

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

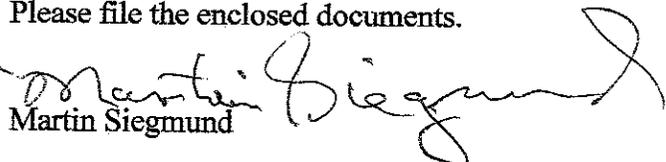
2011 NOV -2 AM 10:12

CHIEF CLERKS OFFICE

To: Bridget C. Bohac, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, TX 78711-3087

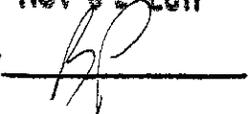
Dear Ms. Bohac:

Please file the enclosed documents.


Martin Siegmund

A
OPA

NOV 02 2011

By 

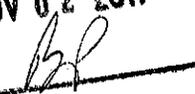
MW

MMID
47028

TCEQ PERMIT #WQ0010847001

**APPLICATION BY CITY OF ALEDO
FOR WASTEWATER TREATMENT
PLANT PERMIT**

**BEFORE THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY**

H
NOV 02 2011
BY 

REQUEST FOR CONTESTED CASE HEARING

To: Executive Director, Texas Commission on Environmental Quality, Austin, Texas

From: Martin O. Siegmund, 10 Taylor Court, Aledo, TX 76008, (817) 441-8138

Applicant's Name: City of Aledo, P.O. Box 1, Permit #WQ0010847001

Granting of request of the city is in violation of legal requirements for the operation of a wastewater treatment plant. There have been numerous requests for TCEQ to take action against the city in the nature of fines or enforcements of offensive, ongoing odor problems onto my property from the plant. Major components of the plant are within 15 feet of my property line, which is approximately 600 feet in length.

The city historically has taken the position of being there first and therefore do not have to comply with buffer zone requirements. This matter has been before the commission numerous times, and the commission takes the position that the city is in compliance of the buffer zone by instituting odor control under the buffer zone options. However, the city has never complied with the requirement of instituting odor control as required, to protect me against the offensive odor. This matter has been before the commission two to three times, and the commission says, in effect, "We realize you have offensive odor coming onto your property on a recurring basis from the plant." The commission, in the past, has said they encourage sewer plants to comply on the basis of being good neighbors. I want the law to be followed by TCEQ, by filing a compliance case against the city, with appropriate fines.

On another occasion, the TCEQ has ordered that the plant expansion from the city shall install a state of the art odor control on the plant. This originated out of expansion of the plant in 2006. By ordering this step, the TCEQ recognizes that I do have a continuing problem with odor permeating my property from routine operation from the plant, and has given the plant an unlimited period of time to install state-of-the-art nuisance odor control to protect me. It should have been ordered to be installed immediately in 2006.

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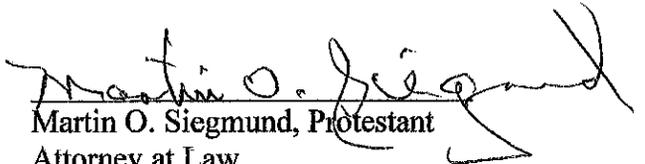
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At the present time, the executive director should have inspected the plant thoroughly in order to approve the permit to the city for the wastewater plant. He would have discovered the following six violations are ongoing to this day:

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5. Untreated sewage from a manhole 150 feet from plant and loose bolts allowing the manhole to pop up during heavy flows and rains surely cannot be legal.

6. My property is worth less money due to numerous overflow spills, uncontrollable offensive odor and now runoff, because the executive director will not enforce penalties and make the city comply with the law.

Respectfully Submitted,



Martin O. Siegmund, Protestant

Attorney at Law

Texas Bar Card #18343000

10 Taylor Court

Aledo, TX 76008

817-441-8138

MAILING LIST
for
City of Aledo
Permit No. WQ0010847001

FOR THE APPLICANT:

Kathleen Wedell
City of Aledo
P.O. Box 1
Aledo, Texas 76008

Larry Diamond, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

PROTESTANTS/INTERESTED
PERSONS:

Martin O. Siegmund
10 Taylor Court
Aledo, Texas 76008

Fred B. Werkenthin, Jr.
Booth Ahrens & Werkenthin, PC
515 Congress Avenue, Suite 1515
Austin, Texas 78701

FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Blas J. Coy, Jr., Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

Brian Christian, Director
Texas Commission on Environmental
Quality
Small Business and Environmental
Assistance
Public Education Program MC-108
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK
via electronic mail:

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

Kathy J. Humphreys, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Siegmund
10 Taylor Ct.
Aledo, TX. 76008



FORT WORTH TX 761

RECEIVED 31 OCT 2011 PM 5:1

NOV 02 2011

TCEQ MAIL CENTER
JR

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2011 NOV -2 AM 10:12

CHIEF CLERKS OFFICE

Bridget C. Bohac, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin TX. 78711-3087



78711308787

To: Bridget C. Bohac, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, TX 78711-3087

H
OPA
NOV 01 2011
BY bl

MWD
77028

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2011 OCT 31 PM 3:44

CHIEF CLERKS OFFICE

Dear Ms. Bohac:

Please file the enclosed documents.

Martin Siegmund
Martin Siegmund

Re-faxing with TCEQ corrected
from TECQ

MWD

OPH

NOV 01 2011

TCEQ PERMIT #WQ0010847001

**APPLICATION BY CITY OF ALEDO
FOR WASTEWATER TREATMENT
PLANT PERMIT**

**BEFORE THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY**

CHIEF CLERKS OFFICE

2011 OCT 31 PM 3: 44

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

REQUEST FOR CONTESTED CASE HEARING

To: Executive Director, Texas Commission on Environmental Quality, Austin, Texas

From: Martin O. Siegmund, 10 Taylor Court, Aledo, TX 76008, (817) 441-8138

Applicant's Name: City of Aledo, P.O. Box 1, Permit #WQ0010847001

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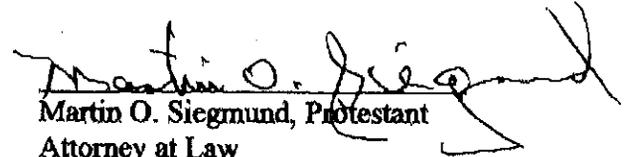
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6. **My property is worth less money due to numerous overflow spills, uncontrollable offensive odor and now runoff, because the executive director will not enforce penalties and make the city comply with the law.**

Respectfully Submitted,



Martin O. Siegmund, Protestant

Attorney at Law

Texas Bar Card #18343000

10 Taylor Court

Aledo, TX 76008

817-441-8138

MAILING LIST
for
City of Aledo
Permit No. WQ0010847001

FOR THE APPLICANT:

Kathleen Wedell
City of Aledo
P.O. Box 1
Aledo, Texas 76008

Larry Diamond, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

PROTESTANTS/INTERESTED
PERSONS:

Martin O. Siegmund
10 Taylor Court
Aledo, Texas 76008

Fred B. Werkenthin, Jr.
Booth Ahrens & Werkenthin, PC
515 Congress Avenue, Suite 1515
Austin, Texas 78701

FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Blas J. Coy, Jr., Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

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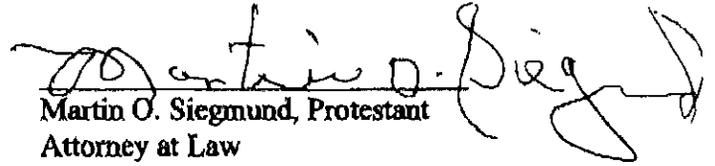
FOR THE CHIEF CLERK
via electronic mail:

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

Kathy J. Humphreys, Staff Attorney
Texas Commission on Environmental
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Environmental Law Division MC-173
P.O. Box 13087
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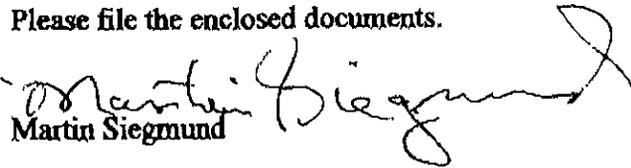
**Martin O. Siegmund, Protestant
Attorney at Law
Texas Bar Card #18343000
10 Taylor Court
Aledo, TX 76008
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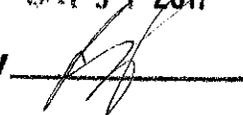
MWD
77028

To: **Bridget C. Bohac, Chief Clerk**
TCEQ, MC-105
P.O. Box 13087
Austin, TX 78711-3087

Dear Ms. Bohac:

Please file the enclosed documents.


Martin Siegmund

H
OPA
OCT 31 2011
BY 

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2011 OCT 31 AM 10:59
CHIEF CLERKS OFFICE

MWD

OPA

H OCT 31 2011

TECQ PERMIT #WQ0010847001

CHIEF CLERK OFFICE

2011 OCT 31 AM 10:59

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

APPLICATION BY CITY OF ALEDO FOR WASTEWATER TREATMENT PLANT PERMIT

BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

REQUEST FOR CONTESTED CASE HEARING

To: Executive Director, Texas Commission on Environmental Quality, Austin, Texas

From: Martin O. Siegmund, 10 Taylor Court, Aledo, TX 76008, (817) 441-8138

Applicant's Name: City of Aledo, P.O. Box 1, Permit #WQ0010847001

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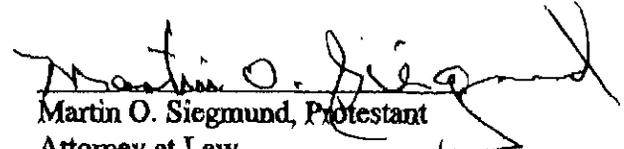
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Martin O. Siegmund, Protestant
Attorney at Law
Texas Bar Card #18343000
10 Taylor Court
Aledo, TX 76008
817-441-8138

MAILING LIST
for
City of Aledo
Permit No. WQ0010847001

FOR THE APPLICANT:

Kathleen Wedell
City of Aledo
P.O. Box 1
Aledo, Texas 76008

Larry Diamond, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

PROTESTANTS/INTERESTED
PERSONS:

Martin O. Siegmund
10 Taylor Court
Aledo, Texas 76008

Fred B. Werkenthin, Jr.
Booth Ahrens & Werkenthin, PC
515 Congress Avenue, Suite 1515
Austin, Texas 78701

FOR PUBLIC INTEREST COUNSEL
via electronic mail:

Blas J. Coy, Jr., Attorney
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P.O. Box 13087
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Brian Christian, Director
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Small Business and Environmental
Assistance
Public Education Program MC-108
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK
via electronic mail:

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Texas Commission on Environmental
Quality
Office of Chief Clerk MC-105
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Austin, Texas 78711-3087

Kathy J. Humphreys, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

August 29, 2011

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AUG 30 2011

BY *hf*

CHIEF CLERK'S OFFICE

AUG 29 11 21 AM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

To: Executive Director, Texas Commission on Environmental Quality, Austin, Texas

From: Martin O. Siegmund, 10 Taylor Court, Aledo, Texas 76008, (817) 441-8138

Applicant's Name: City of Aledo, P.O. Box 1, Permit #WQ0010847001

My property has a common boundary with applicant's plant for approximately 800 feet. The main components of the plant are 15 feet from the property line. All is shown on exhibit attachment A, as issued July 18, 2011. My home is approximately less than 1200 feet from the plant.

I, my wife, my four children, five grandchildren and friends are adversely affected if the permit for the municipal waste water renewal is granted, because unpleasant, offensive, stifling odor from the plant is, on frequent occasions, invading my property by coming into my back yard in the evening, comes under my pecan orchard that borders the plant, makes it unpleasant to fish in my small lake near the plant, and makes riding four-wheelers near the plant unpleasant. I, my family and friends will not engage in enjoyment of all my property because of the odor. My property, of approximately 100 acres and home, has suffered a significant decline in value because of the unlawful intrusions of the odor. There is also a strong odor from untreated waste water coming out from around a manhole on my property between two homes about 30 feet from the manhole. I have asked the city at least three times in the last year and a half to correct the problem, but the applicant has ignored it and I doubt that applicant has reported this under reporting requirements of the renewal permit.

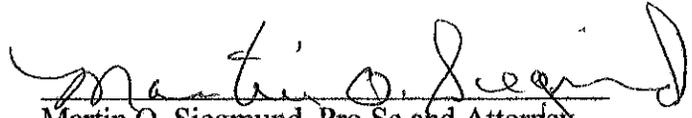
I have enclosed four photographs of the enlargement of the existing plant. This enlargement is not legal because it apparently was approved on the basis of being there first, and is on less than a half acre and 15 feet from my property line, and almost doubles the size of the plant, and under the legal nonconforming ordinance of the city, the plant cannot be enlarged. The plant, with three expensive houses in the buffer zone, as depicted on attachment A, pending approval of the permit, is almost guaranteed to keep this matter in court until corrected.

There are six properties identified, three with expensive homes in the buffer zone as depicted in attachment A, and the city does not have a buffer zone on any property.

MWD

Martin O. Siegmund Pro Se and as attorney Texas Bar No. 18343000, representing himself and his family members' interest, if any, hereby requests a contested case hearing in this matter.

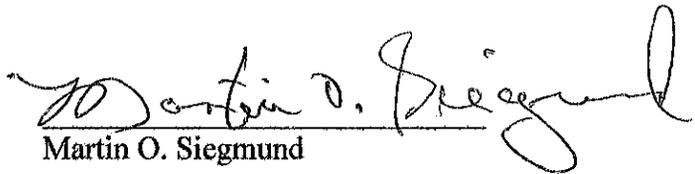
Respectfully Submitted,


Martin O. Siegmund, Pro Se and Attorney

Please send any and all notices to Martin O. Siegmund, 10 Taylor Court, Aledo, Texas 76008

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

Please file the attached request for contested hearing in the case and forward it to the
Executive Director.


Martin O. Siegmund

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

JUN 29 PM 2:21

CHIEF CLERKS OFFICE





TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2011 NOV 28 PM 2:38

November 22, 2011

CHIEF CLERKS OFFICE

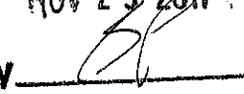
To: Eric Agnew

From: Martin O. Siegmund
10 Taylor Court
Aledo, TX 76008

MWD
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OPA

NOV 29 2011

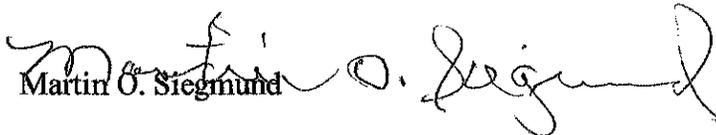
BY 

Re: City of Aledo/Water Quality TPDES Permit #WQ0010847001.

Mr. Agnew:

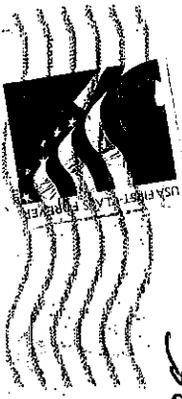
This letter is to confirm the complaint I turned in yesterday concerning the offensive manhole odor at the intersection of Hidden Valley and Shady Valley Drive in Aledo, TX. I have brought this to Gordon Smith's (Public Works Director) attention four times over the last year without its being corrected. Numerous people who live around this area have called and complained also.

I hereby request a compliance case be filed against the City of Aledo due to the period of time that they have been aware of this problem, with no corrective action taken.


Martin O. Siegmund

Cc: Mark R. Vickery, PG Executive Director
P.O. Box 13087
Austin, TX 78711-3087

Martin O. Siegmund
10 Taylor Ct.
Aledo TX 76008



PORT WORTH TX 761

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

105

2011 NOV 28 PM 4:00

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CHIEF CLERKS OFFICE

NOV 28 2011

TCEQ MAIL CENTER
MM

TCEQ
P.O. Box 13087
Austin Texas 78711-3087

Chief Clerk
Bridget C. Bohac

