

Keith N. Wright, P.E.
Deputy City Manager
Emergency Management Coordinator



300 East Shepherd
P.O. Drawer 190
Lufkin, TX 75902-0190
(936) 633-0414
Fax: (936) 633-0381
E-mail: kwright@cityoflufkin.com

June 8, 2011

LaDonna Castanuela, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Aspen Power LLC
Proposed Permit No. WQ-0004921000
EPA I.D. No. TX0132578

~~XXXXXXXXXX~~
OPA
JUN 13 2011
By *OC*

LWD
72637

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2011 JUN 13 AM 10:28
CHIEF CLERKS OFFICE

The City of Lufkin is asking that the Executive Director reconsider the proposed permit application of Aspen Power, LLC, Permit No. WQ-0004921000. The City of Lufkin is the Owner and operator of a 35 acre lake approximately 4500 feet downstream of the proposed Aspen Power discharge point. The Lake, Ellen Trout Lake, is adjacent to the Ellen Trout Zoo and is a local fishery and wildlife habitat that is an important amenity to the Zoo. The lake is a habitat for many varieties of fish and water fowl as well as the American Alligator. Texas Parks & Wildlife stocks the lake yearly. The Z&OO Railroad is operated across and adjacent to the lake and enjoyed by thousands of children each year.

The City has the following concerns:

- Discharge parameters are based on segment 0615, Angelina River/Sam Rayburn. The City believes that the segment is not entirely representative of the conditions and water quality of Ellen Trout Lake and requests that a site specific analysis be completed in order to insure proper discharge parameters. Particularly, the impact of the increased dissolved solids levels on the lake.
- The City requests that a dissolved oxygen parameter be added to the proposed discharge permit. We realize that there will be no oxygen demand due to bacteria in the wastewater. However, oxygen saturation is directly related to temperature. The proposed maximum discharge temperature will create a depleted oxygen condition in the lake that will not only affect summer months, but year around. The City already provides aeration in the lake to improve oxygen levels and is highly concerned that any additional impacts on dissolved oxygen will be detrimental to reproduction and life span of aquatic wildlife. Naturally occurring bacteria increase oxygen demand as well as any bacteria introduced by an artificial

OC

discharge. The increased temperature will place a year around stress on the lake.

- The City requests that any discharge first be required to be placed in a cooling pond prior to discharge. The City seeks an appropriate detention time in a cooling pond to reduce the temperature discharged to Ellen Trout Lake. An analysis should be completed that insures that temperatures will be reduced sufficiently by the time the discharge reaches the Lake to protect the fishery. The maximum discharge temperature should be adjusted accordingly and an average discharge temperature should be added to the proposed limits.
- The City is also concerned that during winter months the difference in temperature of the discharge and the ambient temperature can create a hazardous fog like condition at Loop 287 and the operation of the Z&OO railroad. This should be analyzed to insure that the condition will not occur.

Most of these concerns may be addressed by an analysis evaluating the receiving stream, storage volume, flowrate, travel time, and temperature dissipation at various ambient temperatures. The temperature may dissipate to such a level that minimal impact will occur, the City needs to see an evaluation which indicates the level of impact.

The City believes that the previous requests will insure that the TCEQ meets its mandate in 30 TAC Chapter 307 that surface waters are not made toxic and provide sufficient information so that the Best Professional Judgment can be made.

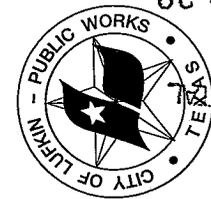
The City appreciates the States consideration of its concerns and looks forward to hearing the response. Thank you for your time and efforts in protecting the waters of the State.

Respectfully,



Keith N. Wright, P.E.
Deputy City Manager

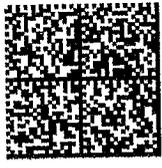
Cc: Paul Parker, City Manager
Jack Gorden, Mayor
City of Lufkin, City Council



CITY OF LUFKIN, TEXAS
ASSISTANT CITY MANAGER
OF PUBLIC WORKS
300 EAST SHEPHERD
P.O. DRAWER 190
LUFKIN, TEXAS 75902-0190

TEXAS
COMMISSION
ON ENVIRONMENT
AND QUALITY

2011 JUN 13 AM 10: 28
CHIEF CLERKS OFFICE
RETURN SERVICE REQUESTED



UNITED STATES POSTAGE
02 1M
0004237298 JUN 09 2011
PITNEY BOWES
\$ 00.44⁰
MAILED FROM ZIP CODE 75901

LaDonna Castanuela, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Tx 78711-3087

RECEIVED

JUN 13 2011

TCEQ MAIL CENTER
JH

7A7113087 8012

discharge. The increased temperature will place a year around stress on the lake.

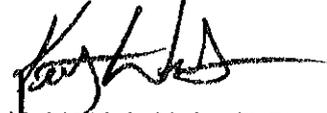
- The City requests that any discharge first be required to be placed in a cooling pond prior to discharge. The City seeks an appropriate detention time in a cooling pond to reduce the temperature discharged to Ellen Trout Lake. An analysis should be completed that insures that temperatures will be reduced sufficiently by the time the discharge reaches the Lake to protect the fishery. The maximum discharge temperature should be adjusted accordingly and an average discharge temperature should be added to the proposed limits.
- The City is also concerned that during winter months the difference in temperature of the discharge and the ambient temperature can create a hazardous fog like condition at Loop 287 and the operation of the Z&OO railroad. This should be analyzed to insure that the condition will not occur.

Most of these concerns may be addressed by an analysis evaluating the receiving stream, storage volume, flowrate, travel time, and temperature dissipation at various ambient temperatures. The temperature may dissipate to such a level that minimal impact will occur. the City needs to see an evaluation which indicates the level of impact.

The City believes that the previous requests will insure that the TCEQ meets its mandate in 30 TAC Chapter 307 that surface waters are not made toxic and provide sufficient information so that the Best Professional Judgment can be made.

The City appreciates the States consideration of its concerns and looks forward to hearing the response. Thank you for your time and efforts in protecting the waters of the State.

Respectfully



Keith N. Wright, P.E.
Deputy City Manager

Cc: Paul Parker, City Manager
Jack Gorden, Mayor
City of Lufkin, City Council