

July 14, 2010

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

Re: JUSTIFICATION FOR A PUBLIC HEARING ON THE TCEQ DOCKET NO. 2010-0653-MWD, APPLICATION BY GRASON VOLENTE INVESTMENTS, LTD FOR PERMIT NO. WQ0014563001.

Dear Ms. Castanuela:

This letter is in reference to Emily W. Rogers of Bickerstaff Heath Delgado Acosta LLP (Attorney for Grason Volente Investments, LTD) letter of July 2, 2010:

Paragraph 3. Titled - "The Schlotzhauers are not affected persons" outlines all the problems inherent in this waste treatment facility permit application renewal request.

1. No discharge permit: "No effluent is permitted to leave the site."
The site is on gradually sloping property that bottoms out at Lime Creek Road and surrounds the Gun Hollow Creek bed which flows directly into Gun Hollow Cove where dozens of families recreate, swim, and extract water for their daily household use. The land slopes to the creek bed which is the width of a two lane country road from Lake Travis. No berm or retaining wall is designed into the leaching field ("drip irrigation site") to prevent runoff in a heavy rain storm following ground saturation of thin rocky soil.

If you have not heard of human error at a public or private wastewater treatment facility resulting in a "boil your water warning", you have not lived in Central Texas long. Improperly treated effluent from 300+ houses flowing directly into our cove's drinking water supply makes all of our family members "affected persons". The only unaffected persons are those living in the Volente Peak development who will be getting their water piped in from the Cedar Park Treatment Plant.

2. Development's original drip irrigation site:
Scott Rowin of the U.S. Fish and Wildlife Ecological Services decided that the site on the backside of the hills sloping toward the Lake MIGHT POSSIBLY be detrimental to the flora and fauna living in the Balcones Canyonlands Preserve. That site was closer to the processing plant and posed no threat to human life but would have increased vegetation growth POTENTIALLY beyond the liking of Golden-Cheeked Warblers. I am suggesting that the current alternative site is truly "for the birds".

3. Simple Solutions:
 - a. Build the drip irrigation (leaching) field at the originally chosen Volente Peak site where any operator mistakes or weather excesses will cause no harm to human health and safety.

Or
 - b. Add an earthen berm or retaining wall along the bottom side of the site field along Lime Creek Road to hold a worst case overflow and runoff.

I am sure the future Volente residents living in the Volente Peak Development would join with those of us currently living here in an effort to keep Lake Travis the clean, beautiful Lake that attracted us here in the first place. Thank you.

Sincerely,

John Schlotzhauer

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