

Docket No. 2014-1659-MWD

CITY OF FARWELL
PROPOSED WATER QUALITY
LAND APPLICATION PERMIT
NO. WD0015005001
NO. WD0010661001

* BEFORE
* TEXAS COMMISSION
* ENVIRONMENTAL QUALITY

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TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY

**LAURANCE KRIEGEL'S RESPONSE TO OFFICE OF PUBLIC INTEREST
COUNSEL'S
RESPONSE TO HEARING REQUEST**

To the Members of the Texas Commission on Environmental Quality:

This TCEQ system and Public Interest Counsel cannot violate the Law of any other provisions of The Republic of Texas Constitution or Statute, 30 TAC 210.8. The manner in which the Office of Public Interest Counsel's Response to Hearing Request and the Executive Director's Response to Hearing Request is written violates other provisions that The Republic of Texas Constitution protects Citizens form.

It's good to have assistant from others to help keep unlawful programs from being forced upon a Citizen. The Public Interest Counsel and TCEQ have not recognized all of the Laws that protect all Citizens living near this sewage project or the fee simple land owners.

I. Response to Background

The City of Farwell Sewage Application is not complete. The fee simple land documents are not shown. A abstract is not mentioned. The March 10, 1958 document quoted, vol. 108p.435, in the Executive Director's response Attachment A-1 p. 2 is a document by the Parmer County Commissioners and the City of Farwell which does not tract to anything for a fee simple clear title. The County Clerk's office in 1958 filed a fraudulent deed. The City of Farwell does not own the land.

When these two groups read the Texas Property Code they will find that the deeds submitted do not contain all of the necessary elements to be a valid deed for filing. TCEQ has allowed fraudulent filed deeds in this hearing. This violates Texas Property Code laws. This is a error in Law.

The complete design of the construction project is not is the proposal or request. A recent newspaper article in the State Line Tribune, just before this Executor Director Response to Hearing Request came in the mail stated sewage water would be returned to the water formation. This is not a proven practice. This is not allowed pursuit to: TAC.

The cost of this project is not discussed.

The amount of fresh water this project will use is not discussed. It should be.

Laurance Kriegel qualifies to respond under any interested person.

A permit cannot violate a person's property rights. On the land or nearby; 30 TAC 210.8; 30 TAC 210.22 (d). See Texas Property Code.

The above information demonstrates that the OPIC has violated Texas Water Code Annotated paragraph 5.273.

II. Response to Applicable Law

All Citizens and Texas Employees are required to uphold all the Laws of Texas. The Constitution does not allow the use of eminent domain or condemnation. The Law require fee simple Land sales and leases with the fee simple Land owner. This is not shown in this proceeding. The Public Interest Counsels document is lacking and the Executive Director documents are lacking. The Public Interest Counsel is not considering all of the facts for all of the Citizens nor is the Executor Director.

The construction design is not complete to show that the exposed pathogens in the sewage water will affect the lungs of all Citizens who work at the site, all Citizens who drive the train past the area, and many Citizens within several miles of the project. The Health and Safety of all will be affected. The only safe project is to dig a cesspool in the back yard of the houses that needed some sewage relief. If I recall one newspaper article stated only five people needed some assistance. The cesspool should be covered with a concrete pad and lateral lines to a tree. The tree will provide cooling and oxygen.

A cesspool system can be considered by the Law, but the OPIC wrote leaving this idea out to serve their self Interest and the Contractors of the planner for this project without the input from the fee simple land owner. A cesspool system with lateral lines is the only system that can keep the odor and the pathogens in the ground to protect all Citizens. This cesspool system was used for many years before any large sewage system was ever thought of.

III. Response to Analysis of Hearing Request

A Any Citizens should be allowed to response to a mistake in design and land title to stop injustice! The OPIC has not presented all of the facts.

Laurance Kriegel has presented his interest in the previous response, why is a Citizen always challenged by a Lawyer in some group or a Agency Employee? I have requested TCEQ to state if TCEQ is a Texas Agency or a private business. When Laurance Kriegel checked the internet under TAC for the Agency TCEQ, TCEQ was not found. Please state the cite in the Law that first established TCEQ? When was money first appropriated for TCEQ and OPIC? [A private group of people cannot lawfully rule in the manner is which they are doing.] [Conversation was held by Laurance Kriegel several years ago at the USDA-FSA office which causes Laurance Kriegel to raise this question.] Who appoints these Commissioners? Who

appointed or hired the Public Interest Counsel? IS TCEQ the previous Texas Environmental group or Sierra Group that was required to stop operation in the 1970's or 1980's?

The OPIC refused to accept Laurance Kriegel's facts?

Laurance Kriegel's land Title is in the General Land Office of Texas. The documents in the record are not fee simple title deeds, see Executive Director's Response to Hearing Request.

When this project is built, the value of the property will be zero and the value of the property in the area will be zero.

Laurance Kriegel has not failed to present the necessary information. The Public Interest Counsel is writing against the Laws of the People and against Laurance Kriegel. Please read the Law, some of the comments by OPIC are taken out of context. This violates my Constitutional Rights.

Who originally wanted this project built? If it was a planner outside the City of Farwell office, their motive should be checked. I construe there is a contact with a contractor who wants a job at a excessive construction price and the taxes of Farwell Texas will not support this project. The taxes of Farwell will not be able to afford the cost of all of the samples of sewage water that are Lawfully required when TCEQ approves this flawed designed project.

C. The Public Interest Counsel has not presented all of the Laws or Facts involved. The design, which is to place sewage water in the water formation, was not discussed. This is not a approved procedure. The only way to control the sewage and odor is in a cesspool. This will stop the odors and sewage going down the highway and will allow green trees in the City to keep the area cooler. Cooling in the summer is a important health idea.

F. The Air Quality/ Odor/ Health Effects are not correctly addressed by the Public Interest Counsel. I request the person writing there response live across the street from the nearest sewer plant for a year and then tell Texas how the sewage Oder, Pathogens made them sick.

TCEQ air quality regulation, sewage facilities should be permitted by Law and not by unpublished rules. Which rules are being used that are not published?

This sewage design will violate 30 TAC 210.22 (b) & (c).

A cesspool is a very safe method to dispose of sewage. A large open air treatment pool should not be the only method of Regionalization of waste water. The OPIC has misled the readers of this document. Texas Water Code paragraph 26.081(a). The concept of what I understand in this design does not need sewage transported to another area. Sewage water does not need to be drained into the water table. The report of the Public Utility Counsel did not cover that the Farwell facility takes sewage in a truck to another area spreading sewage and pathogens all over the streets for this Citizens to drive over and all Citizens to drive over that are in the area.

The Statute quoted covers a soil condition were sewage might flow through rocks or plates are shallow water tables to a river.

The property value will fall with the pathogens in the area.

If OPIC is interested in the rights of the Citizen, please write your response to cover all the Laws of Texas, especially property rights and cost of the project and how much fresh water will be used, and how the value of the land will drop. The Environmental Quality Law does not allow these facts to be left out.

IV. Conclusion

Laurance Kriegel is a affected Citizen in The Republic of Texas.
Laurance Kriegel is also a interested party for the well being of the people.

The waste water treatment plant plans will demise and destroy the water formation when placing water into it. The air quality will be severely impacted and the odor will be great. All passing cars and trains will be impacted. The train track is not a large enough buffer zone to the south. Where is Highway 27 in some of the pictures?

This project will demise the land. The Republic of Texas Constitution does not allow the land to be demised.

Regionalization is not the only way to discuss waste water.

Does Regionalization mean a train car will be filled with sewage water and shipped to the desert? Waste was shipped in the past from N.Y N.Y to somewhere east of Denver or Colorado Springs.

The City of Farwell did not respond to my comments to the Public Notice nor to this hearing request. Therefore their application should not be approved.

Respectfully Submitted;



1-21-2015

Laurance Kriegel, *Pro Se*

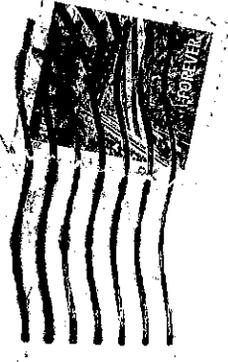
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