representative Betty Brown  
District Engineer, Texas Hwy Dept., Kaufman County, TX  
U.S. Army Engineer/Ft. Worth  
Petit & Associates, Attn: Mr. Adam Conway  
Environmental Protection Agency Southwest Region 6

*MWD*

# TCEQ Public Meeting Form

Thursday, February 21, 2008

2008 FEB 25 PM 3:32

CHIEF CLERKS OFFICE

## Las Lomas Municipal Utility District No. 4 Proposed Water Quality TPDES Permit #WQ0014803001

**OPA RECEIVED**

FEB 21 2008

**AT PUBLIC MEETING**

PLEASE PRINT:

Speckman

Name: JEFF & TERRY SPECKMAN

Address: 9172 N FM 148

City/State: TERRELL Zip: 75160

Phone: (214) 908-2650

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

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MW

① IF THIS PLANT IS BUILT, HOW WILL IT AFFECT OUR RESALE PROPERTY VALUES.

② TIMEFRAME OF START TO FINISH OF PROPOSED PLANT.

③ WOULD WE BE COMPENSATED ~~FOR~~ IF ~~PROPERTY VALUE LOSS~~, IT CAUSES PROPERTY VALUE LOSS, POLLUTION,