

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:24 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <judyclarkbaca@yahoo.com> 12/17/2011 5:49 PM >>>

REGULATED ENTITY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Judy Baca

E-MAIL: judyclarkbaca@yahoo.com

COMPANY: Judy Baca

ADDRESS: 1707 WOODCREEK DR

RICHARDSON TX 75082-4524

PHONE: 2142316011

FAX:

COMMENTS: I am very interested in a public hearing on this matter. In order to attend, I request that the hearing be held in the City of Richardson.

*MWD
79923*

MWD

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 18, 2013 8:07 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

MSW
79923

H

From: abaldwin1230@gmail.com [mailto:abaldwin1230@gmail.com]
Sent: Wednesday, July 17, 2013 5:22 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Angie Baldwin

E-MAIL: abaldwin1230@gmail.com

COMPANY:

ADDRESS: 1604 PICKWICK LN
RICHARDSON TX 75082-3012

PHONE: 9722359089

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested

ME

hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with its immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit outlined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24: Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now in light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response

by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Angie Baldwin

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 18, 2013 8:06 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

MSW
79923

H

From: jbartz@swbell.net [mailto:jbartz@swbell.net]
Sent: Wednesday, July 17, 2013 5:07 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Jocelyn Bartz

E-MAIL: jbartz@swbell.net

COMPANY:

ADDRESS: 1514 MARGATE LN
RICHARDSON TX 75082-3010

PHONE: 9724798589

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit. I live within 1 mile of the transfer station and of the proposed new site. My neighbors and my family are directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station and thus do hereby request a contested hearing. We need to understand that the TCEQ is our only hope for protection and it is unfortunate that we have so few governing laws to secure our

MS

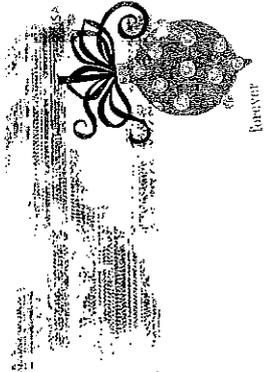
environmental protection collectively and especially in this case. Too many of our concerns and comments have been slighted by referring to other divisions for responsibilities which are not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. Consequently, we look to you as our state environmental protection governing agency to take a stance and actually protect the residents in this case. Imagine how much residents would be if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. The facts that are relevant to this permit and our issues are as follows: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. The comment made here encompasses this broad statement which will be detailed below. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. A transfer station cannot be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be as it was built when standards were lower due to an era of environmental ignorance and before any urban development happened. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit outlined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". I believe this is exactly what we are talking about as we are all truly affected by the expansion of the transfer facility. The capacity is increasing through more trash, trucks and noise and this has a direct correlation to our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." To discover a landfill during construction is a mute point and it should be vetted out prior to any movements towards construction. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. A survey is required for any other building application so should a survey have accompanied the application? If not, we request a survey conducted outlining the perimeters of the landfill. Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Consequently, there exists conclusive evidence of the land containing contamination of firefighting chemicals oozing into Spring Creek tributary, and the only one source of origination of that chemical comes from the results of test conducted by TCEQ and is the old fire training center. It would appear that the proposed facility site is unstable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). This must be studied further as the ramifications of this is beyond our stated concerns. Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly remediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminates were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX

Risk Reduction Program. Here is where it gets unreasonable as the TCEQ leaves the assessment and any remediation independent from the pending Application. Once again this is being addressed after the fact of ground-breaking. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." This is unacceptable especially considering that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station. Application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation. Is this an irresponsible act by the TCEQ as it is not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant. Consequently we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. As a long-time resident of this neighborhood, it saddens me to know that big trash business is more important than keeping a high quality of Richardson life (air, land, soil). We neighbors understand what happens with increase tonage and what that will do to our families and properties. We can only hope this process provides us with the avenue to vet out all concerns. Jocelyn & Todd Bartz

OFFICIAL
ON ENVIRONMENTAL
COMMISSION
SERIES

JUL 11 DEC 53 PM 3:01

CHIEF CLERKS OFFICE



Office of Chief Clerk

Mclos Tx Commission on Environmental Quality

PO Box 13087

Austin Tx 78711-3087

DEC 27 2011



78711308787

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 1:01 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

H

From: sherrillbodie@sbcglobal.net [mailto:sherrillbodie@sbcglobal.net]
Sent: Wednesday, July 17, 2013 12:37 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

*MSW
79923*

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Sherrill Bodie

E-MAIL: sherrillbodie@sbcglobal.net

COMPANY:

ADDRESS: 2315 WINDSOR DR
RICHARDSON TX 75082-4528

PHONE: 2142127453

FAX:

COMMENTS: To: Texas Commission on Environmental Quality From: Sherrill S. Bodie 2315 Windsor Dr. Richardson, TX 75082 214 212-7453 Re: Request a Contested Case Hearing for Permit No. 53A by North Texas Municipal Water District To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the

Mu

the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminates were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Sherrill Bodie Spokes
Person for a Collective of Residents directly Affected by the Application Permit 53A

Marisa Weber

From: PUBCOMMENT
Sent: Thursday, December 06, 2012 3:31 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A
Attachments: Written Statement 111202012.pdf

msw
79923

From: PUBCOMMENT-OCC
Sent: Thursday, December 06, 2012 2:12 PM
To: PUBCOMMENT
Subject: FW: Public comment on Permit Number 53A

From: sherrillbodie@sbcglobal.net [mailto:sherrillbodie@sbcglobal.net]
Sent: Thursday, December 06, 2012 1:37 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Sherrill Bodie

E-MAIL: sherrillbodie@sbcglobal.net

COMPANY:

ADDRESS: 2315 WINDSOR DR
RICHARDSON TX 75082-4528

PHONE: 2142127453

msw



November 20, 2012

Texas Commission on Environmental Quality
Permits Division
TCEQ
PO Box 13087
Austin, TX 78711-3087

**RE: Written Statement Regarding Environmental Impact
Permit Application No. MSW 53A
Lookout Transfer Station, Richardson, Texas**

Office of the Chief Clerk:

On behalf of concerned citizens of the City of Richardson, the following Written Statement is requested for public filing regarding pertinent environmental conditions at the proposed Lookout Transfer Station (LTS) site and errors in the LTS Permit Application No. 53A in Richardson, Texas. The groups of concerned citizens (the Citizens) represented by this Written Statement are listed as Attachment 1.

Environmental conditions and permitting application errors regarding former activities at the proposed LTS and current NTMWD Waste Transfer Facility (WTF) sites warrant further investigation before the LTS permit is approved. These conditions and errors include:

- City of Richardson (COR) Fire Training Center (FTC) insufficiently remediated in 1996;
- Spring Creek and its South Tributary Seeps contaminated from Former COR municipal landfill and FTC;
- Inappropriate Variance of Residential Zoning Request;
- Error in classification of Spring Creek as a Water of the US;
- Illegal breaching of Landfill Cover; and
- Lack of Noise and Air Emissions Study.

According to statements from the NTMWD made at the public meeting in Richardson on October 9, 2012, the NTMWD has no plans to perform an Environmental Assessment of the proposed LTS to address the historical contamination issues or confirm that the site is appropriate for its proposed use. In addition, it was also understood at this meeting that the NTMWD has no plans to confirm their current WTF operations have not impacted the site with soil or groundwater contamination.

Insufficient FTC Remediation

Excerpts of a Cura Inc. groundwater investigation report dated May 24, 1995 (1995 Cura Report) of pre-existing contamination at the former COR FTC are included as an appendix in the May 31, 2005 COR Lookout Site Master Plan. This appendix includes a 1996 Industrial Solid Waste Certification of Remediation Report (1996 ISWCRR) for the FTC that provides no actual supporting data. The

and Tributary ooze and staining are sourced from the current WTF, former FTC, and former COR Landfill sites.

The South Tributary is a border of the residential property at 2315 Windsor. Approximately 20 years ago, this residents' complaints about ooze and staining in the South Tributary became so frequent that the COR stabilized and plastic lined the section of its bank and bed along that property. No sampling data or report documenting the remediation of the South Tributary was provided to the resident. Because no remediation was performed either up- or down-stream, this minor remediation could not have controlled upstream or downstream contaminants. Currently, contaminants have re-presented.

The Citizens collected a sample of the water in Spring Creek on September 16, 2009 and submitted it for analysis of arsenic by Xenco Laboratories. The result was 1.49 mg/L. This is **three orders of magnitude above its PCL of 0.01 mg/L for groundwater ingestion**. According to the TCEQ closure letter for the FTC, a sample of the Spring Creek seep was analyzed for arsenic and was reported at 0.015 mg/L, just barely below its PCL. No information regarding the location of the TCEQ sample or supporting documentation has been provided. Because Spring Creek is a linear feature, one sample is insufficient to refute the Residents sample result. Most importantly, the 1996 TCEQ Closure Letter indicates VOCs were of concern; however, these constituents were omitted from the TCEQ closure letter sampling of the Spring Creek seeps.

It is clear that the release to the South Tributary has not been satisfactorily remediated and the same conditions are present in Spring Creek. Appropriate sampling and analyses for the seeps should be performed that includes all metals, VOCs, semi-volatile organic constituents (SVOC), total organic halides, PCBs, and pesticides.

Costs and assessment of analyses of this nature are much beyond the capabilities of the Citizens. Therefore, this additional sampling and analyses must be performed by either the NTMWD or TCEQ and made available to the Citizens that are accompanied with supporting documentation to include maps, sampling methodology, and full analytical reports.

Inappropriate Zoning Variance Request

The current WTF received a variance for the residential zoning. As part of the LTS permit application, a request to continue the zoning variance is being pursued. This request is inappropriate. The 500-foot sensitive receptor distance surrounding the proposed LTS contains parkland, sidewalks, and public lands. Video-tapes of citizens and their pets corroborate the use of walkways along Spring Creek daily.

Permit Error

The Spring Creek Watershed is a Water of the United States. The conclusion of the Threatened and Endangered Species/Wetland Determination section of the LTS Permit Application states that the Spring Creek Watershed is not a Water of the United States, and is incorrect.

Former COR Landfill

The Texas Administrative Code (TAC), Chapter 330, Subchapter T regarding Use of Land over Closed Municipal Solid Waste Landfills **prohibits** the breaching of the cover of a landfill unless owners and lessees of the property initiate investigations.

- Performance of an Environmental Assessment that includes a Noise Study, an Air Emissions Study, and a Cultural Resource Study to assess if siting the LTS in the proposed location with its proposed through-put/capacity is appropriate; and
- Results of an Environmental Assessment that indicates the proposed LTS site is not located on the former COR Landfill.

In addition, the following requests are made:

- Denial of the Variance of Residential Zoning Request for the Proposed LTS; and
- Correction of the classification of Spring Creek as a Water of the United States in the LTS Permit Application.

The state of the Spring Creek Watershed and its South Tributary clearly warrants immediate assessment. Adding the LTS without performing the above requested actions would further aggravate this already egregious situation.

The Citizens are requesting that data results regarding the above described actions be made available prior to any permit approval. In addition, this Written Statement also serves as a written request of all documents pertaining to any environmental issues raised in this Written Statement; specifically, those documents concerning the areas within the 500-foot receptor area of the proposed LTS. Documents specifically requested are those on file at the NTMWD, COR, and TCEQ. This request is being submitted pursuant to the federal Freedom of Information Act (FOIA). In addition, because this request is of vital interest to the public who use the public areas in the 500-foot receptor area of the proposed LTS, the Citizens are requesting these documents be placed on file at the COR Public Library.

Parker Leigh Environmental (PLE)

Sincere Regards,



Sheri Larson, PG
Parker Leigh Environmental, LLC

TCEQ Public Meeting Form

October 9, 2012

North Texas Municipal Water District Lookout Drive Transfer Station Proposed Municipal Solid Waste Permit 53A

3

11

PLEASE PRINT

Name: SHERKILL S. BODIE

Mailing Address: 2315 WINDSOR DR

Physical Address (if different): _____

City/State: RICHARDSON Zip: 75082

Email: sherrillbodie@stcglobal.net ✓

E-mail addresses are subject to public disclosure under the Texas Public Information Act

Phone Number: () _____

• Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

Please add me to the mailing list.

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

MW

TCEQ Forma de Reunión Publica

Octubre 9, 2012

North Texas Municipal Water District (Lookout Drive Transfer Station)
Municipal Solid Waste Permit 53A

IMPRIMA POR FAVOR:

Nombre: _____

Dirección: _____

Ciudad/ Estado: _____ Código Postal: _____

Teléfono: () _____

Por favor incluyan me en la lista de correo.

Esta usted representando a una municipalidad, legislador, agencia, o grupo? Si No

Como se llama el Grupo? _____

SI USTED QUIERE DAR COMENTARIOS FORMALES POR FAVOR ✓ ABAJO

Yo quiero dar comentarios orales Formales.

Yo deseo hacer comentarios formales por escrito esta noche durante la reunión publica.
(Comentarios escritos pueden ser entregados a cualquier momento durante la reunión)

Por favor entregue esta forma a la persona en al mesa de información. Gracias.

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:23 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2
Attachments: LTS 16 issues summary.pdf

H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <kdcargile@gmail.com> 12/17/2011 3:26 PM >>>

msw
79923

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION
RN NUMBER: RN102778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM

NAME: Katherine Cargile
E-MAIL: kdcargile@gmail.com
COMPANY:
ADDRESS: 1605 WOODOAK DR
RICHARDSON TX 75082-4534
PHONE: 2143959352
FAX:

COMMENTS: In addition to backing up to the Lookout Transfer Station, I am a long-time resident of Owens Park (26 years) and board member of the Owens Park Neighborhood Association. I have personally dedicated hundreds of hours to this cause on behalf of impacted neighbors and the surrounding environment. We have had countless meetings with the City of Richardson and/or North Texas Municipal Water District on this issue - progress has been made but this permit is not reflective of the Memo of Understanding signed by Jim Parks (Executive Director of the NTMWD), City of Richardson Mayor Gary Slagef, City of Richardson City Manager Bill Keffler and impacted neighborhood associations. That MoU was also adopted by resolution by the City of Richardson City Council in November 2010. That document is attached. As such, I am requesting that a public hearing be held IN RICHARDSON (NOT AUSTIN OR WYLIE) to further discuss this topic. Additionally, I am requesting that this public hearing be scheduled no earlier than January 15, 2012. This is the THIRD time that the District has forced public input during the Thanksgiving and/or Christmas holiday.

msw

Lookout Dr. Transfer Station

MOU Key

1. Through Put: (II) (A) (1-4), p. 6
 2. Parkway Utilization: (I) (B), p. 2 (II) (B), p. 6
 3. Waste Diversion Initiatives: (I) (C), p.2
 4. Wind-blown Litter: (I) (D), p.2 (II) (D) (1-2), p. 7
-
5. Trash Truck Traffic: (I) (L) (1), p. 4
 6. Walk/Bike Trail: (I) (E), p. 3
 7. Oversight Committee: (I) (F) (1-3), p. 3 (II) (E). p. 7
 8. 23-acre Property: (I) (G). p. 3
 9. Storm Water BMP: (I) (H), p. 4 (II) (F) p. 7
 10. Lookout Dr. Repairs: (I) (I), p. 4
 11. Odor Control: (I)(J), p. 4 (II) (G) (1-6), p. 7-8
 12. Pest Control: (I) (K), p. 4
 13. Garbage/Floor Washing: (II) (G) (1-6), p. 7-8
 14. Sound Wall: (I) (L) (2), p. 5 (II) (H), p. 8
 15. Vegetation: (I) (M) (1-4), p. 5-6 (II) (I), p. 8
 16. Back-up Alarms: (I) (L) (3), p. 5 (II) (H), p. 8

Note: All 16 issues negotiated and later agreed upon by all parties are now included in the legal MOU. The unanimous agreement was reached through signatures from each of the respective representatives.

Lookout Dr. Transfer Station 16 Issues Summary/MOU

This agreement between the signed parties of the North Texas Municipal Water District (NTMWD), City of Richardson (COR), and Neighborhood Protection Alliance of Richardson (NPAR)/Neighborhood Leadership assumes an on-going relationship between the said parties in every aspect of the following 16 points through planning, design, construction and the operational lifespan of the Lookout Trash Transfer Station in order to ensure that best management practices and quality of life for the citizens of Richardson is upheld to the highest standards for the surrounding impacted areas.

1. Through-put

The Application will request that the TCEQ allow an annual average of 750 tons per day averaged over 365 days per year and a maximum throughput of 1,500 tons per day of waste. Within 60 days of the permit becoming final and non-appealable the permit will be modified as described below.

The throughput limits shall be:

January 1 of Year	Annual Average (365 Days)	Maximum Daily
Immediately	500 tons per day	1,125 tons
2015	550 tons per day	1,325 tons
2016	575 tons per day	1,425 tons
2017	600 tons per day	1,475 tons
2018 and beyond	625 tons per day	1,500 tons

2. Parkway Utilization

The Parkway Transfer Station was part of the NTMWD's overall Transfer Station Evaluation Study, 2002. This study recommended modifications to the NTMWD's transfer stations (Custer, Lookout, and Parkway). The NTMWD will conduct a study to develop recommendations regarding the Plano Parkway Transfer Station. The City of Richardson will ensure the NTMWD places a program priority on keeping the Plano Parkway Transfer Station operational during future site improvements to Parkway. The study to be conducted by NTMWD will include a determination of the feasibility of the Parkway Transfer Station remaining operational during future improvements. Additionally the City of Richardson will continue diverting logical routes to maximize the usage of the Plano Parkway Transfer Station.

Lookout Dr. Transfer Station 16 Issues Summary/MOU

3. Waste Diversion Initiatives

The City of Richardson commits to enhancing its recycling programs and waste diversion initiatives. City of Richardson staff will conduct a Solid Waste Program Evaluation during the 2010-2011 fiscal year, and within 180 days of completion, work with the Richardson Environmental Advisory Committee (EAC) as directed by the City Council to evaluate and recommend the possible implementation of recycling programs and waste diversion initiatives.

4. Wind-blown Litter

Every operating day, NTMWD personnel (including temporary labor) will police the facility, including fences, access roads, entrance gates, and any storm water discharge points that discharge stormwater from Improved Lookout, to pick up and return windblown material and litter to the facility and perform such other litter control measures, as necessary. On days when the facility is in operation, NTMWD will be responsible for at least once per day cleanup of waste materials spilled along and within the right-of-way of public access roads used for the delivery of waste to the facility for a distance of two (2) miles in either direction from the entrance of the facility. On days when the facility is in operation, the City of Richardson will monitor wind-blown litter between the facility and Spring Creek (top of creek bank), in Lookout Park and within the right-of-way of public access roads serving the facility for a distance of two (2) miles in either direction from the entrance used for the delivery of waste to Lookout and Improved Lookout, and will notify NTMWD when conditions warrant clean-up efforts. The City of Richardson will be responsible for cleanup of litter in Spring Creek after significant rain events.

5. Re-route Trash Truck Traffic

In an effort to minimize vehicular noise and promote safety (solid waste vehicle lane usage), the City of Richardson will address with its Solid Waste drivers a higher level of awareness and sensitivity when entering/exiting the Lookout Dr. Transfer Station. Additionally this topic will be discussed among the NTMWD Solid Waste Member Steering Committee in an effort to expand a higher level of awareness and sensitivity among all Solid Waste Member Cities as they utilize the Lookout Dr. Transfer Station.

6. Walking/Bike Trail

The City of Richardson commits to maintaining, planning, designing, and constructing its trails, nature preserves, and parks in accordance with the City's Parks Department's Master Plan. Included in the Parks Department's Master Plan is a future trail along Lookout Drive between Plano Rd. and Lookout Park. Additionally a potential trail along Spring Creek, north of the Lookout Transfer Station connecting with Foxboro Park, will be studied and evaluated. Trail development will take into account and accept input from nearby neighborhoods as well as ensuring any desired Lookout Dr. crossing is made at the signalized Plano Rd. intersection.

Lookout Dr. Transfer Station 16 Issues Summary/MOU

7. Oversight Committee

The City will designate an ombudsman (Assistant Director of Public Services) for all Lookout Transfer Station related issues and inquiries. The ombudsman or the ombudsman's representative will attend meetings with NTMWD and/or NPAR/neighborhood leadership when requested by either NTMWD or NPAR/neighborhood leadership during the current operation of the Lookout Dr. Transfer Station, and throughout the design, permitting, construction, and operation of Improved Lookout. Design documents at the 30% 60% and 90% completion stages will be provided to the NPAR/neighborhood leadership. Staff will develop a "communication plan" to inform on construction related events (noise, detour routes, etc...). NPAR/neighborhood leadership attendees will be comprised of designated individuals as determined by the NPAR/neighborhood leadership. Unresolved issues will be forwarded to the City Manager for further review, evaluation, and appropriate action.

Additionally, within 30 days of MOU execution, the City of Richardson will include the Lookout Dr. Transfer Station on the City's call center (972-744-4111). Once notified by the NTMWD, the City of Richardson will within 10 business days notify the NPAR/neighborhood leadership in writing of any proposed operation/permit change.

Lastly, on a monthly basis the City of Richardson will provide the NPAR/neighborhood leadership the latest NTMWD Regional Solid Waste System Monthly Report and the NTMWD Daily Weight Ticket file for Richardson within 10 business days of receipt from the NTMWD.

8. 23-acre Property

The appraised value of the 23-acre property (southeast corner of Lookout Dr & Plano Rd.) is 4.8 million dollars and is zoned Industrial. City will be mindful of land development sensitivities and work toward a final development that is in the best interest of the City of Richardson, NPAR/neighborhood leadership, and the property owner. "Best interests" is defined through the collaborative dialog among all the affected parties with the final determination as to the future zoning/development of the 23-acre property resting with the decision of the City Council.

9. Storm Water BMP

When required the NTMWD will obtain authorization under the Texas Pollution Discharge Elimination System ("TPDES") prior to commencing construction and operations at the Improved Lookout. Examples of stormwater management practices during construction include: sediment control practices used to divert flows away from exposed soils, to limit the contact of runoff with disturbed areas, or to lessen the offsite transport of eroded soils. Examples of erosion controls include hay bales, silt fences, swales, mulch filter berms, rock berms, and vegetative filter strips. City staff will monitor water quality at Spring

Lookout Dr. Transfer Station 16 Issues Summary/MOU

Creek monthly during improved Lookout construction and every six months thereafter. The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of water quality and erosion control during the design/prior to the building permit approval and subsequent phases as applicable for the new Lookout Dr. Transfer Station. The City will share all final reports* with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

*final reports are defined as all reports and information given to COR/NTMWD by the third party consulting firm *before* any final decision/action is made.

10. Lookout Drive Repairs

With the 2010 Bond Election passing Lookout Drive will be reconstructed in accordance to the City of Richardson's standards and specifications accommodating the necessary traffic types and volumes without any additional design requirements for servicing the Lookout Dr. Transfer Station or the adjacent properties.

11. Odor Control

The NTMWD will not accumulate solid waste in quantities that cannot be processed within such time as will preclude the creation of odors, insect breeding, or harborage of other vectors. NTMWD will not store waste in the Improved Lookout building overnight except for extenuating emergency circumstances such as weather or mechanical break down. NTMWD will wash the Improved Lookout building floors at least twice per week, and more often if required by site conditions. Wash waters will not be allowed to accumulate on-site without proper treatment to prevent the creation of odors or the attraction of vectors. Floor washing areas are required to be discharged into the sanitary sewer system. Improved Lookout will be designed and operated to provide ventilation for odor control and employee safety. If NTMWD becomes aware of or receives complaints regarding nuisance odors outside the facility permit boundaries, NTMWD will cause an investigation to be conducted, with follow-up contact with the complainant. The NTMWD will install an odor neutralizer system inside the Improved Lookout building for odor control. The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of odor control during the design/prior to the building permit approval and subsequent phases as applicable for the Improved Lookout. The City will share all final reports with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

12. Pest Control

The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of pest control during the design/prior to the building permit approval and subsequent phases as applicable for the new Lookout Dr. Transfer Station. The City will share all final reports with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

Lookout Dr. Transfer Station 16 Issues Summary/MOU

13. Garbage Storage & Floor Washing

NTMWD will not store waste in the Improved Lookout building overnight except for extenuating emergency circumstances such as weather or mechanical break down. NTMWD will wash the Improved Lookout building floors at least twice per week, and more often if required by site conditions. Floor washing areas are required to be discharged into the sanitary sewer system.

14. Sound Wall

The NTMWD will provide a wall or walls in the vicinity of the northwest side of the permitted area to absorb, dampen and/or deflect sound from the operation. Additionally, ~~the NTMWD will work with the City and its third party consultant to determine the need~~ for wall(s) in the vicinity of the remaining sides (i.e., all but northwest) of the permitted area to absorb, dampen and/or deflect sound from the operation. City will pay for the costs associated with evaluation, design and construction of any additional walls beyond the northwest wall.

As part of the design and development of the COR property, the City of Richardson will construct a vegetative screening/sound buffer along the southern property line better screening Lookout Park. The City will engage with appropriate consultant(s) (3rd party review) regarding independent analysis of noise control during the design/prior to the building permit approval and subsequent phases as applicable for the new Lookout Dr. Transfer Station. The City will share all final reports with the NPAR/neighborhood leadership providing ten (10) calendar days for their review and comment.

The City will arrange for the NPAR/neighborhood leadership to meet with the City's third party consultant to understand the noise abatement needs due to noise emitting from the current and new facility, and understand how this will be evaluated. Back up alarms will not be excluded from the 3rd party's noise evaluation.

Should there be noise nuisances following the construction of Improved Lookout that do not comply with the City's standards (specifically Article XXII-B Performance Standards, Section B, Table 3 of City's Comprehensive Zoning Ordinance) then the City of Richardson will engage with the NTMWD to determine an appropriate plan of action. Vehicle back-up alarms will not be excluded from any noise evaluation.

15. Vegetation

NTMWD will landscape Improved Lookout in accordance with the Landscape Plan granted administrative approval by the City of Richardson on March 17, 2009. The City will work with NPAR/neighborhood leadership to determine need for vegetative screening/sound buffer in the remaining areas as suggested by NPAR/Neighborhood Leadership (i.e. southern property line – fill gap south of Transfer Station along existing

Lookout Dr. Transfer Station 16 Issues Summary/MOU

bike trail). Additionally the City will evaluate the four locations (listed below) as part of, but not limited to, the "Tree the Town" initiative.

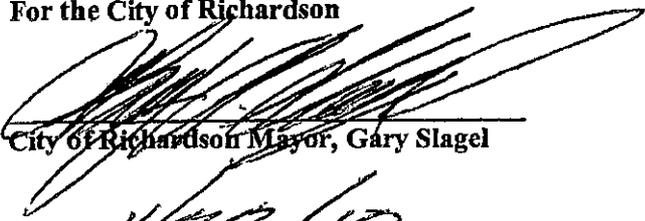
- Add to north side of Spring Creek in the Owens Boulevard right-of-way
- Extend between Transfer Station and Owens Farm
- Extend between Lookout Park parking lot and 23-acre vacant lot
- Fill gap north of 1600 block of Woodoak Drive

16. Vehicle Back up Alarms

"White-noise" back up alarms have been installed on all NTMWD on-site equipment at the Lookout Dr. Transfer Station. Back-up alarms on all equipment the City sends over public roadways meet the requirements established by the Occupational Safety and Health Administration ("OSHA") or other applicable laws or regulations. Within 12 months of MoU execution, the City of Richardson will install dual systems (A/B switch) for over the public road and off road utilization, enabling and requiring "white-noise" back up alarms to be utilized while on the LOTS premises. Within 18 months of MOU execution, the NTMWD will request that other member cities and their private haulers evaluate "white-noise" back-up alarms for possible installation on vehicles that utilize the Improved Lookout.

Lookout Dr. Transfer Station
16 Issues Summary/MOU

For the City of Richardson



City of Richardson Mayor, Gary Slagel

Date

11-22-10

City Manager, Bill Keffler



For the NTMWD



Executive Director, James M. Parks

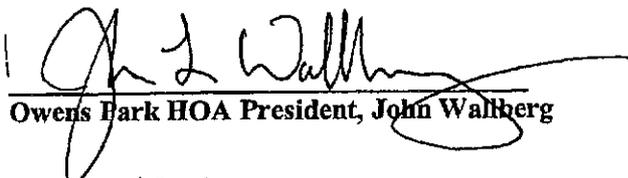
Date

12-22-2010

11-22-10

Date

For the Owens Park HOA



Owens Park HOA President, John Wallberg

Date

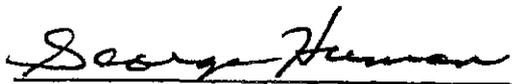
12-17-10

For the Braeburn HOA

Braeburn HOA President, Bob Hendrix

Date

For the ~~Foothills~~/Sherrill Park ~~North HOA~~ N A



~~Foothills~~/Sherrill Park ~~North HOA~~ President,
George Human NA

Date

For the Duck Creek HOA

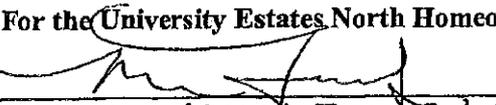


Duck Creek HOA President

Date

11-22-2010

For the University Estates North Homeowners Association



President - ~~MARtha~~ FEELEY

Date

12-28-2010

For the Neighborhood Protection Alliance
of Richardson



Maitri Smithhisler

**Lookout Dr. Transfer Station
16 Issues Summary/MOU**

For the Texas Campaign for the Environment

Jeffrey Jacoby, North Texas Staff Director

Date

Date

**For the Fairways of Sherrill Park Homeowners
Association**



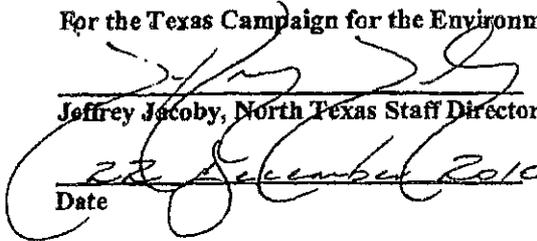
President

12-17-10

Date

Lookout Dr. Transfer Station
16 Issues Summary/MOU

For the Texas Campaign for the Environment

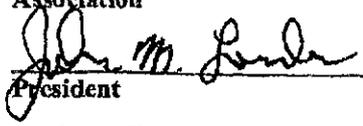


Jeffrey Jacoby, North Texas Staff Director

20 December 2010
Date

Date

For the Fairways of Sherrill Park Homeowners
Association



President

12-17-10
Date

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 1:01 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

H

From: mydjp@tx.rr.com [mailto:mydjp@tx.rr.com]
Sent: Wednesday, July 17, 2013 12:42 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

msw
79923

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Megan Davis

E-MAIL: mydjp@tx.rr.com

COMPANY:

ADDRESS: 3105 FOXCREEK DR
RICHARDSON TX 75082-3071

PHONE: 9722310457

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested

msw

by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Megan and Mike Davis, Affected by the Application Permit 53A

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/28/2011 12:03 PM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

*msw
79923*

H

>>> PUBCOMMENT-OCC 12/28/2011 9:24 AM >>>

>>> <alan.davis@ignitetechnology.com> 12/28/2011 8:05 AM >>>

REGULATED ENTITY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Robert Alan Davis

E-MAIL: alan.davis@ignitetechnology.com

COMPANY:

ADDRESS: 1511 WOODOAK DR

RICHARDSON TX 75082-4507

PHONE: 9722354808

FAX:

COMMENTS: I would like to request a public hearing be held within the City of Richardson.

MWD

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:25 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

PM
H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <johnd@dallas-online.com> 12/18/2011 12:32 AM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: John DeMattia

E-MAIL: johnd@dallas-online.com

COMPANY:

ADDRESS: 2214 SHANNON LN

RICHARDSON TX 75082-4730

PHONE: 9726448568

FAX:

COMMENTS: I live a few blocks from the existing Richardson Transfer Station. I have been negatively impacted by trash, noise and odor. I would greatly appreciate you allowing a public hearing on your permit request so that I and the other people around the transfer station may have an opportunity to be heard and informed. This would best be accomplished where the people live; so, I would greatly appreciate you having the public meeting in Richardson.

*msw
79923*

MWD

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:26 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <mike.frizzell@gmail.com> 12/18/2011 12:55 PM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION
RN NUMBER: RN102778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM
NAME: Mike Frizzell

E-MAIL: mike.frizzell@gmail.com

COMPANY:

ADDRESS: 1531 SPRINGTREE CIR

RICHARDSON TX 75082-4723

PHONE: 2145048683

FAX:

COMMENTS: Please have a public hearing, in Richardson, on this topic. This is adjacent to my neighborhood and there's numerous topics to discussion ranging from noise to road repairs due to truck traffic. Thanks!

msw
79723

msw

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:24 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <bifullerton@gmail.com> 12/17/2011 5:29 PM >>>

REGULATED ENTITY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Barbara Fullerton

E-MAIL: bifullerton@gmail.com

COMPANY:

ADDRESS: 1607 WOODOAK DR

RICHARDSON TX 75082-4534

PHONE: 2145572279

FAX:

COMMENTS: I request the public hearing be held within the City of Richardson concerning this permit.

*msw
79923*

msw

TCEQ Public Meeting Form

October 9, 2012

North Texas Municipal Water District Lookout Drive Transfer Station Proposed Municipal Solid Waste Permit 53A

PLEASE PRINT

Name: BARBARA Fullerton

Mailing Address: 1607 Woodoak Dr

Physical Address (if different): _____

City/State: Richardson TX Zip: 75082

Email: bjfullerton@gmail.com ✓

E-mail addresses are subject to public disclosure under the Texas Public Information Act

Phone Number: (214) 557 2279 ✓

• Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

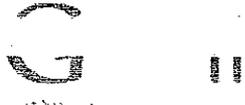
Please add me to the mailing list.

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.



Barbara Fullerton <bjfullerton@gmail.com>

Email letter

1 message

Barbara Fullerton <bjfullerton@gmail.com>
To: Barbara Fullerton <bjfullerton@gmail.com>

Tue, Oct 9, 2012 at 2:39 PM

Re: North Texas Municipal Water District Request Permit 53A – Lookout Transfer Station

To Whom It May Concern:

Several months back, I submitted communication via email requesting a Public Hearing regarding Permit 53A. This was in error, and I wish to correct myself now. What I wanted to request was a Public Meeting. Please take the appropriate action to correct the public record regarding this matter.

Name and signature

Barbara Fullerton
Barbara Fullerton
1607 woodoak Dr.
Richardson, Texas 75082
2145572279
bjfullerton@gmail.com

10/9/2012

RECEIVED

OCT 09 2012

AT PUBLIC MEETING

RM

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 1:01 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

H

From: cg0954@swbell.net [mailto:cg0954@swbell.net]
Sent: Wednesday, July 17, 2013 12:34 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

msw
79923

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Connie Gibbons

E-MAIL: cg0954@swbell.net

COMPANY:

ADDRESS: 1504 BRAEBURN DR
RICHARDSON TX 75082-3038

PHONE: 9724376854

FAX:

COMMENTS: To: Texas Commission on Environmental Quality From: Connie Gibbons 1504 Braeburn Drive Richardson, Texas 75082 Re: Request a Contested Case Hearing for Permit No. 53A by North Texas Municipal Water District To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be

msw

acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chaper 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after . It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now en-light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary; there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the

1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminates were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Connie Gibbons A resident directly Affected by the Application Permit 53A

Marisa Weber

From: PUBCOMMENT
Sent: Monday, December 17, 2012 11:22 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

*msw
79923*

From: Connie Gibbons [mailto:cg0954@hotmail.com]
Sent: Monday, December 17, 2012 10:49 AM
To: PUBCOMMENT
Subject: Public comment on Permit Number 53A
Importance: High

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RNI02778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM
NAME: CONNIE GIBBONS
E-MAIL: cg0954@swbell.net
COMPANY:
ADDRESS: 1504 Braeburn Drive
PHONE: 972-437-6854
FAX:

COMMENTS: I am a resident of Richardson and am directly impacted by this permit. I have lived on the creek north of LOTS and the landfill for approximately 12 years and am concerned that contaminants are seeping into the water. Our homeowners association worked with the MOU (signed by the City of Richardson, NTMWD and citizens representing over 4000 residents) for environmental protection, only to find out NTMWD wasn't going to honor the signed agreement because it isn't legally binding. Another issue is there is no comprehensive environmental review for the projects planned for the entire area, the new fire training center, construction of the WTS along side the operational old WTS and the proposed developed municipal city maintenance buildings. All projects planned in a residential zoned area surrounded by a national watershed, creek, parks, golf course and fields where children, pets and wildlife play and reside. All of the projects contain hazard waste and omit pollutants into the air. We need our governing agency to protect the quality of life for a residential area that has been misused. Even though the transfer station and the landfill were there before the homes were built, it doesn't mean it is appropriate now that development was allowed. When I moved here, I didn't know there was a landfill. That is not a selling point of a home. Years later, it has become extremely busy, and it appears overused. A newer station for the capacity of more tonnage does not set well and we have reasonably asked to limit the tonnage as per the MOU. I feel this permit should be rejected until tests and studies have proven the area to be environmentally safe and stable. I also support the Written Statement by Sheri Larson, who commented at the public meeting. Also, I am sure you are aware of the problems that are currently being faced by West

msw

Dallas in regards to the old lead smelter that was allowed to operate and contaminate the soil for years. Can it ever be repaired? I am concerned for my safety, and that of my grand children and all people who play in the park and yes, the creek.

I anxiously await a reply.

Connie Gibbons

December 19, 2011

Office of the Chief Clerk

MC 105, Texas Commission on Environmental Quality

P.O. Box 13087

Austin, TX 78711-3087

pm
OPA
DEC 28 2011
By BP

msw
79923

RE: North Texas Municipal Water District Permit Amendment Application (Permit No. 53A)

As a resident living in close in proximity (maybe less than 1/2 mile) to the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I formally request a public meeting to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station (Permit No. 53a). Over the course of the past 11 years, I have been unable to use my outside yard on many occasions, due to the odor coming from the transfer station. There has also been a noise factor, which is an awful thing to wake up to in the mornings.

I have attended meetings in the past that were held in Richardson. The planned meeting in Austin is inconvenient at any time of year, but especially with the holiday season when we have so much family and company visiting. It is very important to all of us that live in the vicinity, that our voices be heard. So far, the North Texas Municipal Water District (NTMWD) has not met the terms in the Memorandum of Understanding (MOU) that was previously agreed upon. We need some type of accountability in placed, and we need it in some type of binding agreement that will enforce what they "say" they will do.

Respectfully,

Connie S. Gibbons

Connie S. Gibbons

1504 Braeburn Dr.

Richardson, TX 75082

CHIEF CLERKS OFFICE

2011 DEC 27 PM 3:04

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

msw

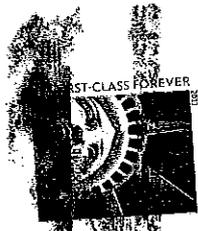
Connie Gibbons
1504 Braeburn Dr.
Richardson, TX 75082

DEC 27 2011

Office of the Chief Clerk
MC 105, Texas Commission of
Environmental Quality

P.O. Box 13087

~~787000000~~ TX 78711-3087



Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 1:33 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

H

From: suegordon@msn.com [mailto:suegordon@msn.com]
Sent: Wednesday, July 17, 2013 1:26 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

msw
7/9/13

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Sue Gordon

E-MAIL: suegordon@msn.com

COMPANY:

ADDRESS: 3302 OWENS BLVD
RICHARDSON TX 75082-3030

PHONE: 9727837442

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested

MW

hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now en-light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response

by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Sue Gordon

Office of the Chief Clerk
MC 105, Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

msw
79923

RE: North Texas Municipal Water District Permit Amendment Application (Permit No. 53A)

As a resident living just a few miles from the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I formally request a public meeting to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station (Permit No. 53A). Over the course of 7, the Lookout facility has inhibited my ability to use and enjoy my property due to the odor, noise, windblown waste, truck traffic, etc that affect the quality of life for me and my family.

We the residents deserve an opportunity to ask how the North Texas Municipal Water District intends to fulfill its commitment to protect the surrounding communities during the construction and operation of the proposed facility. Please grant the public meeting as requested. Please respond to my comments in writing.

Sincerely,
Sue Gordon
Sue Gordon
3302 Owens Blvd.
Richardson, TX 75082

PP1

OPA
DEC 28 2011
BY *BP*

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY
2011 DEC 28 AM 10:15
CHIEF CLERKS OFFICE

msw

3707 Owens Blvd
Richardson TX
75082

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2011 DEC 28 AM 10:15
CHIEF CLERKS OFFICE

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

RECEIVED

DEC 28 2011

TCEQ MAIL CENTER



From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/28/2011 12:03 PM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

*msw
79923*

H

>>> PUBCOMMENT-OCC 12/28/2011 7:49 AM >>>

>>> <betty.groover@sbcglobal.net> 12/27/2011 8:48 PM >>>

REGULATED ENTITY NAME LOOKOUT DRIVE TRANSFER STATION
RN NUMBER: RN102778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM
NAME: MS Betty Formby Groover
E-MAIL: betty.groover@sbcglobal.net
COMPANY:
ADDRESS: 1704 WOODOAK DR
RICHARDSON TX 75082-4508
PHONE: 9722354595
FAX:

COMMENTS: I request that a hearing on this permit be held within the City of Richardson where the transfer station is located. I am a neighbor of the transfer station and walk my dog in the adjacent park. It is important to me that our neighborhood concerns are addressed before the permit is approved.

msw

TCEQ Public Meeting Form

October 9, 2012

North Texas Municipal Water District Lookout Drive Transfer Station Proposed Municipal Solid Waste Permit 53A

PLEASE PRINT

Name: Betty Groover

Mailing Address: 1704 Woodoak Dr.

Physical Address (if different): _____

City/State: Richardson Zip: 75082

Email: betty.groover@sbcglobal.net ✓

E-mail addresses are subject to public disclosure under the Texas Public Information Act

Phone Number: (214) 803-7076

- Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

Please add me to the mailing list. ✓

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

MW

TCEQ Forma de Reunión Publica

Octubre 9, 2012

North Texas Municipal Water District (Lookout Drive Transfer Station)
Municipal Solid Waste Permit 53A

IMPRIMA POR FAVOR:

Nombre: _____

Dirección: _____

Ciudad/ Estado: _____ Código Postal: _____

Teléfono: () _____

Por favor incluyan me en la lista de correo.

Esta usted representando a una municipalidad, legislador, agencia, o grupo? Si No

Como se llama el Grupo? _____

SI USTED QUIERE DAR COMENTARIOS FORMALES POR FAVOR ✓ ABAJO

Yo quiero dar comentarios orales Formales.

Yo deseo hacer comentarios formales por escrito esta noche durante la reunión publica.
(Comentarios escritos pueden ser entregados a cualquier momento durante la reunión)

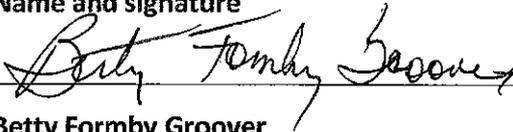
Por favor entregue esta forma a la persona en al mesa de información. Gracias.

Re: North Texas Municipal Water District Request Permit 53A – Lookout Transfer Station

To Whom It May Concern:

Several months back, I submitted communication via email requesting a Public Hearing regarding Permit 53A. This was in error, and I wish to correct myself now. What I wanted to request was a Public Meeting. Please take the appropriate action to correct the public record regarding this matter.

Name and signature



Betty Formby Groover
1704 Woodoak Drive
Richardson, Texas 75082
972-235-4595
betty.groover@sbcglobal.net

RECEIVED
OCT 09 2012
AT PUBLIC MEETING



Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 2:50 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

MSW

79923

H

From: jgh2@tx.rr.com [mailto:jgh2@tx.rr.com]
Sent: Wednesday, July 17, 2013 2:20 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: MRS John Harris

E-MAIL: jgh2@tx.rr.com

COMPANY:

ADDRESS: 1417 RIDGEMOOR LN
RICHARDSON TX 75082-3003

PHONE: 9722312873

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested

MS

hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now en-light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response

by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Gay Riley SpokesPerson for a Collective of Residents directly Affected by the Application Permit 53A

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 2:28 PM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

msw
79923

H

>>> PUBCOMMENT-OCC 12/19/2011 2:23 PM >>>

>>> <MaryKeene@tx.rr.com> 12/19/2011 2:12 PM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Mary Keene

E-MAIL: MaryKeene@tx.rr.com

COMPANY:

ADDRESS: 1712 WOODOAK DR

RICHARDSON TX 75082-4508

PHONE: 9726720787

FAX:

COMMENTS: I request that a public hearing be held regarding the Lookout Transfer Station Rebuild & Expansion and that the meeting be held in Richardson, TX so that local stakeholders can participate. My residence is at 1712 Woodoak Dr. which is the 1st east-west street south of Lookout Park and the Transfer Station. I have lived at this location since 1991 and the Transfer Station has been a source of unpleasant and potentially harmful situations. Foul smell, equipment noises and wind blown trash are common problems. The trash attracts wild animals such as racoons and skunks. We walk our dog at the park and have come across the animals on the Transfer side of the park frequently. The animals are not easily spooked because they are accustomed to humans and domesticated pets. On three occassions my dog has been sprayed by a skunk and there have been several incidents when the wild animals near the site have acted aggressively. I consider the animal situation dangerous; the foul odor, trash and noise an undesirable nuisance; and am concerned about health hazards associated with trash contaminants. An additional concern is that the Transfer Station is located within an attractive developed business and residential areas of the city of Richardson. It is adjacent to a highly utilized park. Soccer games and tournaments attract thousands of children and adults. The park visitors, residents and business workers must share the streets leading to the Transfer Station with large commercial trucks. The Transfer Station location is no longer compatible with the surrounding area land use. It is, in fact, a nuisance and potential hazard.

Ma

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 1:33 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

H

From: cklein55@icloud.com [mailto:cklein55@icloud.com]
Sent: Wednesday, July 17, 2013 1:19 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

*msw
79923*

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Chris Klein

E-MAIL: cklein55@icloud.com

COMPANY:

ADDRESS: 3102 OWENS BLVD
RICHARDSON TX 75082-3026

PHONE: 2142022714

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested

MWD

hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit outlined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24: Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now in light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response

by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Chris Klein

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 18, 2013 8:08 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A
Attachments: To city 0717131.docx

MSW

79923

H

From: longgca@aol.com [<mailto:longgca@aol.com>]
Sent: Wednesday, July 17, 2013 10:24 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Gerald William Long

E-MAIL: longgca@aol.com

COMPANY:

ADDRESS: 1512 BRAEBURN DR
RICHARDSON TX 75082-3038

PHONE: 9722900840

FAX:

COMMENTS: I am using/placing a copy of a letter that a neighbor has prepared. I agree with this letter. It is becoming very apparent that the City of Richardson and the other bureaucracies involved, are arrogantly ignoring our concerns. All of us along this side of the street and nearest the transfer station have invested considerable amounts of our lives and resources in our homes. Now, the sanctity and peace of our homes is

MS

being threatened and the city we live in wants to ignore that fact. The noise has been increasing and noise curfews violated from the transfer station (foul odors as well), the new firefighter training facility and the pork processing plant. Not to mention the water pollution exposure risk. Yet, no interest in helping from our City. See attached:

"To whom it may concern:

I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time.

We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested hearing.

Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable.

Now to continue with facts that are relevant to this permit and our issues:

Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail.

Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development.

Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is " TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas.

Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chaper 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after . It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe

there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill.

Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now en-light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary).

Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminates were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored.

Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area.

Respectfully,

Gerald Long

Written by:

Gay Riley

SpokesPerson for a Collective of Residents directly Affected by the Application Permit 53A”

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/20/2011 9:59 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

*msw
79923*

H

>>> PUBCOMMENT-OCC 12/20/2011 7:45 AM >>>

>>> <dmanni@gmail.com> 12/19/2011 9:51 PM >>>

REGULATED ENTITY NAME LOOKOUT DRIVE TRANSFER STATION
RN NUMBER: RN102778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM

NAME: Darren Mann

E-MAIL: dmanni@gmail.com

COMPANY:

ADDRESS: 2305 OWENS BLVD

RICHARDSON TX 75082-4501

PHONE: 9729071620

FAX:

COMMENTS: I would like to request the public hearing be held within the City of Richardson. Due to my proximity to the transfer station, I already experience occasional trash blown from the station into my alleyway and also have to deal with the noise and smell. I am concerned that the proposal will only make this situation worse and degrade the neighborhood.

msw

Darren T Mann
2305 Owens Blvd
Richardson, TX 75082
October 3, 2012

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

msw
79923

Re: North Texas Municipal Water District Permit Amendment Application (Permit No 53A)

As a resident living about 2000 feet from the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I am concerned about the expansion as it is currently proposed. Over the nine years that I have lived here, the Lookout facility has detracted from this well-established neighborhood with occasional wind-blown trash that piles up in my alley, the noise and smell. I have concerns that this will get worse.

The application does not yet contain many of the neighborhood protections agreed to by the City of Richardson and the North Texas Municipal Water District. Until nearby residents are guaranteed these protection, TE\CEQ should not grant this expansion.

Please respond to my comments in writing.

Sincerely,



Darren T Mann

REVIEWED

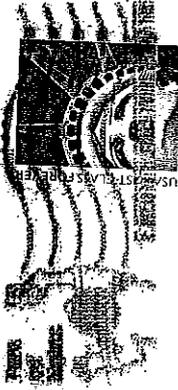
OCT 09 2012

By *BP*

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2012 OCT -9 AM 9:56
CHIEF CLERKS OFFICE

M
Mr. Darren Mann
2305 Owens Blvd
Richardson, TX 75082-4501

091001101010



RECEIVED NORTH TEXAS TX POST
DALLAS TX 750
05 OCT 2012 PM 6 1

OCT 09 2012

TCEQ MAIL CENTER
MM

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

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2012 OCT -9 AM 9:56

CHIEF CLERKS OFFICE



78711308787

mm

Darren T Mann
2305 Owens Blvd
Richardson, TX 75082
December 20, 2011

msw
79923

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2011 DEC 28 AM 10:18
CHIEF CLERKS OFFICE

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

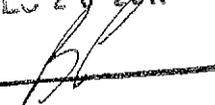
Re: North Texas Municipal Water District Permit Amendment Application (Permit No 53A)

As a resident living about 2000 feet from the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I formally request a public meeting to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station (Permit #53A). Over the nine years that I have lived here, the Lookout facility has detracted from this well-established neighborhood with occasional wind-blown trash that piles up in my alley, the noise and smell. I have concerns that this will get worse. We residents deserve an opportunity to ask how the North Texas Municipal Water District intends to fulfill its commitment to protect the surrounding communities during the construction and operation of the proposed facility. Please grant the public meeting as requested and please respond to my comments in writing.

Sincerely,



Darren T Mann

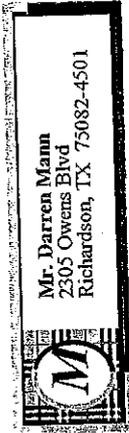
DM
OPA
DEC 28 2011
BY 

msw

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2011 DEC 28 AM 10:18

CHIEF CLERKS OFFICE



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

RECEIVED

DEC 28 2011

78711308797  MAIL CENTER JH

81 DEC 28 2011

CHIEF CLERKS OFFICE

POSTAGE WILL BE PAID BY ADDRESSEE
JAN 2012

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:22 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

PM
H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <marcyaj11@gmail.com> 12/17/2011 3:50 PM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION
RN NUMBER: RN102778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM
NAME: Amy Marcy
E-MAIL: marcyaj11@gmail.com
COMPANY:
ADDRESS: 1512 YORKSHIRE DR
RICHARDSON TX 75082-4712
PHONE: 6027510697
FAX:

COMMENTS: We formally request that a public hearing be held within the City of Richardson regarding this permit. We, the neighbors of the Lookout Station who will be directly affected by any action taken on the Lookout Transfer Station property, should be able to readily and easily have access to the public hearing. We live within walking distance of Lookout Station (just over 1/2 mile) and often frequent the adjacent park. My small children play at the park. It is vital to our safety, vital to our property values and vital to the well-being of the residents in this neighborhood that certain promises be maintained and executed by the NTMWD. We take SERIOUS pride in our neighborhood. Therefore, it must be known and understood that the citizens who live in the city, and especially in the neighborhoods nearest the station, receive an opportunity to ask questions in person and hear in detail how this proposed amendment will affect our quality of life. We want to know that the NTMWD intends to fulfill its prior commitment to the City of Richardson in spite of the fact that few components of the agreement are contained within the permit application. The only way we can accomplish this is through a public hearing in OUR city. Please grant the public meeting as requested.

msw
79923

mm

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

MSW
79923

Re: North Texas Municipal Water District Permit Amendment Application
(Permit No. 53A)

As a resident living 1 mile from the Lookout Transfer Station, and a regular visitor with my children to the park adjacent to the Transfer Station, in one of the neighborhoods most impacted by this application, I am concerned about the expansion as it is currently proposed.

The noise and traffic have always been evident for all of the 12+ years I have lived near the Lookout Transfer Station. I worry about the impact of the expansion on the safety of our neighborhood and the potential for property depreciation because of a very smelly and noisy blight near our beautiful and proud neighborhood.

The application does not yet contain many of the neighborhood protections agreed to by the City of Richardson and the North Texas Municipal Water District. Until nearby residents are guaranteed these protections, TCEQ should not grant this expansion.

Please respond to my comments in writing.

Thank you for your time and help.

Amy Marcy
1512 Yorkshire
Richardson, TX 75082

REVIEWED

OCT 11 2012

By BP

CHIEF CLERK'S OFFICE

2012 OCT 11 AM 10:33

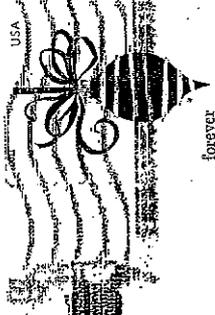
TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Handwritten signature

Reginald B. Frentham, M.D., F.A.C.S.

2911 Amber St
Richardson TX 75082

NORTH TEXAS TX POST
DALLAS TX 750
05 OCT 2012 PM 10 L



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2012 OCT 11 AM 10:32

CHIEF CLERKS OFFICE

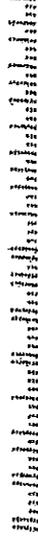
NEW 10/5

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

RECEIVED
OCT 10 2012
TCBQ Revenue Section

NO MONEY

78711308583



Tara Drissell

From: PUBCOMMENT
Sent: Wednesday, July 24, 2013 9:39 AM
To: merzjane@gmail.com
Subject: Protest - Permit 53A

*msw
79923*

Ms. Merz,

In order to more fully process your comment that is below, would you please respond to this email and provide your mailing address.

Sincerely,

Office of the Chief Clerk

From: Jane Merz [mailto:merzjane@gmail.com]
Sent: Wednesday, July 17, 2013 4:51 PM
To: Rules
Subject: Protest

REVIEWED
JUL 25 2013
BY HL

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY
2013 JUL 25 AM 8:42
CHIEF CLERKS OFFICE

To whom it may concern:

I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time.

We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested hearing.

Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco , if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable.

Now to continue with facts that are relevant to this permit and our issues:

Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail.

Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course,

msw

soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with its immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development.

Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit outlined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas.

Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill.

Comment 24: Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now in light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary).

Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards versus residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were cited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored.

Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want

a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area.

Respectfully,

Jane Merz

Member of a Collective of Residents directly Affected by the Application Permit 53A

Tara Drissell

From: Jane Merz <merzjane@gmail.com>
Sent: Thursday, July 25, 2013 12:41 PM
To: PUBCOMMENT
Subject: Re: Protest - Permit 53A

Jane Merz
3209 Foxcreek Dr.
Richardson, TX 75082

On Jul 24, 2013, at 9:39 AM, PUBCOMMENT wrote:

Ms. Merz,

In order to more fully process your comment that is below, would you please respond to this email and provide your mailing address.

Sincerely,

Office of the Chief Clerk

From: Jane Merz [mailto:merzjane@gmail.com]
Sent: Wednesday, July 17, 2013 4:51 PM
To: Rules
Subject: Protest

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2013 JUL 25 PM 1:55
CHIEF CLERK'S OFFICE

To whom it may concern:

I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time.

We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested hearing.

Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable.

Now to continue with facts that are relevant to this permit and our issues:

Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail.

Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development.

Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas.

Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chaper 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after . It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill.

Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now en-light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary).

Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminates were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards

prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored.

Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area.

Respectfully,

Jane Merz

Member of a Collective of Residents directly Affected by the Application Permit 53A

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 18, 2013 8:08 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

MSW
79923

H

From: middelkoops@oneway.to [mailto:middelkoops@oneway.to]
Sent: Wednesday, July 17, 2013 8:32 PM
To: doNotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Kurt Middelkoop

E-MAIL: middelkoops@oneway.to

COMPANY:

ADDRESS: 2709 FOXCREEK DR
RICHARDSON TX 75082-3067

PHONE: 9726993819

FAX:

COMMENTS: Dear TCEQ, I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I have lived in this location for 25 years and all my family..my wife, my three daughters, and my pets are directly impacted and I am requesting a contested hearing. Rather than give you an academic answer I will simply tell you like it is... Its probably not a good idea to continue to collect trash from all over the area and bring the trash to a location

MS

directly beside a creek that provides the drinking water supply to thousands of people. There is no way you can provide 100% containment and if just one toxic chemical gets released into the creek water there could be significant impact. Just observe the current site and you can clearly see that the city has not been able to 100% contain the environmental aspects generated by this site. There are stains hundreds of yards on the pavement leading to the site. Over the past 25 years I have observed transfer trucks leaking liquids on the roads as they drive to this location. We all know that keeping a potential environmental risk so close to the families and citizens in this area is no different than the town of West keeping the fertilizer plant next to the schools. As you know the development north of Renner will soon bring thousands of people directly in the path of the transfer activity. I know this will drive up the cost of disposal, but sometimes reducing risks to people is more important than a budget. This is true only if you are the person impacted, your life potentially changed forever due to some future health issues that are identified as unexplained. TCEQs mission is to protect people and provide a place where future generations can live in a safe and clean environment.

msw
79923

1716 Woodoak Drive
Richardson, Texas 75082
20 December 2011

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

H

OPA

DEC 27 2011

By

Subj: North Texas Municipal Water District Permit Amendment Application (Permit No. 53A)

My home is approximately 300 yards SSE of the Lookout Drive Trash Transfer Station across the Lookout Park field. For years this installation has been a nuisance due to windblown litter, noise, and odor. Attempts to work with the management of the facility or with North Texas Municipal Water District personnel were exercises in futility. There has been no incentive for them to take any remedial measures or even to be concerned about relations with the neighboring communities.

Having proven themselves to be bad neighbors, I am especially concerned about the consequences of their expanding the facility without accountability for the impact on the neighborhood.

Accordingly, this is a request for a public hearing to be held in the City of Richardson.

Thank you.

Respectfully,


John Moisuk Jr.

CHIEF CLERKS OFFICE

2011 DEC 27 AM 10:34

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



913-551-1100
www.tceq.texas.gov

DEC 27 11 53 AM '11

MAIL ROOM



Lt Col John Moissuk Jr USMC
1716 Woodoak Dr
Richardson, TX 75082-4508



Office of the Chief Clerk
RECEIVED MC 105, Texas Commission on Environmental Quality

DEC 27 2011 PO Box 13087

TCEQ MAIL CENTER Austin, Texas 78711-3087



1716 Woodoak Drive
Richardson, Texas 75082
13 December 2012

*MSW
79923*

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

REVIEWED

DEC 18 2012

By *[Signature]*

Ref: Permit Application No. MSW 53A

Gentlemen:

This is to oppose approval of Permit Application No. 53A until such time as reasonable measures to protect the environment can be monitored and enforced.

Historically, the North Texas Municipal Water District (NTMWD) personnel who operate the Lookout Transfer Station have proven to be bad neighbors; unwilling to take reasonable measures to mitigate problems of excessive noise, windblown litter, and offensive odors.

Understandably, local residents are justifiably concerned with plans to expand the already offensive facility which is run by an autonomous group unconcerned about the local community.

To reduce opposition to expansion, NTMWD representatives agreed to a Memorandum of Understanding with the City of Richardson and neighborhood associations. The MOU specified reasonable provisions to reduce the impact of the proposed facility on the environment. However, last October a NTMWD representative announced at a public meeting that the District did not consider itself obligated to abide by the MOU.

Given the NTMWD's traditional disregard for the concerns of the community and its intent not to be bound by the MOU, approval of the requested permit would be detrimental to the environment and the quality of life in the adjacent neighborhoods.

PLEASE DON'T APPROVE THE PERMIT without provisions to enforce the MOU, or without investigating the permit errors and environmental concerns cited in the 20 November 2012 report submitted by Parker Leigh Environmental, LLC.

Respectfully,

[Signature]
John Moisuk Jr.

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2012 DEC 17 PM 3:47
CHIEF CLERKS OFFICE

[Handwritten mark]

Lt. Col. John Moisan, Jr.
1716 Woodoak Dr.
Richardson, TX 75082-4508

NORTH TEXAS TX 75082
DALLAS TX 75082
13 DEC 2012 PM 5:11



RECEIVED

2012 DEC 17 PM 5:47

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

TECHNICAL CENTER
AJ
CHIEF CLERK

DEC 17 2012

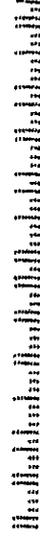
Office of the Chief Clerk, MC 105

TCEQ

P O Box 13087

Austin, Texas 78711-3087

78711308797



1716 Woodoak Drive
Richardson, Texas 75082
13 December 2012

*MSW
79923*

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

REVIEWED

DEC 18 2012

By *[Signature]*

Ref: Permit Application No. MSW 53A

CHIEF CLERKS OFFICE

2012 DEC 17 PM 3:47

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Gentlemen:

This is to oppose approval of Permit Application No. 53A until such time as reasonable measures to protect the environment can be monitored and enforced.

Historically, the North Texas Municipal Water District (NTMWD) personnel who operate the Lookout Transfer Station have proven to be bad neighbors; unwilling to take reasonable measures to mitigate problems of excessive noise, windblown litter, and offensive odors.

Understandably, local residents are justifiably concerned with plans to expand the already offensive facility which is run by an autonomous group unconcerned about the local community.

To reduce opposition to expansion, NTMWD representatives agreed to a Memorandum of Understanding with the City of Richardson and neighborhood associations. The MOU specified reasonable provisions to reduce the impact of the proposed facility on the environment. However, last October a NTMWD representative announced at a public meeting that the District did not consider itself obligated to abide by the MOU.

Given the NTMWD's traditional disregard for the concerns of the community and its intent not to be bound by the MOU, approval of the requested permit would be detrimental to the environment and the quality of life in the adjacent neighborhoods.

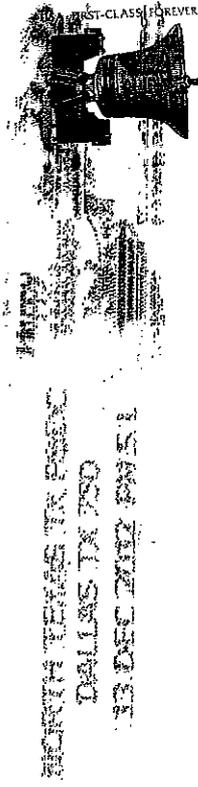
PLEASE DON'T APPROVE THE PERMIT without provisions to enforce the MOU, or without investigating the permit errors and environmental concerns cited in the 20 November 2012 report submitted by Parker Leigh Environmental, LLC.

Respectfully,

[Signature]
John Moisuk Jr.

[Handwritten mark]

Lt. Col. John Moisan, Jr.
1716 Woodoak Dr.
Richardson, TX 75082-4508



RECEIVED

2012 DEC 17 PM 5:47
CHIEF CLERKS SECTION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Office of the Chief Clerk, MC 105

TCEQ

P O Box 13087

Austin, Texas 78711-3087

78711308787



From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/19/2011 9:23 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

*MWD
CNU
79923*

H

>>> PUBCOMMENT-OCC 12/19/2011 7:58 AM >>>

>>> <moorlj@sbcglobal.net> 12/17/2011 4:29 PM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: L Moore

E-MAIL: moorlj@sbcglobal.net

COMPANY:

ADDRESS: 1707 YORKSHIRE DR

RICHARDSON TX 75082-4717

PHONE: 2146286217

FAX:

COMMENTS: Please hold a public hearing in Richardson regarding the new permit. Many issues currently violate previous permits. Traffic, road damage and pollution are disruptive to the nearby parks and bike trails. An increase would be devastating.

MWD

October 4, 2012

REVIEWED

OCT 12 2012

By 

MSW
79923

CHIEF CLERKS OFFICE

2012 OCT 12 AM 10: 21

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

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

RE: North Texas Municipal Water District Permit Amendment Application (Permit No. 53A)

As a resident living near the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I am concerned about the expansion as it is currently proposed. I have been affected by persistent odors, litter strewn about the park and the creek, piercing beeping noises and illegal dumping.

In addition, the traffic has increased in our neighborhood and the streets are continually damaged by more dump trucks. My kids and I are also afraid to use the bike paths in the area. The trucks race through to the station at the end of the work day.

The application does not yet contain many of the neighborhood protections agreed to by the City of Richardson and the North Texas Municipal Water District, such as limiting the size of the expansion, stronger watershed protections, state-of-the-art odor mitigation systems, noise reduction technologies, landscaping improvements and diversion of truck traffic away from residences. Until nearby residents are guaranteed these protections, TCEQ should not grant this expansion.

Please respond to my comments in writing. I would also expect to hear these issues addressed at the upcoming meeting.

Sincerely,

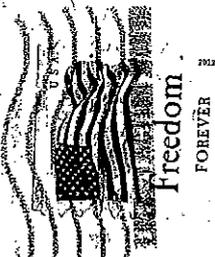


Laurie Moore

1707 Yorkshire Dr

MSW

9-11-12
SUS 9-11



NORTH TEXAS TX 75001
DALLAS TX 750
30 OCT 2012 PM 5:1

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2012 OCT 12 AM 10: 21

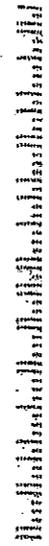
CHIEF CLERKS OFFICE

RECEIVED

OCT 12 2012

TCEQ MAIL CENTER
MM

Office of the Chief Clerk
Mc105 T.C.E.Q.
P.O. Box 13087
Austin, Tx 78711



78711308787

TCEQ Public Meeting Form

October 9, 2012

North Texas Municipal Water District Lookout Drive Transfer Station Proposed Municipal Solid Waste Permit 53A

PLEASE PRINT

Name: Laurie Moore

Mailing Address: 1707 Yorkshire Dr

Physical Address (if different): _____

City/State: Richardson TX Zip: 75082

Email: _____

E-mail addresses are subject to public disclosure under the Texas Public Information Act

Phone Number: () _____

- Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

Please add me to the mailing list.

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

October 8, 2012

Re: North Texas Municipal Water District Request Permit 53A Lookout Transfer Station

To Whom It May Concern:

Several months back, I submitted communication via email requesting a Public Hearing regarding Permit 53A. This was in error, and I wish to correct myself now. What I wanted to request was a Public Meeting. Please take the appropriate action to correct the public record regarding this matter.

Sincerely,



Laurie Moore

1707 Yorkshire
Richardson, Texas 75082
moorlj@sbcglobal.net

RECEIVED
OCT 09 2012
AT PUBLIC MEETING



From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/20/2011 10:00 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

H

>>> PUBCOMMENT-OCC 12/20/2011 9:27 AM >>>

>>> <opaskipper@yahoo.com> 12/20/2011 9:22 AM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION
RN NUMBER: RN102778438
PERMIT NUMBER: 53A
DOCKET NUMBER:
COUNTY: COLLIN
PRINCIPAL NAME: NORTH TEXAS MWD
CN NUMBER: CN601365448
FROM
NAME: MARTIN PARKER
E-MAIL: opaskipper@yahoo.com
COMPANY:
ADDRESS: 1409 WOODOAK DR
RICHARDSON TX 75082-4505
PHONE: 9724373413.
FAX:
COMMENTS: Per the Lookout Transfer Station rebuild and expansion, I request and encourage that a hearing be held within the City of Richardson. I am a homeowner in the Owens Park Neighborhood. Thank you.

msw
79923

msw

H

OPA

12-20-2011

DEC 28 2011

BY

[Signature]

msw
79923

WE FORMALLY REQUEST A PUBLIC HEARING
REGARDING PLANS FOR THE LOOKOUT
TRANSFER STATION WHICH ~~WILL~~ ^{SHOULD} BE HELD
WITHIN THE CITY OF RICHARDSON, THE
SITE OF THE PROPOSED STATION

✓ *Sam B Ricks*
✓ *Sharon Ricks*
1410 JENNIFER ST
RICHARDSON, TX 75082

RE: PERMIT 53A

CHIEF CLERKS OFFICE

2011 DEC 28 AM 10:28

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

[Handwritten initials]

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2011 DEC 28 AM 10:27

CHIEF CLERKS OFFICE

RICKS
1410 JENNIFER ST
RICHARDSON, TX 75082

CHIEF CLERKS OFFICE
2011 DEC 28 AM 10:27

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



OFFICE OF THE CHIEF CLERK
MC 105 TCEQ
P.O. Box 13087
Austin, TX 78711-3087

RECEIVED

DEC 28 2011
TCEQ MAIL CENTER
JH

78711308787

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, July 17, 2013 1:00 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A
Attachments: contest doc.doc

H

From: gay@riley.net [mailto:gay@riley.net]
Sent: Wednesday, July 17, 2013 11:51 AM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

MW
77923

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: MS Gay Riley

E-MAIL: gay@riley.net

COMPANY:

ADDRESS: 1510 BRAEBURN DR
RICHARDSON TX 75082-3038

PHONE: 2142440429

FAX: 2147221935

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit

MW

no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after . It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now en-light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that

Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were cited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Gay Riley SpokesPerson for a Collective of Residents directly Affected by the Application Permit 53A

To: Texas Commission on Environmental Quality

From: Gay Riley
1510 Braeburn Drive
Richardson, Texas 75082

Re: Request a Contested Case Hearing for Permit No. 53A by North Texas Municipal Water District

To whom it may concern:

I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time.

We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested hearing.

Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable.

Now to continue with facts that are relevant to this permit and our issues:

Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail.

Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with it's immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development.

Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is " TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit out lined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a

neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas.

Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill.

Comment 24 : Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now enlight of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary).

Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards verses residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response by TCEQ was testing of the Spring Creek soil and waters where contaminates were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored.

Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center. TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area.

Respectfully,

Gay Riley

SpokesPerson for a Collective of Residents directly Affected by the Application Permit 53A

Marisa Weber

From: PUBCOMMENT
Sent: Wednesday, December 12, 2012 9:36 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

msw
79923

From: Gay Riley [mailto:gay@riley.net]
Sent: Wednesday, December 12, 2012 8:26 AM
To: PUBCOMMENT
Subject: Public comment on Permit Number 53A
Importance: High

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Gay Riley

E-MAIL: gay@riley.net

COMPANY:

ADDRESS: 1510 Braeburn Drive

PHONE: 2142440429

FAX:

COMMENTS: I am a resident of Richardson and am directly impacted by this permit. I have been concerned from the beginning as to what I consider to be a contaminated, unstable area surrounding and possibly residing at the proposed construction site. I have lived on the creek north of LOTS and the landfill for over 14 years and know as a fact that contaminants are seeping into the water. I have asked officials many times how they know it is safe to build on

msw

that site without studying what is underneath and the affect construction will have on the area once they start shifting dirt. Knowing that the landfill contaminates are on the move and seeping beyond the boundaries, how can one know? I also have seen trash and plastic that has blown into the creek for as long as I have lived hear. When I complained to the city, I was told to call the transfer station, never was I directed to North Texas Municipal Water Dist. or to TCEQ, therefore TCEQ didn't receive the complaints it should have for at least 22 years by me or other citizens. We have asked for studies and were stonewalled. We began to compromise with the MOU (signed by the City of Richardson, NTMWD and citizens representing over 4000 residents)for environmental protection, only to find out NTMWD wasn't going to honor the signed agreement because it isn't legally binding. Another issue is there is no comprehensive environmental review for the projects planned for the entire area, the new fire training center, construction of the WTS along side the operational old WTS and the proposed developed municipal city maintenance buildings. All projects planned in a residential zoned area surrounded by a national watershed, creek, parks, golf course and fields where children, pets and wildlife play and reside. All of the projects contain hazard waste and omit pollutants into the air. We need our governing agency to protect the quality of life for a residential area that has been misused. Even though the transfer station and the landfill were there before the homes were built, it doesn't mean it is appropriate now that development was allowed. When I moved here, I didn't know that was a landfill and the transfer station seemed like a neighborhood drop off. Years later and years of abuse by the NTMWD it became an overused, trash bulging out the openings, smelly scab to the area. A newer station for the capacity of more tonnage does not set well and we have reasonably asked to limit the tonnage as per the MOU. I feel this permit should be rejected until tests and studies have proven the area to be environmentally safe and stable. I also support the attached Written Statement by Sheri Larson, who commented at the public meeting. I anxiously await a reply.

Thank you, Gay Riley

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

msw
79923

REVIEWED

OCT 09 2012

By *BP*

Re: North Texas Municipal Water District Permit
Amendment Application (Permit No. 53A)

As a resident living 700 feet from the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I am concerned about the expansion as it currently is proposed. I have been personally subjected to the noise, exhaust emissions, odor, and constant dirt and dust for over 12 years that comes from the daily operation of LOTS. I also was personally involved in the MOU protections that were drafted by the neighborhoods and sat with city officials and NTMWD representatives that promised the protections would be guaranteed if we all signed. We signed and they backed off. We went to the table in good faith, over and over again even though NTMWD denied our request for public records and treated us with less than the respect we gave them. When I moved to this house in 1999, I did not believe in my wildest imagination that the city would allow this type of facility to continue operation when it needed to be rebuilt. I used to ride my horse in the creek back in the late 60's and there were no houses in the vicinity. That was then and this is now. The threat to public health this facility (old or new) poses to human health is beyond comprehension. There is one feeder road to and from the facility. It is very near a flood plain and a watershed. The truck exhaust, noise and odor are tangible always. Accept on Sundays. At this point gentlemen, I am in favor of contesting the petition.

The application does not (as promised) contain many of the neighborhood protections agreed to by the City of Richardson and the NTMWD. Residents should be guaranteed these minimal protections both in the expansion application and in the binding contract. That is the least to be expected from educated human beings. This is not a monetary issue. It is our health and quality of life.

Please respond to my comments in writing.

Sincerely,
Gay Riley and Dr. Mehdi Lavassani
1510 Braeburn Drive
Richardson, Texas 75082
972 669-1944

CHIEF CLERKS OFFICE
OCT -9 AM 9:57

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

msw

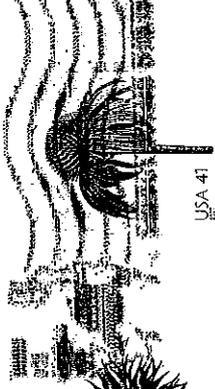
Songja Hill
1516 Springfree Cir
Richardson, TX 75082

RECEIVED

OCT 09 2012

TCEQ MAIL CENTER
MM

NORTHERN TEXAS IN 100X
DALLAS TX 75201
05 OCT 2012 PM 10:00



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2012 OCT -9 AM 9:56
CHIEF CLERKS OFFICE

Office of the Chief Clerk
MC 105 Texas Commission of Environmental Quality
PO Box 13087
Austin TX. 78711

78711308787

12

TCEQ Public Meeting Form

October 9, 2012

North Texas Municipal Water District Lookout Drive Transfer Station Proposed Municipal Solid Waste Permit 53A

PLEASE PRINT

Name: GAY RILEY

Mailing Address: 1510 BRAEBURN DR

Physical Address (if different): " "

City/State: RICHARDSON Zip: 75082

Email: gay@riley.net ✓

E-mail addresses are subject to public disclosure under the Texas Public Information Act

Phone Number: (214) 2440429 ✓ / 972 669-1944

• Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? richardson, resident

Please add me to the mailing list. ✓

I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.
(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

CRW

TCEQ Forma de Reunión Publica

Octubre 9, 2012

North Texas Municipal Water District (Lookout Drive Transfer Station)
Municipal Solid Waste Permit 53A

IMPRIMA POR FAVOR:

Nombre: _____

Direccion: _____

Cuidad/ Estado: _____ Codigo Postal: _____

Telefono: () _____

Por favor incluyan me en la lista de correo.

Esta usted representando a una municipalidad, legislador, agencia, o grupo? Si No

Como se llama el Grupo? _____

SI USTED QUIERE DAR COMENTARIOS FORMALES POR FAVOR ✓ ABAJO

Yo quiero dar cometarios orales Formales.

Yo deseo hacer comentarios formales por escrito esta noche durante la reunión publica.
(Comentarios escritos peden ser entregados a cualquier momento durante la reunión)

Por favor entregue esta forma a la persona en al mesa de información. Gracias.

Comments/
Formal Complaints

Number 1 I am making a formal request for a complete and thorough study of the land, and water for toxic substances on the future transfer station ^(fire training facility) site before ground is broken. This study should include all chemicals petrofuels, commercial industrial waste, lead, arsenic, benzene ^{ethyl benzene} and ^{vinyl chloride plus} other potential health hazards. Must include any horizontal and vertical contamination. After this study is completed,

Number 2 NTMWD is responsible for odors associated with operation. Monitoring and sanitation of vehicles should be monitored and supervised by the cities with strict guidelines enforced. ~~for~~

Submitted by Gay Riley

RECEIVED
OCT 09 2012
AT PUBLIC MEETING

mw

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/16/2011 1:57 PM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

PM

msw
79923

>>> PUBCOMMENT-OCC 12/16/2011 11:52 AM >>>

>>> <gay@riley.net> 12/16/2011 11:43 AM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Gay Riley

E-MAIL: gay@riley.net

COMPANY:

ADDRESS: 1510 BRAEBURN DR

RICHARDSON TX 75082-3038

PHONE: 2142440429

FAX:

COMMENTS: "I formally request a public meeting to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station" I live within 500 feet of LOTS and experience daily, the noise, smell of trash, exhaust from the trucks and blowing trash into the aquifer watershed creek. It is my belief that this transfer station should be moved to a more isolated area and not in the center of 500 households. If you would like to have any public support you will move the public hearing to Richardson for a TRUE democratic forum for the residence to voice their concerns.
Respectfully, Gay Riley

msw

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/16/2011 1:58 PM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

PM

>>> PUBCOMMENT-OCC 12/16/2011 11:52 AM >>>

>>> <gay@riley.net> 12/16/2011 11:43 AM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Gay Riley

E-MAIL: gay@riley.net

COMPANY:

ADDRESS: 1510 BRAEBURN DR

RICHARDSON TX 75082-3038

PHONE: 2142440429

FAX:

COMMENTS: "I formally request a public meeting to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station" I live within 500 feet of LOTS and experience daily, the noise, smell of trash, exhaust from the trucks and blowing trash into the aquifer watershed creek. It is my belief that this transfer station should be moved to a more isolated area and not in the center of 500 households. If you would like to have any public support you will move the public hearing to Richardson for a TRUE democratic forum for the residence to voice their concerns.
Respectfully, Gay Riley

msw
7 12 11

msw

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/16/2011 1:56 PM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

PM

*msw
79723*

>>> PUBCOMMENT-OCC 12/16/2011 11:52 AM >>>

>>> <gay@riley.net> 12/16/2011 11:43 AM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Gay Riley

E-MAIL: gay@riley.net

COMPANY:

ADDRESS: 1510 BRAEBURN DR

RICHARDSON TX 75082-3038

PHONE: 2142440429

FAX:

COMMENTS: "I formally request a public meeting to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station" I live within 500 feet of LOTS and experience daily, the noise, smell of trash, exhaust from the trucks and blowing trash into the aquifer watershed creek. It is my belief that this transfer station should be moved to a more isolated area and not in the center of 500 households. If you would like to have any public support you will move the public hearing to Richardson for a TRUE democratic forum for the residence to voice their concerns.
Respectfully, Gay Riley

msw

RE: North Texas Municipal Water District Permit Amendment Application
(Permit No. 53A)

As a resident living 1/4 mile from the Lookout Transfer Station, in one of the neighborhoods most impacted by this application, I formally request a public hearing to be held within the City of Richardson on the currently pending permit amendment for the Lookout Drive Transfer Station (Permit No. 53A).

Thanks in advance

Phillip Rochelle
2341 Woodglen Dr.

H

OPA
DEC 28 2011
BY 


79923

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2011 DEC 28 AM 10:34
CHIEF CLERKS OFFICE



Phillip Rachelle
2341 Woodglen Dr.
Richardson, TX. 75082

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

CHIEF CLERKS OFFICE

2011 DEC 28 AM 10:34

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

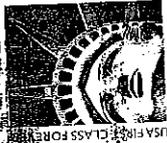
RECEIVED

DEC 28 2011

TCEQ MAIL CENTER
JH



78711308797



~~Office of the Chief Clerk~~

From: PUBCOMMENT-OPA
To: PUBCOMMENT-OCC2
Date: 12/20/2011 9:59 AM
Subject: Fwd: Public comment on Permit Number 53A
Place: PUBCOMMENT-OCC2

*msw
79923*

H

>>> PUBCOMMENT-OCC 12/20/2011 7:44 AM >>>

>>> <carla.scalf@yahoo.com> 12/19/2011 8:20 PM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Carla Ann Scalf

E-MAIL: carla.scalf@yahoo.com

COMPANY:

ADDRESS: 1712 WOODCREEK DR

RICHARDSON TX 75082-4525

PHONE: 9726699951

FAX:

COMMENTS: I am requesting a public hearing to be held within the City of Richardson. To discuss the extension of the Lookout transfer station on Lookout and Plano Rd in Richardson TX. We live within a half a mile of the transfer station and expanding will not only affect our neighborhood but also the park my kids and I play in. The transfer station is in the middle of three neighborhoods with kids playing all around. All it will take is one child losing their lives or being exposed to something toxic to make this expansion a bad idea.

Carla

Marisa Weber

From: PUBCOMMENT
Sent: Thursday, December 20, 2012 8:55 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

From: PUBCOMMENT-OCC
Sent: Thursday, December 20, 2012 7:18 AM
To: PUBCOMMENT
Subject: FW: Public comment on Permit Number 53A

*msw
79923*

From: carla.scalf@yahoo.com [mailto:carla.scalf@yahoo.com]
Sent: Wednesday, December 19, 2012 3:48 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: MS Carla Ann Scalf

E-MAIL: carla.scalf@yahoo.com

COMPANY:

ADDRESS: 1712 WOODCREEK DR
RICHARDSON TX 75082-4525

PHONE: 9726699951

FAX:

msw

COMMENTS: I am contacting you about the plans to expand the Lookout Drive transfer station. I have extreme concerns over the expansion of this trash facility. This facility is in the middle of two neighborhoods where families live and play. My children, dogs and I all use the park and running paths located next to the transfer station. Expanding the transfer station with additional waste would increase the risk of exposure to toxins and waste that could affect the health of the households which are in close proximity along with anyone using the park. I can't believe that the city is willing to risk a person life or quality of life by expanding this facility. It would be a tragedy, if even one person were to become ill or die from exposure to something as a result of this expansion. The other issue is our property values which have already been effected by the down turn. Is the city willing to reimburse us for the additional decrease in value to our properties. It does not make any sense that the city would want to expand a trash facility that is in the middle of a neighborhood.

From: PUBCOMMENT-OPA
To: cvanland@tx.rr.com
Date: 1/4/2012 9:15 AM
Subject: Public comment on Permit Number 53A

Thank you for your comments. A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list and receive a copy of the formal written response to all timely filed comments.

All requests for hearings, if timely filed and authorized by statute or rule, are considered by the Commissioners. The Commissioners will consider your request during a regularly scheduled Commission meeting that is open to the public, and a determination will be made as to whether or not the request will be granted. You will be notified in writing when your request is scheduled for consideration. If your request is granted, the matter will be referred to the State Office of Administrative Hearings (SOAH). The SOAH hearing will be a formal, legal proceeding, conducted in a manner similar to civil trials in state district court. While not required, parties are usually represented by legal counsel.

The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <http://www.tceq.texas.gov/about/comments.html>.

H

>>> <> 12/19/2011 9:47 PM >>>

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Curt Vanlandingham

E-MAIL: cvanland@tx.rr.com

COMPANY:

ADDRESS: 1417 WOODOAK DR

RICHARDSON TX 75082-4505

PHONE: 9726723121

FAX:

COMMENTS: I request the public hearing to be held within the City of Richardson. I live very near the L.O.T.S. and I am directly effected by the smell, traffic and noise so I feel the hearing should be held in the COR and not in Austin or Wylie.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 18, 2013 8:06 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number 53A

MSW
79923

H

From: wilson4j@tx.rr.com [mailto:wilson4j@tx.rr.com]
Sent: Wednesday, July 17, 2013 4:34 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number 53A

REGULATED ENTY NAME LOOKOUT DRIVE TRANSFER STATION

RN NUMBER: RN102778438

PERMIT NUMBER: 53A

DOCKET NUMBER:

COUNTY: COLLIN

PRINCIPAL NAME: NORTH TEXAS MWD

CN NUMBER: CN601365448

FROM

NAME: Joseph P Wilaon

E-MAIL: wilson4j@tx.rr.com

COMPANY:

ADDRESS: 3007 FOXCREEK DR
RICHARDSON TX 75082-3080

PHONE: 9726801937

FAX:

COMMENTS: To whom it may concern: I am requesting a contested case hearing for Permit No.53A because I am directly affected by this permit, I live within 1 mile of the transfer station and of the proposed new site. I am also speaking for a number of residents that are within the same proximity of the transfer station. I will be acting as their spokes person at this time. We (myself and a collective of residents directly affected by permit no.53A living within 500 feet of the proposed and existing transfer station) do hereby request a contested

MS

hearing. Let me start with the fact that since TCEQ is our only hope for protection, it is unfortunate that we have so few governing laws to secure our environmental protection collectively and especially in this case. So many of our comments have been slighted by referring to other divisions for responsibilities and not part of this permitting process. Examples: Comments 16 and 17 not subject for review refer to Air Permits Division; Comment 18 not a state action but a federal action; Comment 20 not authorized to supersede decisions made by municipalities. So wouldn't it be nice if our state environmental protection governing agency could actually protect the residents in this case, maybe there would be less disasters like the City of West and the City of Frisco, if there were more of a comprehensive approach to these permits rather than permits within permits and after the fact actions. I know this is not connected to the contested hearing process, but I feel compelled to at least point out some of the wrongs in the permitting process that leave the people vulnerable. Now to continue with facts that are relevant to this permit and our issues: Comment 4: This is rather a vague statement, negative effect on the environment, public health, and quality of life, so it received a general response equally vague. Let me elaborate- almost every comment made here encompasses this broad statement as I will hope to show in detail. Comment 5: The transfer station is not compatible with land uses surrounding the area. It is our understanding that the applicant did not adequately represent the surrounding area in the application. The surrounding boundaries include a public golf course, soccer fields and playground, nature trails, bike trails, two natural creek tributaries north and south of the transfer facility, a Medical rehabilitation facility, Owens farm open to public for tour with farm animals, museum and private parties, a cemetery, residential single homes north, south and east and class A commercial property. How can a transfer station be cohesive with its immediate neighbors when there are children, pets and families engaged in every one of these areas of public use directly surrounding the transfer station. Just because the transfer station is there doesn't mean it should be, it was built when standards were lower due to an era of environmental ignorance and before any urban development. Comment 12 and 13: Very confusing; comment 12 is there should be an alternate site selection for a more appropriate location, response is "TCEQ has authority to consider the impact of the facility on the surrounding community". Comment 13 is concern the facility will lower the values of surrounding properties, response by "TCEQ is not authorized to consider effects on property values". Let me refer back to the criteria for justifiable interest to contest the permit outlined in TCEQ's "affected person" in relation to as stated in the paragraph "economic interest affected by the application". Isn't this exactly what we are talking about? We are all truly affected by the expansion of the transfer facility compared to as it is now and was with the capacity of tonnage at 400 it feels more like a neighborhood drop off, or at least it used to until it was over run and mismanaged. Increasing the capacity only means more trash, trucks and noise this directly impacts our properties by value, quality of life and safety in the neighborhoods, parks and surrounding areas. Comment 22: Concerns the facility would breach the landfill, response is "Application does not indicate the facility will be built over a closed landfill and if a landfill is discovered during construction, the Applicant would be required to comply with 30 TAC Chapter 330, Subchapter T." "If a landfill is discovered during construction" really did your agency just say that? What about before the fact instead after. It is our understanding the application does not define or even discuss or map the boundaries of the landfill. We believe there should have been a survey accompanied to the application. We want a survey conducted outlining the perimeters of the landfill. Comment 24: Concern that the proposed site adjacent to an area where a gun range was operated contaminating the soil with lead, response TCEQ is not authorized to consider whether an adjacent property is contaminated with lead shot in deciding whether to issue this permit. Now we believe it is the duty of TCEQ to recognize that the old and existing fire training center is the actual property of the proposed construction site of the Applicant. This property is adjacent to the existing facility but the proposed facility will be on top of that old fire training center land. Now in light of this information, we now have conclusive evidence concerning contamination of firefighting chemicals oozing into Spring Creek tributary, there is only one source of origination of that chemical from the results of test conducted by TCEQ and that would have to be the old fire training center. It would appear that the proposed facility site is in-stable and has toxic contaminants migrating into a National watershed (Spring Creek tributary). Comment 27: Concern that the proposed site of the facility is contaminated from the old Fire Training Center and other alleged sources and that the site was incorrectly re-mediated in the 1990s to commercial standards versus residential standards as per the zoning requires. Concern also that Applicant has not conducted an Environmental Assessment to address historical contamination issues. Response

by TCEQ was testing of the Spring Creek soil and waters where contaminants were only visible resulting in exceeded protective concentration levels (PCL) of firefighting foams used commonly at fire training facilities. City and NTMWD were sited with a Notice of Violation, requiring both Applicant and the City of Richardson to determine the extent of contamination and to conduct any remediation required under the TX Risk Reduction Program. Here is where it gets unreasonable, with all that being said TCEQ leaves the assessment and any remediation independent from the pending Application! Wow, once again after the fact. "If the transfer station were to interfere with any required remediation, then Applicant could be required to amend the permit as necessary." Is this the ask for forgiveness later policy? We also understand that an extension for remediation has been requested by Applicant. We adamantly oppose an extension of such request and disagree with the TCEQ statement that "construction and operating the transfer station is not expected to interfere with any remediation" and "TCEQ's rules governing this transfer station Application do not provide that an application for a transfer station should be denied or delayed based on the site being the subject of assessment and remediation." We feel this is irresponsible and not in the best interest of protecting the environment but allowing big business to go forward at all cost by not allowing further assessments of the actual ground site and not re-evaluating the previous clean up to compare to today standards prior to construction. We know TCEQ's policy about adjacent properties this being Spring Creek and where contaminants were identified, but the source of contamination can only originate from the old fire training center at the proposed construction site of Applicant, hence we request a delay in the application permit until such issues can be evaluated and not ignored. Comment 28: Concern that Spring Creek and its tributary were contaminated from a former City of Richardson landfill and the Fire Training Center . TCEQ response is that the adjacent creeks were contaminated is not relevant to this Application. So if wind blown trash crosses any of the contamination and blows into the parks, creeks we say there is reason for concern. We say that if the contamination is migrating from the Application site to the adjacent boundaries, there is reason for concern. We want a full environmental study of the Application site and the adjacent boundaries to ensure our safety, quality of life for all who use these public and private properties in this area. Respectfully, Joseph Wilson SpokesPerson for a Collective of Residents directly Affected by the Application Permit 53A