

MWD
69710

PM OPA

OCT 05 2009

BY EB

September 28, 2009

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

Reference: Proposed Permit No. WQ0014943001
Katy 884 Partners, Ltd.

Gentlemen:

I own approximately 800 acres of land southeast of the intersection of Schlipf Road and Stockdick Road in Waller County and Harris County. My family has farmed this acreage for many years. In addition, my family has grazed cattle on several hundred of the surrounding acres in this area.

The Brookshire-Katy prairie is susceptible to significant overland sheet flow in this area. As a result of large rainfall events, the overland flow is in a southeast direction. There is a large volume of runoff that comes to the intersection of Stockdick Road and Schlipf Road. At this location, the storm water flows south within Schlipf Road and east along an existing ditch east of Stockdick Road. This overland flow covers thousands of acres used for cattle grazing and rice production. The majority of the area impacted by this overland flow, including my property, is downstream of the proposed wastewater treatment facility.

I am concerned that the operation of a wastewater treatment facility in this part of the watershed could lead to improperly treated wastes being transported by the storm water overland flows during a large rain event. With this proposed wastewater treatment facility being located in a remote area of the county, the facility would be subject to power outages during storm events. Once the facility is without power, the discharges from the plant would not have any disinfection. In addition, any treatment units located near natural ground levels could result in the overland storm water flows overtopping these treatment units, further releasing untreated wastewater in the area.

Any collection systems for the wastewater treatment facility are also subject to the flooding and large inflows from the overland flows. This would further expose the area to untreated wastewater as portions of the collection system would overflow into streets and ditches.

Any untreated releases from the proposed wastewater treatment facility would expose the public to an unacceptable health risk from either direct contact with the untreated releases, the interaction of the overland flows with the cattle, and the exposure of the food commodity grown in the area rice fields.

CHIEF CLERKS OFFICE

2009 OCT -5 AM 10:02

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

MWD

Office of the Chief Clerk, TCEQ
September 28, 2009
Page 2

I hereby voice by opposition to the issuance of this permit application request a Public Meeting on this application in which my concerns, and the concerns of others, can be voiced and offered for consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. R. Dollins, III". The signature is written in a cursive style with a prominent initial "J" and a long horizontal stroke at the end.

J. R. Dollins, III

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

February 10, 2010

Mr. J.R. Dollins, III
P.O. Box 900
Katy, TX 77492-0900

RE: Katy 884 Partners LTD, TPDES Permit WQ 0014943001

Dear Mr. Dollins:

Thank you for your request for a public meeting on the application by Katy 884 Partners, LTD, for permit WQ0014943001. In order to determine whether a public meeting should be held, the Executive Director considers the factors set out in 30 Texas Administrative Code Section 55.154. This rule requires that a public meeting be held if: (1) the Executive Director determines that there is a substantial or significant degree of public interest in an application; (2) a member of the legislature who represents the general area in which the facility is located or proposed to be located requests that a public meeting be held; or (3) when a public meeting is otherwise required by law. The Executive Director has determined not to hold a public meeting on this application.

If you have any further questions, please feel free to contact the Office of Public Assistance at 1-800-687-4040 or me at (512) 239-5778.

Sincerely,



Anthony Tatu, Staff Attorney
Environmental Law Division

cc: Bridget Bohac, Office of Public Assistance, MC-108
LaDonna Castañuela, Chief Clerk, MC-105
Tom Y. Harrigan, P.E., Wastewater Permitting Division, MC - 130

2010 FEB 10 AM 10:59
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

From: PUBCOMMENT-OCC2
To:
Subject: Re: Fwd: Public comment on Permit Number WQ0014943001

>>> PUBCOMMENT-OPA 9/10/2009 1:45 PM >>>

>>> PUBCOMMENT-OCC 9/10/2009 8:01 AM >>>

>>> On 09/09/2009 at 12:20 PM,

*MKD
69718*

REGULATED ENTY NAME WALLER COUNTY MUD 9 WTP

RN NUMBER: RN105753875

PERMIT NUMBER: WQ0014943001

DOCKET NUMBER: Not Found

COUNTY: WALLER

PRINCIPAL NAME: KATY 884 PARTNERS LTD

CN NUMBER: CN603498189

FROM

NAME: BRAD FENNEN

E-MAIL:

COMPANY:

ADDRESS: 4817 SCHLIPF RD

KATY TX 77493-6525

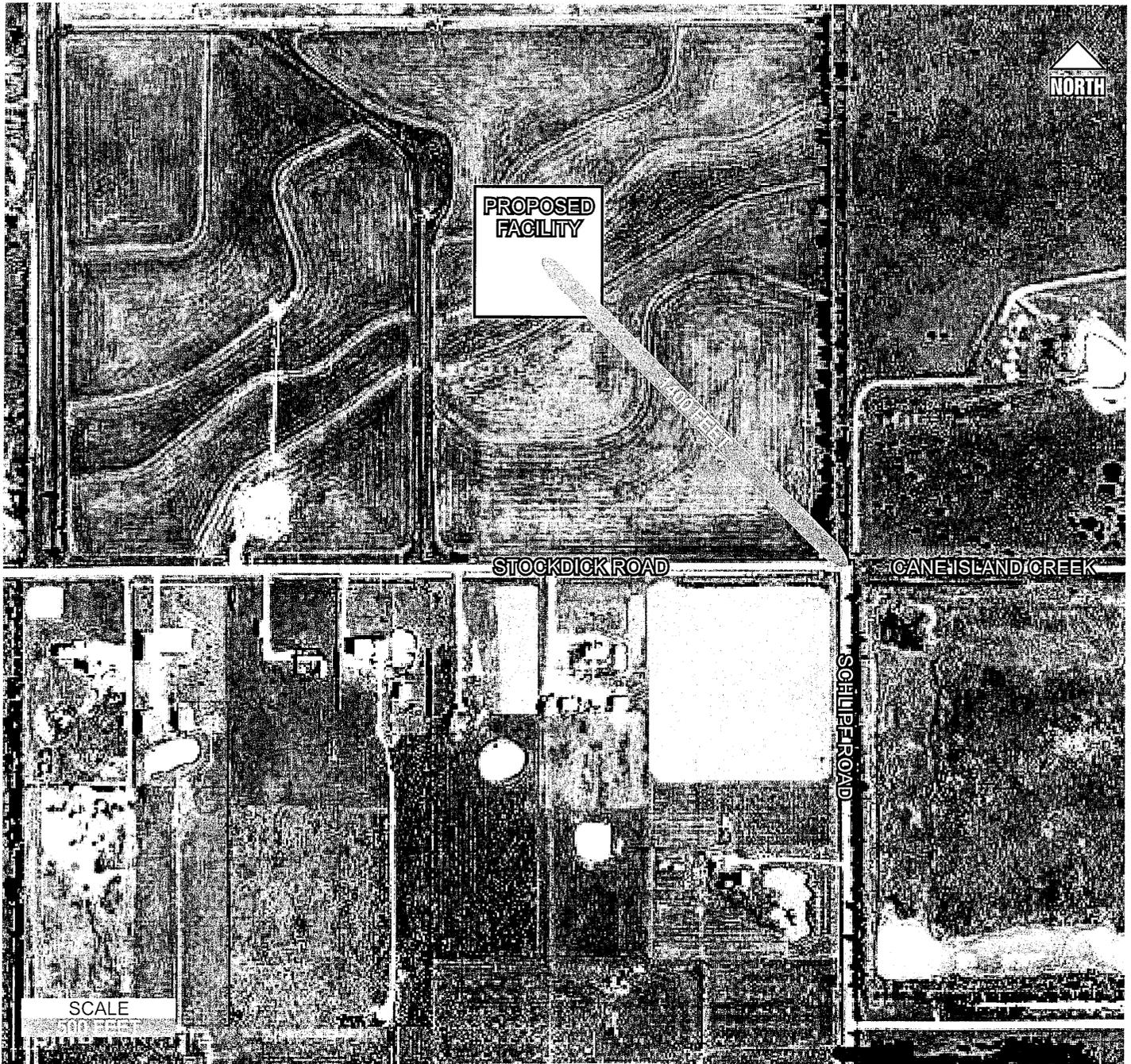
PHONE: 8327258749

FAX: 7139379506

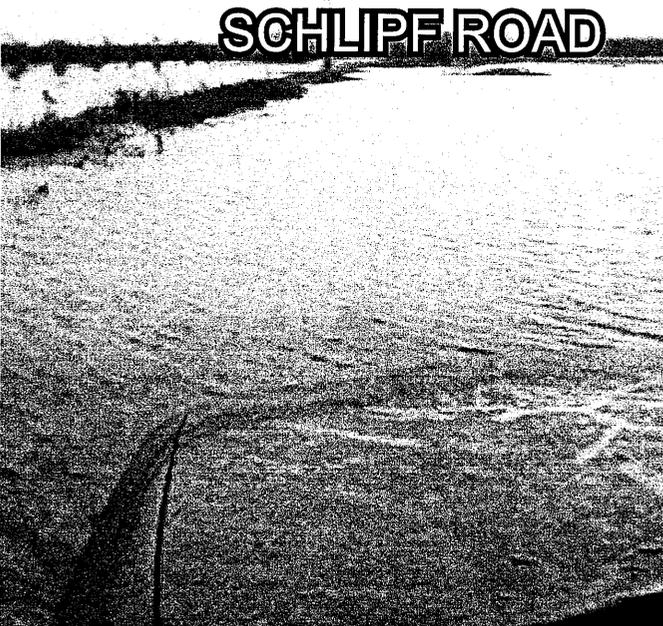
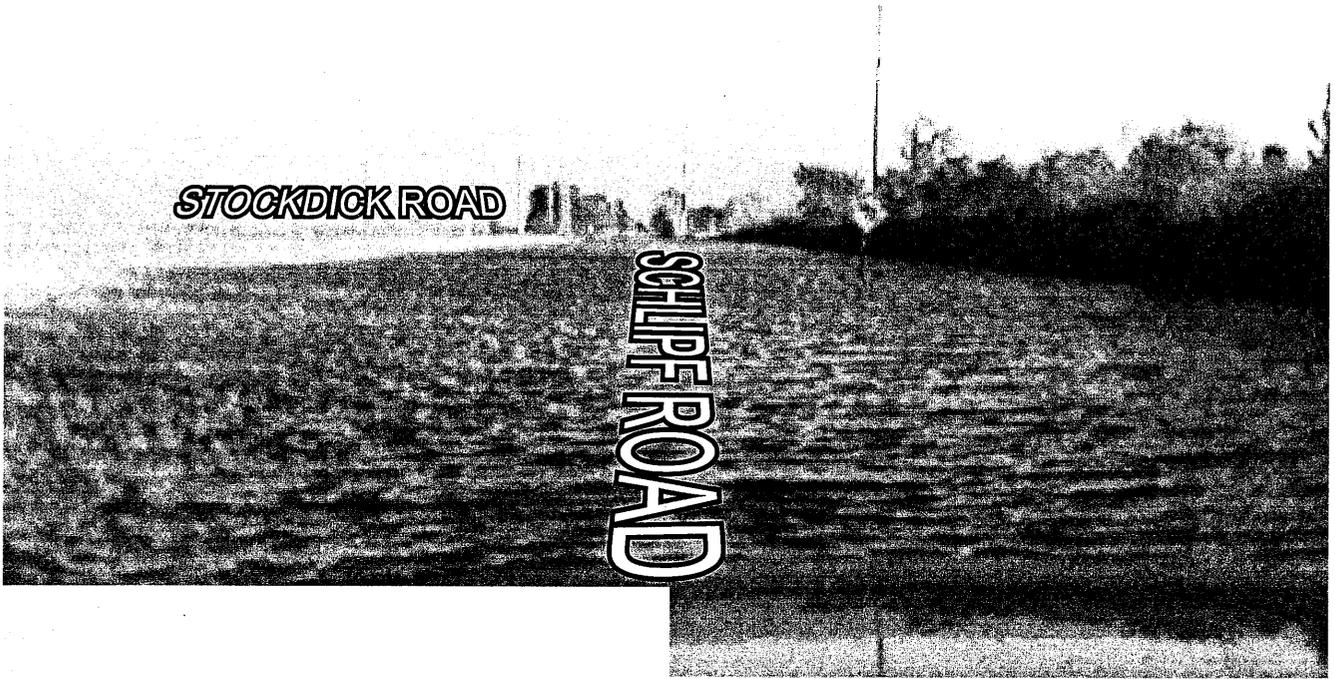
COMMENTS: The proposed discharge is into an open ditch to Cane Island Creek Branch of Buffalo Bayou. This area is inundated almost annually by vast flooding with water levels over the level of the street at 18". The outflow when flooding occurs last for up to 2 months. The area becomes impassable. The ramifications of additional discharge into this area would be extensive. The culverts leading from the ditches at the corner of Stockdick & Schlipf Road are inadequate to handle the flow into Cane Island Creek. For this to be a viable flow route the culverts leading into Cane Island Creek would need to be substantially increased as well as a consideration of clearing debries from the creek downstream to increase the ability to handle the discharge. There are also certainly health concerns relating to a wastewater treatment plant that may be inundated by flood waters. Please review the attached 3 page document.

MKD

**RE: KATY 884 PARTNERS LTD
WASTEWATER FACILITY PERMIT WQ0014943001**



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A FEW PHOTOS OF
PREVIOUS FLOODING

