

October 9, 2009

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

*DIS*  
*69376*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2009 OCT 19 AM 9:55  
CHIEF CLERKS OFFICE

Dear sirs:

*Polk  
County*

I received the attached letter by certified mail on October 2, 2009 pertaining to TCEQ Internal Control No. 05142009-D01. It appears this letter is intended for those owning lots in Onalaska that are unimproved property. These 3 lots have a house and a shed built on them for many years. These lots were bought in two separate purchases; Two in one purchase and one adjoining lot in a later purchase. The names of the original purchasers were the Hempsteads. They passed the lots down to their daughter Theresa Hempstead Khorrami Wilson. She is married to my brother Monty Wilson. I am renting the house from my brother at present and thus the utilities are in my name. Let it be clear that all three adjoining lots run off the same sewer system and I don't think this fee should apply in this case.

Please let me know that the standby fee will not apply to this property by mail.

Thank you,

*Loraine Provan*

Loraine Provan  
500 FM 3186 S  
Onalaska, TX 77360  
[loraineprovan@gmail.com](mailto:loraineprovan@gmail.com) ✓  
936-433-0853

*mw*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF DISTRICT APPLICATION

**TCEQ Internal Control No. 05142009-D01**

**APPLICATION.** Polk County Fresh Water Supply District No. 2 has applied to the Texas Commission on Environmental Quality (TCEQ) for authority to adopt and impose an annual uniform operations and maintenance standby fee of \$24 per equivalent single family connection for a period of three (3) years, on unimproved property within the District. The application was filed pursuant to Chapter 49 of the Texas Water Code, 30 Texas Administrative Code Chapter 293, and the procedural rules of the TCEQ.

The TCEQ may approve the annual standby fee as requested, or it may approve a lower annual standby fee, but it shall not approve an annual standby fee greater than the amount requested. The standby fee is a personal obligation of the person owning the undeveloped property on January 1 of the year for which the fee is assessed. A person is not relieved of his pro-rated share of the standby fee obligation on transfer of title to the property. On January 1 of each year, a lien is attached to the undeveloped property to secure payment of any standby fee imposed and the interest or penalty, if any, on the fee. The lien has the same priority as a lien for taxes of the District.

The purpose of standby fees is to distribute a fair portion of the cost burden for operations and maintenance costs of the District facilities to owners of property who have not constructed vertical improvements but have water, wastewater or drainage capacity available. Any revenues collected from the operations and maintenance standby fees shall be used to supplement the District's operations and maintenance account.

The territory upon which fees will be imposed is designated as Exhibit "A" which is attached to this document.

**CONTESTED CASE HEARING.** The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

**INFORMATION.** Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at 1-512-239-4691. Si desea información en Español, puede llamar al 1-512-239-0200. General information regarding TCEQ can be found at our web site at [www.tceq.state.tx.us](http://www.tceq.state.tx.us).

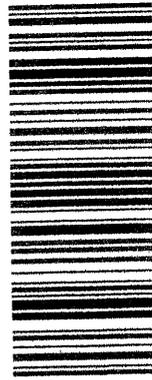
Issued: August 4, 2009

**COATS | ROSE**

*A Professional Corporation*

3 East Greenway Plaza, Suite 2000, Houston, Texas 77046-0307

**CERTIFIED MAIL**



7160 390J 984A 57J2 0689

049J62050696

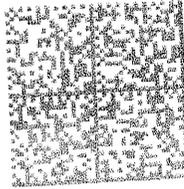
\$05.540

10/01/2009

Mailed From: 77046

US POSTAGE

nepost



LORRAINE PROVAN 2088

500 FM 3186  
ONALASKA, TX 77360-7979

10/15/09 10:15 AM

P.O. BOX 2250  
ONALASKA, TEXAS 77360-2250  
(936) 646-5977 FAX: (936) 646-7044  
OFFICE HRS: 8 TO 4:30 MON - FRI.  
e-mail: jofwsd2@eastex.net

**RETURN SERVICE REQUESTED**

FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID  
ONALASKA, TX  
PERMIT NO. 22

TYPE OF SERVICE	METER READING		USED	CHARGES
	PRESENT	PREVIOUS		
Sewer	0	0	0	28.36
Standby Fee				2.00
Assessment Tax				0.14

CUSTOMER ROUTE	ACCOUNT NO.	PAY GROSS AMOUNT AFTER THIS DATE
11	2088	10/15/09
NET AMOUNT TO BE PAID		GROSS AMOUNT TO BE PAID
30.50		33.54

MAIL THIS STUB WITH YOUR PAYMENT

W 2-17-18-20  
**OFFICE HOURS 8 AM TO 4:30 PM MON. - FRI.**  
Service From 9/1/2009 TO 9/30/2009 ACCOUNT 2088 9/30/09

CLASS	TOTAL DUE UPON RECEIPT	LATE CHARGE AFTER DUE DATE	PAST DUE AMOUNT
4	30.50	3.04	33.54

LORRAINE PROVAN  
500 FM 3186  
ONALASKA TX 77360-7979

Our office will be closed 10/12/09 in observance of Columbus Day. Please use the drop box to make your payments. Sewer Overflows are a MESS. Disposable - Does Not Mean Flushable. Do not flush household garbage down the toilets.