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BY DL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

WR 69201

2009 DEC -29 PM 2:09

CHIEF CLERKS OFFICE

Office of the Chief Clerk
MC105, TCEQ P.O. Box 13087
Austin, Texas 78711-3087 http://www.tceq.state.tx.us
Public Assistance / 1-800-687 4040

November 27, 2009

The EXECUTIVE DIRECTOR, I Roy R. PETERSEN request a Contested case hearing of Application No. 12445 Re: "Veolia permit application for Water use diversion from an unnamed slough, tributary of Taylor Bayou Jefferson County Port Arthur, Texas!" "Veolia ES Technical solutions, LLC is applicant for temporary water use/1yr diversion, 2000 acre feet fresh surface water!" 350 ac' of which has already been used / Jan 2009 for flushing"

Protestant: Roy R. Petersen, Pro Se plus interest of Alma W. Petersen
515 Roland Lane
Kyle, Texas 78640 5620
512 353 2894

Downstream and adjacent property owners water right holders of record / TCEQ

Applicant for Permit: Veolia ES Technical Solutions, LLC
P.O. Box 2563,
Port Arthur, Texas 77643 / TCEQ
Daniel J Duncan HES mgr
409 736 4146

TWUP No 12445
Jefferson County, Texas
Application No 12445 / TCEQ
Applicant claims 3yr Certificate of Adjudication CR No. 07-4479

Protestant's statement with specificity to diversion and pollution of certified high quality fresh surface spring water from unnamed tributary of HA Fitzhue Surveys 852, 853, 854 to Taylor Bayou, as diverted by Veolia "stipulated and sworn from an unnamed slough for the purpose of flushing polluted water"

continued:

TCEQ requirements to request a contested case hearing, as outlined in the "Notice, Protestant received Nov 14, 09," are self explanatory, as hereby submitted, and must reference Nov 14, 09 receipt, in part, copies of Veolia Environmental Services, March 24, 2009, Letter, Application/TWUP, USGS 7.5 Top. Map, refer: TNRCC, Water Rights Codes and Leg. Acts, as submitted to Ms. Kellye Rila, WRP-MC160 TCEQ, to "Expedite permit", all things considered, whereby the aforesaid permits to Veolia ES Technical Solutions both permanent and temporary should be suspended by the executive director/Chapter 297. Sub ch. 13 (b).

however, TCEQ requirements for contested case hearing numbers (4) and (5), plus unrequired proposed conditions, that would "satisfy my concerns," might open a door for correction of injuries and injustice by Veolia and TCEQ!

"How, I am affected by the application in a way not common..." is addressed in the reason TCEQ mailed the "Notice of Application" to Roy R. Petersen, as described in the "2nd (4)" and (5) the location and distance of my property relative to the on going "activity" and proposal to continue "diversion and flushing" is as described, and not specifically described in the application, one and the same with my property!

I will be satisfied, when TCEQ sees to the restoration of my Wetland marsh surface fresh water spring wildlife nursery, which includes the nursery for salt water marine life! 422 acs! CC: Public Interest Counsel, MC103

Respectfully submitted under penality of perjury! Nov 30, 09!
Roy R. Petersen, pro Se 512-353-2894

Roy R. PETERSEN
515 Roland Ln
Kyle, Texas 78640-5620

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