



Response 3: Laurance Kriegel construes the TCEQ response is not taking into consideration any allowance for the wind to carry the Sewer Water and Pathogens and parasite cysts and eggs away with the mist of the water.

Response 4. This response is in error. The Sewer is closer than 500 ft. from the Highway and maybe the property to the North of the Highway. Look at the TCEQ response in number 5.

Response 5. A lagoon is closer than 150 feet from the Highway.

Response 6. The Texas Sunset Commission should shut down TCEQ due to the manner in which the questions are answered in this response. The questions are not answered accurately and TCEQ is required to assist in maintaining the safety of all people in Bovina, Texas and those that drive on the Highway near the Sewer and all the people, livestock, and crops that are down wind of the facility.

Response 7. I am requesting a copy of the front page or two of all manuals used in any office of TCEQ or other offices which have manuals about a Sewer Facility. The City of Bovina, Texas has had in its possession and was using a manual called International Code. The City of Bovina, Texas may still be using a manual called International Code.

Response 8. TCEQ correctly states that the City of Bovina, Texas cannot violate a property right of the individual owning the Land the Bovina City Sewer is built on. The City of Bovina has build on the property of Laurance Kriegel, Therefore the permit should be denied and the land restored to the Original Condition.

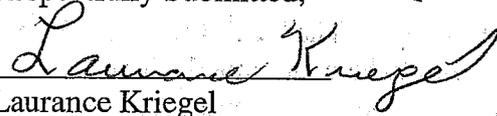
#### CONCLUSION

The City of Bovina, Bovina, Texas does not have fee simple free clear Title to this property the City Sewer is built on. The Law in Texas states land can be sold only fee simple.

#### REQUESTED RELIEF

The correct response to this Sewer Permit Application is for the City of Bovina, Bovina, Texas to restore the Land to the Original Condition and to return the land to the fee simple Land Owner.

Respectfully Submitted;

  
Laurance Kriegel

City of Bovina  
P.O. Box 720  
Bovina, Texas 79009  
806-251-1116

La Donna Castanuela  
Office of the Chief Clerk  
MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087 1-800-687-4040

Robert Brush  
TCEQ  
Environmental Law Division MC-173  
P.O. Box 13087  
Austin, Texas 78711-3087

Blas J. Coy  
TCEQ  
Environmental Law Division MC-103  
P.O. Box 13087  
Austin, Texas 78711-3087

Kent Trede, Technical Staff  
Julian Centano, Jr.  
TCEQ  
Water Quality Division MC-148  
P.O. Box 13087  
Austin, Texas 78711-3087



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75000

HR  
OPA  
NOV 08 2010

TEXAS ENVIORMENTAL QAILITY

BY DM

LAURANCE KRIEDEL  
PLAINTIFF

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\*  
\*  
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WQ0014730001

V.

CITY OF BOVINA  
BOVINA, TEXAS  
DEFENDANT

CHIEF CLERKS OFFICE  
2010 NOV -8 AM 10:40  
TEXAS COMMISSION  
ON ENVIRONMENTAL  
QUALITY

MOTION TO INTERVENE

RESPONSE TO PUBLIC NOTICE

Laurance Kriegel is responding to the Public Notice dated 11-4-2010 submitted by the City of Bovina, Texas on Oct. 25, 2010.

Laurance Kriegel is requesting a contested case hearing. Laurance Kriegel has the legal right to present this application to show how Laurance Kriegel is being adversely affected.

Laurance Kriegel farms 3 miles downwind [east] from the City Sewer at 1202 Hwy 86.

1. The pathogens from the Sewer will reduce the value of the farm and houses.
2. The pathogens from the Sewer will affect the health of Laurance Kriegel.
3. The pathogens from the Sewer will affect the health of the Cattle owned by Laurance Kriegel.
4. The pathogens from the Sewer will affect the health of the soil and the crops produced.
5. Laurance Kriegel drives by the City Sewer daily to conduct business. The pathogens is be growing in the vehicles Laurance Kriegel uses.
6. The City Sewer is approximately 100 ft from Highway 86. Does this meet Texas Law? How close can City Sewers be built from a house?

Laurance Kriegel is the fee simple land owner of this property the City Sewer is built on. Laurance Kriegel has never received payment for the property.

Laurance Kriegel is patiently waiting for a General Land Office Abstracts that go with the General Land Office Map A-7-13 and other General Land Office Maps to show correct ownership of the property.

The fundamental principle based on this Open Records Statute is that all information requested is to be submitted to the Citizens of Texas. The information requested is not stated in the Law as a exclusion.

Safety of people and air contaminants are important to all people. Oil and Gas Wells and lines are in the area and this part should be referred to the Railroad Commission for the safety of all. The General Land Office and the Department of Title Insurance should obtain the correct ownership information before any permit application is decided upon.

Laurance Kriegel is requesting the statute which established TCEQ. If TCEQ is a legal entity of Texas or a legal Agency of Texas a answer should be easily sent to Laurance Kriegel. TCEQ has evaded the question before and the answer to how TCEQ was established. Laurance Kriegel is not signed up at his home with internet access.

The City of Bovina has quoted a book to Laurance Kriegel entitled International Code. This set of rules is illegal. TCEQ needs to recognize a book called International Code is illegal to operate by in the City of Bovina office or the TCEQ office. A direct answer to the question about TCEQ using a book called International Code has never been given to Laurance Kriegel. Since side stepping a correct answer in the past has been normal for TCEQ and the City of Bovina. Laurance Kriegel is construing TCEQ is using a Manuel called International Code and this is illegal. Please state your answers with clarity. The use of a Manuel called International Code is a violation of Texas Laws. TCEQ and the City of Bovina have fiduciary's duties and responsibilities to uphold every Law of Texas to every citizen.

### CONCLUSION

The City of Bovina, Bovina, Texas does not have fee simple free clear Title to this property the City Sewer is built on. The Law in Texas states land can be sold only fee simple.

### REQUESTED RELIEF

The correct response to this Motion to Intervene is for the City of Bovina, Bovina, Texas to return the land to its original condition to the fee simple Land Owner.

Respectfully Submitted:

*Laurance Kriegel*  
Laurance Kriegel

City of Bovina  
P.O. Box 720  
Bovina, Texas 790009  
806-251-1116

Office of the Chief Clerk  
MC 105  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

CHIEF CLERKS OFFICE  
2010-04-07 10:40 AM

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

## LEGAL PUBLICATIONS

### Notice of Receipt of Application and Intent to Obtain Water Quality Permit Amendment Permit No. WQ0014730001

**APPLICATION:** City of Bovina, P.O. Box 720, Bovina, Texas 79009-0720, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend wastewater disposal Permit No. WQ0014730001 to authorize reducing the monitoring frequency requirement for Biochemical Oxygen Demand. The domestic wastewater treatment facility and disposal area are located approximately 0.75 mile northeast of the intersection of State Highway 86 and East Street, to the south of State Highway 86 in Parmer County, Texas 79009. TCEQ received this application on September 7, 2010. The permit application is available for viewing and copying at Bovina City Hall, 205 North Street, Bovina, Texas.

**ADDITIONAL NOTICE:** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.**

If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.

A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST; your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "{I/we} request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.**

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**AGENCY CONTACTS AND INFORMATION.** All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.state.tx.us/about/comments.html](http://www.tceq.state.tx.us/about/comments.html). If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea informacion en Espanol; puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at [www.tceq.state.tx.us](http://www.tceq.state.tx.us).

Further information may also be obtained from City of Bovina at the address state above or by calling Ms. Jana Pitcock, City Manager, at 806-251-1116.

Issuance Date: October 25, 2010



# Texas Department of Insurance

Property & Casualty Program - Title Division, Mail Code 106-2T  
333 Guadalupe • P. O. Box 149104, Austin, Texas 78714-9104  
512-322-3482 telephone • 512-305-7426 fax • www.tdi.state.tx.us

## COMPLAINT FORM FOR TITLE (FORMA PARA UNA QUEJA FORMAL SOBRE SEGUROS DE TITULO)

Please return to above address.  
Por favor regrese la forma completa a la dirección escrita arriba.

Today's Date: 4-2-2010  
Fecha

### PLEASE PRINT CLEARLY (Favor de Escribir Con Letra de Molde)

Insured or Claimant's Name: Walter Arthur Kriegel Estate

Nombre del Asegurado o quien reclama

Address: 1202 Hwy 86

Domicilio

Phone (Home): (806) 225-7285

Teléfono (Casa)

City/State: Bovina, Texas

Ciudad/Estado

Zip Code: 79009

Código Postal

Phone (Work): ( )

Teléfono (Trabajo)

### COMPLAINT IS AGAINST (La Queja es contra):

Company/Agent's Name: CITY OF BOVINA INSURANCE CO.

Nombre del Agente o Compañía

Phone No.: (806) 251-1176

Teléfono

Company's/Agent's Address (if known): P.O. Box 120

Dirección del Agente o Compañía (Si se conocí)

City: BOVINA

Ciudad

State: TX

Estado

Zip code: 79009

Código Postal

Insurance Company  
Compañía de Seguros

Agent  
Un Agente

Other (Specify): \_\_\_\_\_  
Otro (Por favor especifique)

File Number: \_\_\_\_\_

Número de Archivo

Closing Date: \_\_\_\_\_

Fecha para concluir su transacción

### POLICY INFORMATION (Información Sobre la Póliza)

Policyholder's Name (if different from yours) Walter Arthur Kriegel Estate

Nombre del Asegurado (si es diferente al suyo)

Address (if different from yours): 1202 Hwy 86

Dirección (si es diferente al suyo)

Farwell, Tx.

79336

City: Bovina

Ciudad

State: Texas

Estado

Zip code: 79009

Código Postal

Date complaint occurred or began 1-1-2009  
Fecha cuando la queja ocurrió o empezó:

**MY COMPLAINT IS (Please describe and attach any documents that you believe are necessary in helping us to solve your complaint.): *Mi Queja Es (Favor de explicar e incluir copias de cualquier documento que será necesario para ayudarnos a resolver su queja.)***

The City of Bovina, Bovina, Texas and / or City Works in Bovina, Texas have Trespassed to Try the Title to the Walter Arthur Kriegel Estate Capitol League 520, T7S R2E section 15. The Department of Insurance of Texas was previous notified. The City of Bovina has built a sewer on this property without the permission of the fee simple clear title Land Owner. The Deed of Record does not tract to the Abstract of the Walter Arthur Kriegel Estate. The dirt from the sewer hole is being illegally spread on City of Bovina streets.

Does the City of Bovina have a TCEQ permit for the sewer plant? The sewer is built a few feet south of Hwy 86 and the odor from the sewer enters my vehicle's every time I drive past the sewer, at least four times a day. The pathogens will remain in the car for a long period of time and may continue to grow in the vents or on the interior.

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**What do you consider to be a fair resolution to your problem? *¿Qué considera usted una justa solución a su problema?***

Laurance Kriegel is requesting the property be returned to the original condition and The Estate of Walter Arthur Kriegel have possession of the property. The Estate will accept the Electric Irrigation Center Pivot recently erected on the property as part of the damages provided sewage is never pumped into the sprinkler.

The Walter Arthur Kriegel Estate is requesting \$50 million in irreparable damages.

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**(If more space is needed, please attach a separate page.) *(Si necesita mas espacio, favor de usar una hoja adicional.)***

Laurance Kriegel Heir To The Estate  
INSURED OR CLAIMANT'S SIGNATURE  
FIRMA DEL ASEGURADO O DE QUIEN PONE LA QUEJA

4-2-2010

DATE  
Fecha

**NOTICE ABOUT CONFIDENTIALITY**

The Texas Department of Insurance (TDI) uses information disclosed in this form to help resolve your complaint. Resolution may require TDI to share this information with the person or company named in your complaint. Although by law much of the information you submit may be considered public record, portions may be confidential. For example, you may include private information protected by the doctrine of common law privacy, medical records protected by the Medical Practice Act, or individual e-mail addresses protected by the Texas Public Information Act. Sharing this information for purposes of processing your complaint does not waive these confidentiality protections. If you would like more information about the public or confidential nature of information maintained by TDI, please consult our Open Record Policy and our Web Site Privacy Policy on the TDI Web page at [www.tdi.state.tx.us](http://www.tdi.state.tx.us).

**NOTICE ABOUT CERTAIN INFORMATION LAWS AND PRACTICES**

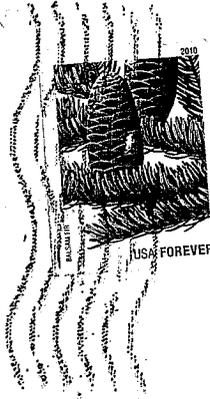
With few exceptions, you are entitled to be informed about the information that the Texas Department of Insurance (TDI) collects about you. Under sections 552.022 and 552.023 of the Texas Government Code, you have a right to review or receive copies of information about yourself, including private information. However, TDI may withhold information for reasons other than to protect your right to privacy. Under section 559.004 of the Texas Government Code, you are entitled to request that TDI correct information that TDI has about you that is incorrect. For more information about the procedure and costs for obtaining information from TDI or about the procedure for correcting information kept by TDI, please contact the Agency Counsel Section of TDI.

LAURANCE KRIEGEL  
1202 HWY 86  
BOVINA, TX 79009

RECEIVED

NOV 08 2010

TCEQ MAIL CENTER  
NR



CHIEF CLERKS OFFICE

NOV - 8 AM 10:40

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

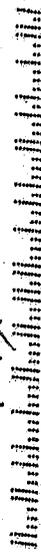
Office of The Chief Clerk

MC 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087



787113087