

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

June 17, 2009

IWD
65852

HR OPA 717

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

JUN 23 2009

BY DT

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) KEN & LISA ADERHOLT
(Address) 10016 C.R. 123 N. OKLAHOMA, TX. 76373
(Phone/e-mail) 940/886-2300

Very truly yours,

Ken Aderholt

Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

mw

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

June 17, 2009

IWD
65852

HR OPA 9M

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY *DM*

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) *Tommy Alaniz + Tricia Alaniz*
(Address) *12675 Fm 1763 E*
(Phone/e-mail) *940-553-1096*

Very truly yours,

Tricia Alaniz

Bcc. File

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY
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CHIEF CLERKS OFFICE

mw

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

June 17, 2009

IWD
65852

HR OPA 7M

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

JUN 23 2009

Attn, Executive Director:

BY DM

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) MALCOLM BORGER & BUFFY BORGER
(Address) P.O. BOX 176 DICKENS, TX. 79229
(Phone/e-mail) 940/886-8064

Very truly yours,

Malcolm Borger/jc

Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

DM

(2) This request is made on behalf of a group of "affected Persons".

(A) Mr. Andy Brumley who lives at 9427 C R 99 South – Vernon, Texas 76384 phone 940/553-3962 and Mr. Jose L. Cardenas who lives at 15209 U. S. Hwy 70 North Oklaunion, Texas 76373 - phone 940/886-2292 have been selected to be the persons responsible for receiving all communications and documents for the group; and

(B) Some of the members of the group that would otherwise have standing to request a hearing in their own right are; Sheri Brumley, Ken & Lisa Aderholt, Tommy & Tricia Alaniz, Buffy & Malcolm Borger, Lon Byars, Gloria Cardenas, Rudy Cardona, Lee & Mary Castleberry, Shane & Jennifer Castleberry, Toby Castleberry, Ismael & Mary Ann Cortez, Mike Hardage, Clyde Harlin, Mike Herchman, Carolyn & Jimmy Koontz, Ricky Marshall, Richard & Sara McDuff, Dane Mount, Jay Pierce, Luis & Mary Rangel, Rusty & Dolly Riddle, James & Pat Spears, Tracy Taylor, Terry & Tommy Weaver, Don & Patsy Wilson, and Elton & Edna Zoch. This group seeks to protect their own safety and health as well as that of other citizens in our community.

(3) City of Vernon is the applicant for Permit No. WQ0004868000

(4) We, Andy Brumley & Jose Cardenas, are requesting a contested case hearing on behalf of the group listed in (2) above.

This group of affected individuals has a personal, justifiable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. We will be adversely affected by the proposed discharge of toxic wastes in a manner that is not common to the general public; because our property is directly down-stream of the proposed discharge, our land and water will become contaminated. The proposed discharge represents a direct treat to our safety and health since it will contaminate our source of drinking water on which our very lives depend on. Our livelihoods will be eliminated due to devastating effects of the contamination on both our land and our water; our cattle, our crops and wildlife will die-off due to toxic levels of contamination.

The following are some of our disputed issues of fact that are relevant and material to our request to the Commission:

1. Documents outlining the Executive Director's decisions show his name on the 'letterhead' but neither on the body of the documents nor on the signature area.
2. We dispute response to Comment 1 as follows;
 - (A) "Texas Water Code Section 26.121 authorizes discharges into water in the state, provided the discharger obtains a permit from the Commission." We dispute the Code authorizes toxic waste discharges into established sources of drinking water and public recreation river beds.
 - (B) TCEQ neglected to protect human health, safety, the environment, and the receiving waterbody's existing uses by failing to perform due diligence in regards to content and composition of the proposed waste water discharge.
 - (C) TCEQ did not "...also evaluates the treatment type and..." because there was not treatment of proposed discharges offered in the application.

3. We dispute Comment 2 with regard to draft permit being in compliance with federal and state regulations; the fact is that it may be in compliance only because it is based on wrong, erroneous and/or incomplete information.
4. We wholeheartedly agree with response to Comment 3. Our own comment is that TCEQ Staff has failed to meet its stated goals, has neglected to follow its mission statement, and appears to consistently disregard objectives set out in its general policy under the Texas Surface Water Quality Standards.
5. Comment 4 as quoted is incomplete. Its response is likewise incomplete. The response states in part ..."application shall show ownership of the tracts of land...**for a reasonable distance along the watercourse from the proposed point of discharge**...Neither the rules nor the statutes require the applicant to provide a list of landowners within five mile radius from the point of discharge." Once again the Staff neglects to recognize its own interpretation of "reasonable distance along the watercourse" and willingly ignores the application requirement of **WORKSHEET 4.0 – RECEIVING WATERS** which states in part...
"THE FOLLOWING IS REQUIRED FOR ALL TPDES PERMIT APPLICATIONS
1. DOMESTIC DRINKING WATER SUPPLY (Instructions, Page 54)

Is there a surface water intake for domestic drinking water supply located within 5 (five) miles downstream from the point/proposed point of discharge? Yes No

If yes, identify owner of the drinking water supply, the distance and direction to the intake, and locate and identify the intake on the USGS map. Indicate by a check mark that the requested information is provided: _____ ".

6. Response to Comment 6 is broad and non-specific, and that is perhaps the reason why we fail to fully understand its meaning. For example, TWDB reports that Seymour aquifer and the younger alluvium (Pease River) are connected; TCEQ states that groundwater wells near Pease River are expected to be in communication with the river; water well drillers and long-time area residents confirm that drinking well levels correspond with Pease River levels and yet, the TCEQ Water Quality Division has determined that the proposed discharge protects aquatic life, human health, and the environment - all these without ever taking a sample of what is to be discharged! Just as perplexing is the statement that TSWQS has not designated the Pease River as a public water supply which contradicts report from TWDB. Because of the apparent inconsistencies, we will defer further comments until expert opinions are obtained.
7. Response to Comment 7 indicates application of a double standard on the part of TCEQ in regards to a minority group of citizens who reside in the country and get their drinking water from ground wells near the Pease River. The Commission Board of Directors should strongly discourage TCEQ Staff from engaging in any

- form of discrimination or preferential treatment. If additional action is required in this regard, we shall seek resolution under a different venue.
8. Response to Comment 8 is incomplete. Furthermore, it now appears that TCEQ Staff failed to complete the administrative review, technical review, and consequently the permit writing process. Information used to derive the 7Q2 is inconsistent with good management practices. If a uniform standard were being applied, the City of Vernon is either not a new discharger or partial data from previous discharges would not have been used as the basis to justify an erroneous conclusion.
 9. Response to Comment 9 amounts to a “smoke screen” on the part of TCEQ Staff. It fails to address the real question that was asked by people who live and work along the Pease and regularly drink from its water, as do many children who use the Pease River for their summer recreation; “will the Pease River water be safe to drink after the proposed toxic wastes are dumped in it?”
 10. Response to Comment 11 is akin to “fixing the corral after the horse gets out”. By now we all know that the City of Vernon is not a “new discharger” since it has had its water treatment plant in operation on-and-off since the year 2001. Discharge from the water treatment plant went directly into the waste water treatment plant; it was subsequently shut down purely on the basis of economics. It seems that the toxic wastes in the water plant discharge were killing-off the shit-eating bugs used in the waste treatment plant; and the cost of disposing of accumulated solids that settled on the tanks was far in excess of the cost to provide distilled bottled water throughout the community. TCEQ should require a complete and accurate application from the City of Vernon along with current data on the proposed discharge (the treatment plant is in place and still connected to the waste water facility) as a condition for consideration of a TPDES permit.
 11. In the response to Comment 12, it appears that the Executive Director was not listening to what everyone present at the public meeting said. Accordingly, we are filing this request for a contested case hearing.
 12. Thank you for information provided in response 13. Our observations indicate that surface soil composition across the Seymour aquifer in Wilbarger County consist mostly of red clay and silty sand, while the Pease River alluvium consists mainly of fine and grainy sand. Therefore we expect the Pease River area recharge and/or absorption rate to be much higher than the TWDB estimate.
 13. Response to Comment 16 by Executive Director stating that he has determined the draft permit (which was clearly demonstrated during the public meeting that it was based on incomplete, incorrect, and false and/or fraudulent information on the part of the applicant) meets the requirements of the TSWQS does very little to alleviate our concerns for safety and health issues.

We have listed the executive director's responses to comments that we dispute in the order in which they were presented. To support the factual basis of our disputes, we are attaching copies of the above referenced materials for you information and convenience. It is our sincere desire that our comments meet with your most favorable response, impartiality, and look forward to our meeting with hopeful anticipation.

Respectfully submitted,

Andy Brumley and Jose L. Cardenas

Handwritten signatures of Andy Brumley and Jose L. Cardenas, each written over a horizontal line.

Mr. Mark R. Vickery, P.G.
TCEQ Executive Director
P.O. Box 13087
Austin, Texas 78711-3087

June 17, 2009

Re: City of Vernon/Water Quality TPDES Permit # WQ0004868000

Subject: Request for Public Hearings

Dear Mr. Vickery:

We are now of the understanding that in order for TCEQ to conduct public hearings on above reference, a minimum of ten (10) written requests must be submitted. Accordingly, we have obtained requests for public hearings from twenty-five (25) interested parties and, in the interest of expediency, are submitting them herewith for your consideration.

From the list of corresponding addresses, it may be readily apparent that most of these individuals live down-stream of the proposed dump site. The remainder either own property along the Pease River or have businesses that will be negatively impacted by the proposed pollutant discharge.

Please advice on proposed meeting dates for the public hearings at your earliest opportunity. For your convenience, we may be able to arrange the use of Wilbarger County Auditorium, 4-H Exhibit Building, or the Vernon College Auditorium to hold the public meetings. We place ourselves at your disposal to coordinate the availability of the proposed locales with your hearing schedule dates.

We look forward to meeting you and respective members of your organization and hope to be of service in order to provide an acceptable solution to our current problem. Please feel free to contact me at 940/886-2292 if you have any queries or should you need any additional information from us. Thank you for all your kind considerations.

Respectfully yours,



Jose L. Cardenas

Bcc: K. Schwab, EPA
File



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

**NOTICE OF PUBLIC MEETING ON AN APPLICATION FOR
WATER QUALITY TPDES PERMIT
INDUSTRIAL WASTEWATER
PROPOSED PERMIT NO. WQ0004868000**

APPLICATION. City of Vernon, 1725 Wilbarger Street, Vernon, Texas 76384, which proposed to operate Vernon Nitrate Treatment Plant, an ion exchange water treatment plant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, proposed Texas Pollutant Discharge Elimination System Permit No. WQ0004868000, to authorize the discharge of ion exchange water treatment system wastes at a daily average flow not to exceed 46,000 gallons per day via Outfall 001. The facility is located at 2801 Sullivan Street, approximately one mile east of the intersection of U.S. Highway 70 and U.S. Highway 287 in Wilbarger County, Texas. The effluent is discharged via pipeline directly to the Pease River in Segment No. 0230 of the Red River Basin. The designated uses for Segment No. 0230 are intermediate aquatic life use and contact recreation.

In accordance with 30 TAC §307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters must be performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the Pease River, which has been identified as having intermediate aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements.

PUBLIC COMMENT/PUBLIC MEETING. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. During the Informal Discussion Period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application and the Executive Director's preliminary decision, but these informal comments made during the informal period will not be considered by the Commissioners before reaching a decision on the permit and no formal response will be made. During the Formal Comment Period, members of the public may state their formal comments into the official record. A written response to all formal comments will be prepared by the Executive Director and considered by the Commissioners before they reach a decision on the permit. A copy of the response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this application and provides a mailing address. Only relevant and material issues raised during the formal comment period can be considered if a contested case hearing is granted.

**The Public Meeting is to be held:
Monday, August 31, 2009 at 7:00 p.m.
Wilbarger County Auditorium, Forum Room
2100 Yamparika
Vernon, Texas 76384**

INFORMATION. Citizens are encouraged to submit written comments anytime during the meeting or by mail before the meeting to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <http://www.tceq.state.tx.us/about/comments.html>. If you need more information, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. *Si desea información en Español, puede llamar 1-800-687-4040.* General information about the TCEQ can be found at our web site at www.tceq.state.tx.us.

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Vernon City Hall, 1725 Wilbarger Street, Vernon, Texas. Further information may also be obtained from City of Vernon, 1725 Wilbarger Street, Vernon, Texas 76384, or by calling Mr. Mitch Grant at (940) 552-2581.

Mr. Mark R. Vickery, P. G.
TCEQ Executive Director
P. O. Box 13087
Austin, Texas 78711-3087

August 13, 2009

Re: Notice of Public Meeting, TPDES Permit # WQ0004868000

Dear Mr. Vickery:

We confirm receipt of above reference and thank you for your consideration. However, we are terribly concerned that **you are proposing to issue a Permit to discharge pollutants directly into the Peace River, under the Texas Pollutant Discharge Elimination System.** This is in direct contradiction to the mission statement and purpose of your agency (**Protecting Texas by Reducing and Preventing Pollution**); but more important is the fact that such action on your part will introduce toxic wastes into our drinking water. **The obvious result will be our premature death by intoxication** and therefore we feel that it needs to be corrected.

Now, I realize that the application submitted by the City of Vernon contains some errors, omissions, and maybe even some misinformation; and that you may have relied on the information thereon to arrive at your preliminary recommendation. Therefore, I believe it is only reasonable to outline some of the information I believe to be incorrect on the original application and reconsider its validity and merits for approval or dismissal.

Because I am not an expert on the subject, I can only comment on general observations made as follows;

1. Technical Report 1.0 – Industrial Application, Page 1, Item No. 1a. is incorrect. In addition to removing nitrates, the process also removes organic and inorganic materials and adds thousands (plural) of pounds of salt per day to the proposed discharge.
2. Technical Report 1.0- Industrial Application, Page 1, Item No. 1c. is incorrect. It states that the process is automated when in fact many of the functions necessary to achieve a successful 24-hour regeneration cycle require manual operations by the attendant maintenance personnel. The description of the regeneration process products is incorrect because the 46,000 GPD discharge will contain Nitrates and many other solid pollutants in addition to the brine water.
3. Technical Report 1.0 – Industrial Application, Page 1. Item No. 1d. is incomplete and misleading. The ground water produced by Vernon contains many contaminants that are removed in the intermediate process of running through the filtering medium and therefore need to be listed as “Intermediate Products” or as additional “Final Products” – they do not just disappear! Chlorine and Sodium Chloride (Salt) are two other “Raw Materials” that just seem to disappear on the application. For lack of better information, we surmise that Chlorine is added to the Potable Water as a sanitizing agent in the final stages of the filtering process. Similarly, the Salt is used in the intermediate process; first to remove the solid contaminants, second to remove the Nitrites and Nitrate pollutants from the water and needs to be listed both; as an “Intermediate” and a “Final Product”, specially considering that hundreds and hundreds of tons of this material will be used and

dumped into the Peace River. Finally, the ion exchange Cation and Anion Resins need to be included in the list of materials in order for the process to work; the equipment manufacturer recommends periodic inspections and adding make-up resins to replace those lost in the back-wash cycle.

4. Technical Report 1.0 – Industrial Application, Page 2? “Background Discussion”, Need for a New Permit is incorrect, incomplete, and misleading. The third sentence states, “The facility removes nitrates...” is not a true statement since the facility has been out of operation for more than two (2) years now, and I understand that this application was submitted to TCEQ on October 9, 2008 (less than one (1) year ago). The second paragraph is misleading since it fails to mention the current status of the facility and the primary reason (economics) for shutting it down in the first place. The last paragraph is incomplete in that it fails to address the fact that the City of Vernon, of its own volition, chose to shut-down the processing facility and provide distilled, drinking water to its citizens. The decision to restart the processing facility as originally designed may prove too expensive for the City of Vernon; and if allowed to do so, they will probably continue providing distilled water, keep the plant shut-down, and prevent the pollution of the Peace River and adjacent lands.
5. Technical Report 1.0 – Industrial Application, Page 3, Item 2a. is incorrect. It states, “No other treatment is proposed prior to discharge.” when in fact there is no treatment whatsoever being done to the waste products prior to discharge.
6. Technical Report 1.0 – Industrial Application, Page 5, Item 3c. is answered, incorrectly.
7. Technical Report 1.0 – Industrial Application, Page 6, Outfall 001, Peace River, Segment 0230, Discharge Duration; 24 (hrs./day), 31 (days/mo.), 12 (mo./year) appears to be incomplete. What are the viscosity, solid particle content and composition of the 46,000 GPD waste products proposed to be dumped that it requires pumping under pressure through a 6” line, on a 24hr/31d/12mo basis? Note: information on 6” line comes from Page 11, Item 11 of this report.
8. Technical Report 1.0 – Industrial Application, Page 9, Item 7 Domestic Sewage, Sewage Sludge, and /or Septage Management and Disposal, Item 7a. indicates to us that the proposed discharge is considered to be Sewage, Sewage Sludge, and/or Septic Material. If such is the case, the proposed discharge must not be permitted.
9. Technical Report 1.0- Industrial Application, Page 9, Item 8 is misleading or not correct. Since the facility was not in operation when this application was submitted, the answer provided is technically correct; but misleading since the applicant has indicated that the plant was operating. When the plant was operating, there were some compliance and/or enforcement guidelines and rules that were being implemented thus the answer is incorrect.
10. Technical Report 1.0 – Industrial Application, Page 10, Item 9 is incorrect. If the biological test data provided on Worksheet 2.0 – Pollutant Analysis Requirements is in fact true and correct, the answer provided should have been affirmative because data came from sample of receiving waters for the proposed discharge.
11. Administrative Report, Page 11, Item 10. is incomplete. Based on personal experience, Items 10a, 10c, and 10f should have been circled.

12. Administrative Report, Page 11, Item 11. is incomplete. The slope of the buried pipeline is not specified. Note: there are only a few feet of elevation difference between the temporary storage tank and the proposed discharge point.
13. Administrative Report, Page 11, Item 12. is incomplete. We understand that, previously, the plant discharge was placed directly into the sewage main. Since the temporary storage tank is not listed under item 13 below, we expect it should have been listed as part of this item.
14. Worksheet 2.0, Page 2-1, Item 1. We understand the pollutants; "Total Dissolved Solids" @ 24,000 mg/l, "sulfate" @ 10,000 mg/l, and "Chloride" @ 11,000 mg/l as listed came from previous operating data from the water treatment plant. What we do not understand is what happened to the other 3,000 mg/l? Are we to understand this amount corresponds to the unaccounted for Nitrates, Nitrites and other toxic pollutants not shown as part of the treatment plant discharge? If we do not know the answer, how can a permit to discharge pollutants be issued?
15. Worksheet 2.0, Page 2-3, Item 3b. "Enterococci". As of the date of this writing, there is no water flowing on the Peace River at the proposed pollutant dump site.
16. Worksheet 2.0, Page 2-5, Item 5. Table 5: based on information on previous tables and data from other water treatment plants in the area, we believe there are several errors in the data presented (items in question may include sulfates, surfactants, iron, magnesium, manganese and tin). This can be confirmed once current samples of test discharge are analyzed.
17. Worksheet 4.0 – Receiving Waters, Page 4-1, Item 1. "Domestic Drinking Water Supply" is incorrect. There are many land owners downstream of proposed dump site that use the Peace River as their domestic drinking water supply. Several of these are located within the 5 (five) mile distance specified in the question and they use the water supply for themselves as well as for their domestic animals. My wife and I, as well as the people who work with us drink water from the Peace River on a regular basis. Our shallow drinking water wells, 10 each, have 20 Ft. deep, perforated casings and the normal water table/level is 6-8 Ft. below the ground surface. This water level corresponds with the level of the Peace River and/ or the pools that remain when there is no flow as is the case now. In addition, during the summer, many children and parents from our surrounding rural community come to the river to swim and play – since they spend many hours there, it is to be expected that they too drink the river water on a regular basis.

Based on the above comments, it should be infinitely clear that the application is incomplete, inconsistent, and lacks relevant information regarding the proposed discharge. In addition, we perceive that proposed discharge will create a permanent and disastrously negative impact on our environment, natural resources, aquatic and land based wildlife. For those reasons, along with facts related to human safety and health, we are herewith requesting that the application permit be resoundingly denied. I am looking forward to meeting with you at the end of this month, and will be honored to make your acquaintance.

Respectfully submitted,



Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 4, 2009

TO: Persons on the attached mailing list.

RE: City of Vernon
TPDES Permit No. WQ0004868000

Decision of the Executive Director.

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** Unless a timely request for contested case hearing or reconsideration is received (see below), the TCEQ executive director will act on the application and issue the permit.

Enclosed with this letter is a copy of the Executive Director's Response to Comments. A copy of the complete application, draft permit and related documents, including public comments, is available for review at the TCEQ Central office. A copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Vernon City Hall, 1725 Wilbarger Street, Vernon, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. A brief description of the procedures for these two requests follows.

How To Request a Contested Case Hearing.

It is important that your request include all the information that supports your right to a contested case hearing. You must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

THE VERNON DAILY RECORD



\$1

Sunday

November 29, 2009

Vol. 84 No. 25

Vernon, Tx. 76384

2 Sections, 20 Pages

50¢ Daily/\$1 Sunday

Sunday



Along the Pease

While the river is down somewhat, this part of the Pease River shows the natural beauty of the river bed. A plan by the City of Vernon would release nitrate discharge from the ion exchange plant into the river. A group of concerned citizens is filing a request

with the Texas Commission on Environmental Quality for a contested case hearing to protest the city's plan. (VDR Photo by Mike Chacanaca)

Citizens to protest city's nitrate plan

By MARK POTTER
The Vernon Daily Record

As the City of Vernon considers possible options concerning the discharge of nitrates from its water supply, a local citizens group is filing a request with the Texas Commission on Environmental Quality (TCEQ) for a contested case hearing. The group is protesting the city's plan to build a pipeline between the ion exchange plant where nitrates are removed from the water and Pease River, where the nitrates will allegedly be dumped.

By filing the request for a contested case hearing, the group hopes to buy time so the city can come up with a plan that would seek alternatives for the discharge of nitrates rather than dumping them into the river. The TCEQ was prepared to award the permit to the city unless a request for a contested case hearing was filed.

Jose Cardenas and Andy

Brumley, both rural Wilbarger County residents are leading the effort to file the contested case hearing request with TCEQ. Cardenas, the spokesperson for the group, stated the city has various options available concerning the discharging of nitrates besides dumping them into the river. Those options would avoid potential problems from contamination of the water or "alleged dumping of toxic wastes" into the river, causing environmental problems for farmers and ranchers living near the river.

Cardenas stated the city has various options for discharging of the nitrates including the construction of a disposal well to re-inject the nitrates, separation ponds into which the nitrates can be dumped and allowed to settle and evaporate, or reactivate the proposal to build a lake along the Pease River between Vernon and Crowell that has been discussed for many years.

(See CITIZENS, Page 2A)

Citizens

(Continued From Page 1A)

"The lake would be the best solution, but it is the most expensive," he stated. "The city does have one of the other two options they can at least consider in the short term. We just want the city not to simply dump the nitrates into the Pease River and turn it into a toxic waste dump."

Cardenas noted not coming up with an "acceptable" solution concerning the discharge of nitrates could create legal problems for the city as lawsuits could result from damage to the river and adjoining land along with contamination of drinking water.

He stated contaminants into Pease River, which flows into the Red River northeast of Vernon, could result in toxic damage to fish and other wildlife as far away as Lake Texoma, which is located on the

Red River, along with drinking water of cities that rely on the Pease and Red rivers, and related streams.

"People along the rivers don't want Vernon's toxic waste," he said.

Cardenas noted the city should consider a "permanent" solution to the nitrate discharge situation through one of the three options suggested instead of just building a pipeline to dump the discharge into the Pease River.

"We're just asking the city to seek a permanent solution," he said. "If we are to progress, we need to find a solution that will last at least 100 years."

Vernon City Manager Mitch Grant stated it is keeping the permit that was approved by TCEQ in place in order to permit the city to consider options to discharge the nitrates in an environmentally safe manner, rather than having to go through the process of withdrawing it and then resubmitting it.

He said the city commission is keeping those options available, adding a feasibility study is being conducted to determine the most cost-effective plan for discharging of the nitrates. The study is expected to be completed in January.

"We'll know about costs of each option by then," Grant said. "We're looking for a reasonably affordable disposal method."

Grant said the city is currently beginning work to rehabilitate the ion exchange plant, which has been shut down for more than two years due to adverse effects the process had on the city's wastewater plant. Those adverse effects included salt deposits leading to rust from metal structures and equipment.

"The city commission has expressed clearly that we want to be very conscious of the environmental and consider a reasonably-priced discharge plan," he said.

A large number of citizens

ary.
"We'll know about costs of each option by then," Grant said. "We're looking for a reasonably affordable disposal method."

Grant said the city is currently beginning work to rehabilitate the ion exchange plant, which has been shut down for more than two years due to adverse effects the process had on the city's wastewater plant. Those adverse effects included salt deposits leading to rust from metal structures and equipment.

"The city commission has expressed clearly that we want to be very conscious of the environmental and consider a reasonably-priced discharge plan," he said.

A large number of citizens attended a public meeting Aug. 31, to voice concern about the city's nitrate discharge proposal and the permit request. TCEQ officials were also present to review and summarize comments and prepare written responses that were mailed to those who submitted the questions.

The agency's officials also outlined the process of reviewing the application and considering approval or disapproval of the proposal, which could take up to a year to decide, or even longer if a formal contesting of the proposal is filed and additional hearings are scheduled.

Corrections—The Vernon Daily Record would like to correct any error appearing in the newspaper. If you feel an error has been made, please call 552-5454 during regular business hours.

Lottery	
PICK 3	
Friday Night:	5-5-9
Saturday Day:	3-4-4
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Weather	
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High:	73
Low:	44
6 PM Sat:	72
Rainfall	
Last 36 hrs:	0.00
2009:	29.95
2008:	22.39
Sunrise/Sunset	
Sunset Sun:	5:28
Sunrise Mon:	7:24

THE VERNON DAILY RECORD

(USPS 658-160)

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1

TCEQ Public Meeting Form

Monday, August 31, 2009

City of Vernon

Proposed TPDES Permit No. WQ0004868000

PLEASE PRINT:

Name: Andy Brumley

Mailing Address: 9427 CR 995

Physical Address (if different): Vernon, Tx 76389

City/State: _____ Zip: _____

Phone: (940) 553-3757

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2009 SEP - 2 PM 2:06
CHIEF CLERKS OFFICE

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 at any time during the meeting)

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

MB

L

PM

OPA

JUN 23 2009

IWD
65862

BY

Mr. Executive Director,

I would like to request a public meeting with TCEQ in reference to the TPDES permit number WQ0004868000, Vernon Nitrate Treatment Plant Discharge.

It is my firm conviction that previous similar discharge from the Vernon waste water treatment plant has already degraded the quality of both surface and underground downstream water, and that continued discharge, as proposed in the permit, would further harm water quality.

In February of 1999, a stock water well was drilled on my property. The well is east of the water treatment plant by approximately 3,240 feet. The well was drilled under an NRCS EQIP program, and the potability of the water produced was deemed acceptable to breeding cattle and wildlife. Water of this nature is rated below a 5 on an electrical conductivity (EC) test.

Today, water from the same well measures around 11 on the EC meter. Neither cattle nor wildlife will approach the water pumped from the well, and said water corrodes the windmill and dissolves the water trough within weeks.

While I understand that discharge from the waste water plant is unlikely to be the total cause of the water degradation, I also understand that it has not helped. Nor will continued discharge improve the situation.

I know that the formula for determining waste water discharge into a public stream includes the average volume of water in that stream in order to calculate dilution. In the last ten years, the Pease River has had less water passing through it to dilute discharged waste waters. I'm sure that this is a factor in the increase in salts, nitrates, and other contaminants in the water streams, and is a condition that will only be further aggravated by continued waste water discharge.

For these reasons, I would request a public meeting, and ask for further testing by TCEQ or the EPA or both on the underground water streams, both up river and down, before this permit is granted.

Sincerely,



Andy Brumley
9427 CR 99 S
Vernon, TX 76384
940-839-6035

CHIEF CLERKS OFFICE

2009 JUN 22 PM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



PM OPA
JUN 19 2009

IWD
65862

BY EB

Mr. Executive Director,

I would like to request a public meeting with TCEQ in reference to the TPDES permit number WQ0004868000, Vernon Nitrate Treatment Plant Discharge.

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Sincerely,



Andy Brumley
9427 CR 99 S
Vernon, TX 76384
940-839-6035

2009 JUN 19 PM 2:12
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



IWD
65862

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

June 17, 2009

HR OPA PM

JUN 23 2009

BY DM

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) LON BYARS
(Address) 2304 HILLTOP DR. VERNON, Tx. 76384
(Phone/e-mail) 940/553-4604

Very truly yours,

Lon Byars/gc
Bcc. File

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2009 JUN 22 PM 3:33
CHIEF CLERKS OFFICE

34

Mr. Mark R. Vickery, P.G.
TCEQ Executive Director
P.O. Box 13087
Austin, Texas 78711-3087

IWD
65862

June 17, 2009

H/R OPA *PM*
JUN 23 2009

Re: City of Vernon/Water Quality TPDES Permit # WQ0004868000

Subject: Request for Public Hearings

BY DM

Dear Mr. Vickery:

We are now of the understanding that in order for TCEQ to conduct public hearings on above reference, a minimum of ten (10) written requests must be submitted. Accordingly, we have obtained requests for public hearings from twenty-five (25) interested parties and, in the interest of expediency, are submitting them herewith for your consideration.

From the list of corresponding addresses, it may be readily apparent that most of these individuals live down-stream of the proposed dump site. The remainder either own property along the Pease River or have businesses that will be negatively impacted by the proposed pollutant discharge.

Please advice on proposed meeting dates for the public hearings at your earliest opportunity. For your convenience, we may be able to arrange the use of Wilbarger County Auditorium, 4-H Exhibit Building, or the Vernon College Auditorium to hold the public meetings. We place ourselves at your disposal to coordinate the availability of the proposed locales with your hearing schedule dates.

We look forward to meeting you and respective members of your organization and hope to be of service in order to provide an acceptable solution to our current problem. Please feel free to contact me at 940/886-2292 if you have any queries or should you need any additional information from us. Thank you for all your kind considerations.

Respectfully yours,



Jose L. Cardenas

Bcc: K. Schwab, EPA
File

TEXAS
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2009 JUN 22 PM 3: 32
CHIEF CLERKS OFFICE

mw

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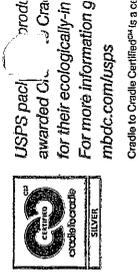
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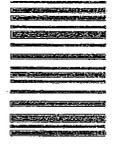
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EP131

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

June 17, 2009

IWD
65852

HR OPA PM

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY DM

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) JOSE L. & GLORIA CARDENAS

(Address) 15209 U.S. Hwy. 70N. OKLAHOMA TX. 76373

(Phone/e-mail) 940/886-2292 E-MAIL "JOSE.CARDENAS@LIVE.COM"
OR "GLORIA-CARDENAS@HTML.COM"

Very truly yours,


Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE



TCEQ Executive Director
Office of the Chief Clerk MC-105
PO Box 13087
Austin, Tx. 78711

May 27, 2009

IWD
65862

H OPA
MAY 29 2009
BY RY

CHIEF CLERKS OFFICE

2009 MAY 29 AM 11:00

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: Proposed TPDES Permit No. 0004868000
city of Vernon
Subject: Request for Contested Case Hearing

Dear Director;

On Friday, May 22, 2009 we submitted our comments and meeting request via electronic mail in accordance with instructions on the newspaper Public Notice which reads "... **All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TECQ, P.O. Box 13087, Austin, Tx 78711-3087 or electronically at www.tceq.state.tx.us/about/comments.html within 30 days from the date of newspaper publication of this notice.**"

This morning, May 27, 2009 we received an e-mail from the Office of Public Assistance (OPA) stating that comments on pending permit applications are not accepted via email. We are told that comments may be faxed directly to the Chief Clerk at 512/239-3311 but they must be followed up with a hard copy in the mail within three days. Attached is copy of OPA correspondence for your information.

In the interest of avoiding further delays, we are herewith mailing you a hard copy of our original, electronic correspondence as follows;

Att'n: TCEQ Executive Director;

It has come to our attention via public notice on our local newspaper, The Vernon Daily Record, dated May 21, 2009 that you intend to issue the above referenced "Permit" to the City of Vernon which will allow it to discharge 'toxic' wastes from its water treatment system directly into the Pease River. The notice states that "...treatment system wastes at a daily average flow not to exceed 46,000 gallons per day via Outflow 001." will be dumped into the Pease River; for that reason, we (my wife Gloria and I) are herewith requesting a Contested Case Hearing. In accordance with notice instructions, the following information is provided:

Name - Jose L. and Gloria Cardenas
Address - 15209 US Hwy. 70 North
Oklaunion, Tx. 76373
Phone - 940/886-2292

Applicant/Permit No. - City of Vernon / WQ0004868000

Location - Our farm/ranch is directly down stream of proposed dump site

Adverse Effects - We have three (3) primary areas of concern that may not be common to the general public as follows;

1. Our drinking water comes from shallow wells in our property that will become contaminated by the proposed discharge.
2. Our livelihood and way of life is derived from raising beef/milk producing cattle out of a herd of quality 'mama cows'. The very life of these cattle depends on the quality of water they drink out of the Pease River. The increased probability of Methemoglobinemia, aborted fetuses, still born, brain damaged calves, destroyed micro-organisms in cattle rumens, and deleterious effects on milk production are but a few of our immediate concerns.
3. The rate of absorption of this toxic waste into our sandy, river bottom soil is a grave concern because; for many years now, we have been leaching out the excess brine out of our soil by installing underground drain lines that run throughout our pastures and into a collection sump. The Pease River normally dries up in times of drought, it went bone dry for about 10 days this Spring and it was dry for more than three (consecutive) weeks last year. Decades of soil conservation and environmental improvements will be imminently destroyed by this action.

Based on the concerns stated above, **“we request a Contested Case Hearing.”**

Even though I am not a Chemist, I took the liberty of using the word toxic wastes above based on the following facts;

1. The City of Vernon has been advising its customers (approximately 12,000 residents) not to drink the water because of its high content of Nitrates/Nitrites that exceed the EPA/TCEQ standards and has been providing distilled water free of charge.
2. During the summer months, the City of Vernon produces/consumes approximately 7,500,000 gallons of water per day which, by their own tests, has a Nitrate/Nitrite content that exceeds the allowable standard of 10 ppm/ 1 ppm respectively.
3. The proposed discharge of 46,000 GPD into the Pease River will consist of highly concentrated Nitrates/Nitrites which by simple arithmetic can be shown to be far in excess of levels proven toxic to humans in the past.

For your information, on this date I was in phone contact with Mr. Mitch Grant, Administration Manager for the City of Vernon who was receptive to our concerns but indicated a limited knowledge of the technical cause and effects of this permit. We are even far less equipped regarding these technical aspects and are only concerned with the most basic, common sense solutions which we hope to discuss with Mr. Grant early part of next week. It is our sincere belief that working together we will be able to discern the problem once we understand each others perspective and are willing to adapt a mutually agreed resolution. In the mean time, we ask that the permitting process be postponed. Thank you for your kind attention to our request and we look forward to working with you to continue providing good stewardship of our land and a healthy environment for all the citizens of our Great State of Texas.

Respectfully submitted,

Jose L. Cardenas

Bcc: Mitch Grant

Please be advised that Mr. Mitch Grant, on May 26, 2009, declined to meet with us to discuss possible alternatives and/or solutions to the above referenced permitting process. Attached for your information is copy of his response to our request for a meeting dated May 22, 2009. In his response, Mr. Grant states that "...we are not proposing to discharge any additional amounts above what has beendischarged for several years." This is in fact an erroneous statement because the Nitrite Ionization Plant has not been in operation for more than two (2) years now. By failing to agree to meet with us, the City of Vernon is once again showing its unwillingness to resolve its drinking water problem in a manner that is consistent with prudent practice and due consideration for sound environmental quality principles. The conservation programs we have followed in our farm have been developed and financially supported by government programs sponsored by the USDA. The resultant effects from this proposed permit are in direct opposition of what has been accomplished.

Once again, thank you for your time and considerations for our request.

Respectfully yours,



Jose L. Cardenas

Bcc: file

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Re: FW: Contested Case Hearing on proposed TPDES Permit No. WQ0004868000

From: WWW - OPA (OPA@tceq.state.tx.us)

Sent: Wed 5/27/09 8:31 AM

To: Gloria Cardenas

Cc: WWW - WQAP (WQAP@tceq.state.tx.us)

Mr. Cardenas-

The Office of Public Assistance (OPA) is responsible for responding to the public on pending permitting actions therefore your email has been forwarded to OPA for a response.

Comments on pending permit applications are not accepted via email, however, you may comment through our "eComments" online system at www5.tceq.state.tx.us/ecmnts/index.cfm

You may also send your written comments to the following address:

Office of the Chief Clerk MC-105

TCEQ

PO Box 13087

Austin, TX 78711

These written comments may also be faxed directly to the Chief Clerk at 512/239-3311 but will be followed up with a hard copy in the mail within three days.

If you have any further questions, please contact OPA via email or at 800/687-4040.

Sincerely,

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RE: TCEQ Proposed TPDES Permit No. WQ0004868000

From: **Mitch Grant**
Sent: Tue 5/26/09 10:23 AM

To: 'Jose Cardenas'

Jose:

I believe the correct thing for you to do is speak with TCEQ as you have apparently chosen to do. It is important to note that we are not proposing to discharge any additional amounts above what has been discharged for several years. Only a different location on the Pease. Keep in mind that all the information is available for review at City Hall any time we are open but it would be later this week before I can have a copy made for you, although we are not obligated to do so.

Mitch

From: Jose Cardenas
Sent: Friday, May 22, 2009 10:19 PM
To:
Subject: TCEQ Proposed TPDES Permit No. WQ0004868000

Dear Mitch;

Since I did not receive the e-mail we discussed this morning or hear from you otherwise, I decided the prudent thing for us to do was request a temporary postponement to the permitting process until we have an opportunity to address our concerns. In accordance with our discussion, we believe our concerns are legitimate, based on factual information, and need to be addressed in a businesslike, but amicable manner prior to this process going forward. I have copied you in our letter to TCEQ wherein we request a Contested Hearing Case as the appropriate step to postpone the process.

We wish to set up a meeting with you and members of your staff who poses a good perspective of the drinking water problem, and your engineering firm's representative if you deem necessary, for the purpose of considering any additional options and/or solutions. It is our sincere belief that working together will result in an optimum outcome that will best serve the needs of our community and each other.

Tuesday of Wednesday will work fine with us for a meeting, you set the time. We can meet at our place or yours at your

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lowering
our price
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SIGN UP



TCEQ Public Meeting Form

Monday, August 31, 2009

8 2

Jose Cardenas
provided oral
comments

City of Vernon

Proposed TPDES Permit No. WQ0004868000

PLEASE PRINT:

JOSE

Name: Gloria Cardenas

Mailing Address: 15209 US Hwy 70 N

Physical Address (if different): _____

City/State: Oklahoma, Tx

Zip: 76373

Phone: (940) 886-2292

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 SEP -2 PM 2:07
CHIEF CLERKS OFFICE

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 at any time during the meeting)

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

mw

TCEQ PUBLIC HEARING – AUGUST 31, 2009

2009 SEP -2 PM 2: 07

1. Jose L. Cardenas – Resident along the Pease River
2. Thank you for the opportunity to express our views on your permitting process
3. A preliminary decision has been made by TCEQ to issue a Permit for Vernon to discharge pollutants into the Pease River. Is this correct?
4. The pollutants consist of Nitrate, Nitrite, Sodium Chloride, Aluminum, Arsenic, Barium, Chromium and many other undesirable elements as listed on your evaluation/review report.
5. Was the preliminary decision to issue a Permit based on the application as filed by the City of Vernon on October 9, 2008?
6. We have provided TCEQ with information that shows the application is incomplete, inconsistent, and lacks relevant information regarding the proposed discharge. In fact, the misinformation contained borders on fraudulent misrepresentation of the negative impact on our environment, our natural resources, and wildlife. Based on these facts, we are asking TCEQ to rescind its preliminary decision.
7. We are further requesting that; prior to considering any re-applications that a comprehensive Environmental Impact Study is made – taking into consideration that other alternative solutions may be more appropriate.
8. For example, we should consider the Safety & Health of people (those living downstream as well as those who use the river for recreational purposes). How do you intend to “... maintain and protect existing uses” of the Pease River if toxic pollutants are allowed to be discharged? (If they are not toxic pollutants, why are you forcing Vernon to filter them out of the water)?
9. We believe we have other options that are more beneficial to our Community and will achieve better results – if TCEQ is willing to work with the City of Vernon and its citizens;
 - a) Blend water from newly acquired source
 - b) Use re-injection wells to dispose of toxins
 - c) Correct faulty design of original water processing plant
 - d) There are many other options; but at this time...
10. I believe that I should allow other people to express their views. Thank you

CHIEF CLERKS OFFICE

OPA RECEIVED

AUG 31 2009

AT PUBLIC MEETING

mw

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

June 12, 2009

IWD
65862

OPA

Re: **Proposed TPDES Permit No. WQ0004868000**

JUN 19 2009

Subject: **Additional Comments**

BY EB

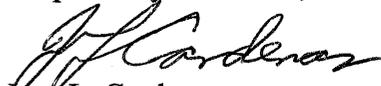
Dear Chief Clerk;

We have acquired new information that is relevant to the permitting process of above reference. During a meeting with City of Vernon representatives (the applicant) we noted several errors and miss-information in the originally submitted application. At the end of the meeting, we came away with the feeling that the applicant was not going to take any action to correct the glaring mistakes in their application to the TCEQ.

For that reason, and **because of personal experience with Vernon's past disregard of state laws dealing with human safety and health issues**, we are prompted to submit additional comments that need to be considered prior to issuing a permit.

Attached to this letter please find our comments; they need to be provided to TCEQ Director and everyone else involved in the permitting process of this application. Thank you for your kind consideration of our request.

Respectfully submitted,


Jose L. Cardenas

- Attach: 1. TCEQ Additional Comments
2. Potable Water System Comparisons
3. Pease River flow, June 5, 2009
4. Red River flow, June 5, 2009

Bcc: K. Schwab, EPA
File

CHIEF CLERKS OFFICE

2009 JUN 19 PM 2:16

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Handwritten initials

OPA

JUN 19 2009

TEXAS
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ON ENVIRONMENTAL
QUALITY

Att'n: TCEQ Executive Director

BY GB June 12, 2009

Subject: Proposed TPDES Permit No. WQ0004868000

2009 JUN 19 PM 2:46

Pursuant to our letter of May 27, 2009 wherein we request a Contested Case Hearing on above subject, we wish to provide additional information as follows;

CHIEF CLERKS OFFICE

1. Vernon's City Manager, Mitch Grant informed us that no toxic wastes are going to be discharged with this proposed permit, and that it would be identical to what Burkburnett, Texas was doing with their water system.
2. During a visit to Burkburnett, we found substantial differences to warrant development of a comparison chart (copy attached for your information).
3. This comparison chart was reviewed with Mayor Jeff Bearden and Mitch Grant, along with two (2) other interested neighbors on June 10, 2009. After lengthy discussions, everyone present agreed the differences between both systems were substantial and should be taken into consideration.
4. At this meeting, I advised Mayor Bearden and Mr. Grant that the information on their original application was incomplete, inaccurate and misleading. When they asked for specifics, I offered that:
 - A. as a Significant Industrial User with a New Discharge in excess of 25,000 GPD they fall under EPA Regulations (40CFR\$ 400-471)
 - B. environmental impact study has not been done
 - C. it states that sodium chloride (salt) is not applicable when in fact, it is the primary material used in both regenerating cycles of the ion exchange process, and millions of pounds will be discharged on an annual basis.
5. When asked to consider other options, Mitch stated they will look into cost for a disposal well in-lieu of discharging into Pease River, but no action will be taken unless the permit is turned down. When asked about compensation for damages, Jeff responded the City was under no obligation to people down-stream Pease River **if TCEQ awarded a permit**. When pressed about misinformation on the application regarding discharge, he said "...it is the consulting engineer's **problem/ mistake**, which would become a civil matter once the permit was in place." I told him that passing the buck was akin to dumping your wastes onto someone else downstream and not an acceptable solution since the permit would ultimately be revoked based on erroneous input, which in-fact would now constitute an act of fraud since the City has been notified. He responded by saying that he would talk to the consulting engineer.
6. After talking with city of Vernon staff and administrative management, I am of the opinion that this original application has been purposely doctored to keep TCEQ in the dark about the true environmental impact of the proposed process.

It is my true belief that dumping hundreds and hundreds of tons of rock salt on the Pease River that has a seasonal flow, creates an negative environmental impact; I also believe

MW

that dumping tons of solid wastes in the form of dissolved Magnesium, Manganese, Calcium, Zinc, Iron, Nitrate Nitrogen, Chloride, Sulfates, Cadmium, Chromium, Mercury, Nickel, Arsenic, Lead, and Cyanide amongst other metals constitutes a toxic effect that will negatively impact everyone down stream of the proposed "**toxic dump site**" for years to come. I believe that; neither the **City of Vernon**, nor the **Texas Commission on Environmental Quality** want to be known for creating an environmental nightmare. It is for that reason that I am requesting your consideration to include the above, new information with our previous request and adding that you consider rescinding the current preliminary decision to award a permit.

Thank you for your kind considerations to our requests and we hope they meet with your most favorable response.

Respectfully yours,



Jose L. Cardenas

Bcc: K. Schwab, EPA

**BURKBURNETT -vs. - VERNON
POTABLE WATER SYSTEM COMPARISONS**

	<u>Burkburnett</u>	<u>Vernon</u>	<u>Units of Measure</u>
1. Capacity	1.0-1.2	7.5	million gallons/day
2. Treated amount	0.40	approx. 5.0	“ “ “
3. Bypass amount	0.60	“ 2.5	“ “ “
4. Salt used	75-100	0.00?	Tons per month
5. Water hardness	400	700-1200	parts per million
6. Nitrates	20	?	“ “ “
7. Discharge wastes	75-125	46-69 (p)	thousand gallons/day
8. Red River flow	347	N/A	cubic feet/second – 6/4
9. Pease River flow	N/A	26	“ “ “ “

Additional comments:

- a. Burkburnett buys clean, EPA certified water from Wichita Falls in summer time to make up for any additional requirements. This may be blended with their local supply to bring down level of Nitrates and hardness minerals when required.
- b. Vernon's production is more than seven (7) times the amount produced by Burk.
- c. Water flow on the Pease River is less than 10% that of the Red River (6/04/09).
- d. Vernon's application for waste discharge to TCEQ states that no "salt" will be produced in the process; but used as a raw material. How does Vernon plan to remove the Sodium Chloride (salt) from the waste water prior to discharge?
- e. Nitrates in excess of 10 ppm renders water unfit for human consumption as per EPA and TCEQ standards. It is extensively documented that drinking water with these levels will result in abortions/still born babies in the first trimester of pregnancy and result in mal-developed brains in young children. What is the level of Nitrates/Nitrites that will be present in the proposed discharge by Vernon?
- f. Has an EPA environmental impact study been made regarding this proposal?
- g. What is the recharge rate of the Pease River alluvium aquifer?
- h. What other options have been considered?
- i. The proposed discharge will create a financial loss to individuals' down-river who depends on the Pease River for their operations. What plans have you formulated to compensate for these losses?

Note: the above comparisons were made to clarify comments made by Mr. Mitch Grant whereby he is under the impression that Vernon's proposed discharge will be the same as Burkburnett. Attached to this sheet are copies of June 4, 2009 Stream Gage Reports by the USACE on the Pease River and the Red River. Comparison made on June 5, 2009.

VERT2: *Pease River Nr Vernon, TX*

Data processed at Fri Jun 05 17:30:56 2009 Central Daylight Time

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These data are gathered electronically and, as presented, have not undergone any form of quality control. These data are not guaranteed to be valid or correct.

[Go to home page.](#)

[Go to station list.](#)

[Go to station map.](#)

Upstream stations:

- [CDPT2: Pease River Near Childress, TX](#)

Downstream station:

- [BKBT2: Red River, Burkburnett](#)

[Previous Day](#)

[Next Day](#)

[Current Day](#)

[Display graphics.](#)

[Display DCP transmissions.](#)

SHEF ID: VERT2 Pease River Nr Vernon, TX
 STATION TYPE: STREAM GAGE
 Regulation Limits: Stage = 15.00, Flow = 13024

	PRECIP	STAGE	RIV-FLOW
	INCHES	FEET	CFS
	GOES	GOES	GOES
(Cen)			
06/04 01:00	0.00	5.76	26
06/04 02:00	0.00	5.74	24
06/04 03:00	0.00	5.74	24
06/04 04:00	0.00	5.71	22
06/04 05:00	0.00	5.71	22
06/04 06:00	0.00	5.70	21
06/04 07:00	0.00	5.69	20
06/04 08:00	0.00	5.67	18.80

06/04 09:00	0.00	5.66	18.12
06/04 10:00	0.00	5.66	18.12
06/04 11:00	0.00	5.66	18.12
06/04 12:00	0.00	5.64	16.83
06/04 13:00	0.00	5.64	16.83
06/04 14:00	0.00	5.63	16.22
06/04 15:00	0.00	5.64	16.83
06/04 16:00	0.00	5.62	15.63
06/04 17:00	0.00	5.61	15.07
06/04 18:00	0.00	5.61	15.07
06/04 19:00	0.00	5.61	15.07
06/04 20:00	0.00	5.60	14.52
06/04 21:00	0.00	5.60	14.52
06/04 22:00	0.00	5.59	14.00
06/04 23:00	0.00	5.59	14.00
06/05 00:00	0.00	5.59	14.00

DVDO2: Red Rr at US 183 bridge nr Davidson 2S**Data processed at Fri Jun 05 20:08:42 2009 Central Daylight Time**

All information presented herein is the property of the government of the United States of America and may be revised or deleted at any time without prior notice.

Dissemination of this information without the expressed written consent of the Public Affairs Office, Tulsa District U.S. Army Corps of Engineers is strictly prohibited.

These data are gathered electronically and, as presented, have not undergone any form of quality control. These data are not guaranteed to be valid or correct.

[Go to home page.](#)

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[Go to station map.](#)

Upstream stations:

- [QGCT2: Groesbeck Ck at SH 6 nr Quanah, TX](#)

[Previous Day](#)

[Next Day](#)

[Current Day](#)

[Display graphics.](#)

[Display DCP transmissions.](#)

SHEF ID: DVDO2 Red Rr at US 183 bridge nr Davidson 2S
 STATION TYPE: STREAM GAGE
 Regulation Limits: Stage = 9.00, Flow = 10932

	PRECIP INCHES GOES	STAGE FEET GOES	RIV-FLOW CFS GOES	WTR-TEMP DEG-C GOES	CONDUCT US/CM GOES	VOLT VOI GC
(Cen)						
06/04 01:00	0.00	4.83	347	23.59	7679	13.
06/04 02:00	0.00	4.85	359	23.13	8223	13.
06/04 03:00	0.00	4.86	365	22.69	8052	12.
06/04 04:00	0.00	4.86	365	22.26	7762	12.
06/04 05:00	0.00	4.87	372	21.84	7431	12.
06/04 06:00	0.00	4.88	378	21.48	7212	12.
06/04 07:00	0.00	4.86	365	21.14	7069	13.
06/04 08:00	0.00	4.85	359	21.04	6932	13.
06/04 09:00	0.00	4.84	353	21.31	6792	13.
06/04 10:00	0.00	4.82	341	21.96	6757	13.
06/04 11:00	0.00	4.79	323	22.87	6714	14.
06/04 12:00	0.00	4.81	335	23.94	6727	13.

06/04 13:00	0.00	4.80	329	25.19	6789	14.
06/04 14:00	0.00	4.78	317	26.41	6873	13.
06/04 15:00	0.00	4.77	311	27.55	6973	14.
06/04 16:00	0.00	4.77	311	28.47	7068	14.
06/04 17:00	0.00	4.76	306	29.08	7085	14.
06/04 18:00	0.00	4.71	284	29.24	7068	14.
06/04 19:00	0.00	4.71	284	28.92	7028	14.
06/04 20:00	0.00	4.70	280	28.47	7017	13.
06/04 21:00	0.00	4.68	273	27.93	7055	13.
06/04 22:00	0.00	4.67	269	27.39	7129	13.
06/04 23:00	0.00	4.66	265	26.82	7245	13.
06/05 00:00	0.00	4.66	265	26.18	7353	13.

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

June 17, 2009

IWD
65852

HR OPA PM

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

JUN 23 2009

Attn, Executive Director:

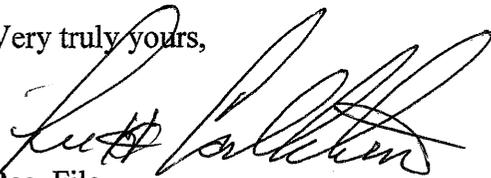
BY BM

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) Lee Castleberry
(Address) 7591 FM 1763E, Vernon TX
(Phone/e-mail) 940-553-4530

Very truly yours,


Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

BM

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

June 17, 2009

IWD
65852

H2 OPA *PN*

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY DM

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) Mary Castleberry
(Address) 7591 FM 1763 E
(Phone/e-mail) 940-553-4530

Very truly yours,

Mary Castleberry

Bcc. File

CHIEF CLERKS OFFICE

2009 JUN 22 PM 3:32

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

mw

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

June 17, 2009

*IWD
65852*

HR OPA PH

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY DN

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) T. Shane Castberry
(Address) 2629 Fannin Vernon TX 76384
(Phone/e-mail) 940 357 9767

Very truly yours,

T. Shane Castberry

Bcc. File

CHIEF CLERKS OFFICE

2009 JUN 22 PM 3:32

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

mm

TCEQ Public Meeting Form

Monday, August 31, 2009

City of Vernon

Proposed TPDES Permit No. WQ0004868000

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2009 SEP -2 PM 2:00

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: Shane Castleberry

Mailing Address: 2629 Fannin Vernon Tx 76384

Physical Address (if different): _____

City/State: Vernon Zip: 76384

Phone: (940) 337 9767

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. *Provided oral formal comments*

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

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

MC

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

June 17, 2009

IWD
65852

HR OPA PM

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

JUN 23 2009

BY *DM*

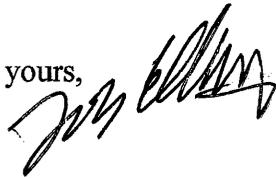
Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) *Toby Castleberry*
(Address) *2600 Mansard St. VERNON, TEXAS 76384*
(Phone/e-mail) *553-1728*
(940)

Very truly yours,



Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

mw

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

IWD
65852

June 17, 2009

HKOPA 917

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY BM

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) ISMAEL & MARY ANN CORTEZ
(Address) 3027 MORTON ST. VERNON, TX. 76384
(Phone/e-mail) 940/552-5022

Very truly yours,

al Cortez/AC

Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

CM

5

TCEQ Public Meeting Form

City of Vernon
Proposed TPDES Permit No. WQ0004868000
August 31, 2009

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 SEP -2 PM 2:07
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: Ismail Carter
Address: 3027 Morton
City/State: Vernon TX Zip: 76384
Phone: (940) 839-6932

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)

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

mw

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

June 17, 2009

ILD
65852

HR OPA 9M

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY *DN*

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) *JAMES & CAROLYN KOONTZ*
(Address) *14627 F.M. 1763 E. OKLAHOMA, TX. 76373*
(Phone/e-mail) *940/886-2354*

Very truly yours,

J.R. Koontz/jk

Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

CM

IWD
65862

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

June 17, 2009

HR OPA PM

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

JUN 23 2009

BY AM

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) DANE MOUNT
(Address) 8281 F.M. 1763E. VERNON, TX. 76384
(Phone/e-mail) 940/552-2747

Very truly yours,

Bcc. Senator Craig Estes
K. Schwab, EPA
File

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2009 JUN 22 PM 3:33
CHIEF CLERKS OFFICE

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

IWD
65852

June 17, 2009

HR OPA PTT

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY BT

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) Jay H. Pierce

(Address) 8354 FM 1763 EAST VERNON, TX. 76384

(Phone/e-mail) 940-553-1913.

Very truly yours,

Jay H. Pierce

Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:32
CHIEF CLERKS OFFICE

mw

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

IWD
65852

June 17, 2009

HR OPA PM

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY DM

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) LUIS & MARY RANGEL
(Address) 2325 MAIN ST. VERNON, TX. 76384
(Phone/e-mail) 940/886-6354

Very truly yours,

Bcc. File

CHIEF CLERKS OFFICE

2009 JUN 22 PM 3:33

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

IWD
65852

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

June 17, 2009

HR OPA PM

JUN 23 2009

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

BY DM

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) Sandy Weaver
(Address) 7670 FM 1763 East VERNON, TX. 76384
(Phone/e-mail) 940 839 7854

Very truly yours,

Sandy Weaver

Bcc. File

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:33
CHIEF CLERKS OFFICE

DM

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

IWD
65852

June 17, 2009

HR OPA *PM*

Re: Proposed TPDES Permit No. WQ0004868000
Subject: Request for Public Hearing

JUN 23 2009

BY *DM*

Attn, Executive Director:

It has come to my attention that your office intends to issue a Permit to the City of Vernon to discharge contaminated wastes directly into the Pease River. I wish to inform you that I am against such action on the basis that it will create a negative safety and health situation for me and my family. For that reason, I am requesting that public hearings be held in order to allow everyone concerned the opportunity to express the extent of the burden created if this permit is awarded.

Thank you for your attention to our request and we look forward to your response in regards to the schedule of the hearings requested. Please feel free to contact me at;

(Name) *ELTON E EDNA ZOCH*
(Address) *17611 G/R. 126E. HARROLD, TX. 76364*
(Phone/e-mail) *940/886-2279*

Very truly yours,

Edna Zoch

Bcc. File

Edna Zoch

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 JUN 22 PM 3:33
CHIEF CLERKS OFFICE

me

9 3

TCEQ Public Meeting Form

Monday, August 31, 2009

City of Vernon

Proposed TPDES Permit No. WQ0004868000

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 SEP -2 PM 2:07
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: Elton Zook

Mailing Address: 17611 CR 186 E

Physical Address (if different): _____

City/State: Harrold, Tex, Zip: 76364

Phone: (940) 896-2279

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 at any time during the meeting)

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

Handwritten signature