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You have chosen this pending docket number:

Regulated Entity Name:
 LIBERTY HILL REGIONAL WWTP
RN Number:
 RN104102132
TCEQ Permit No.:
 WQ0014477001
TCEQ Docket No:
 2013-0010-MWD-E
County:
 WILLIAMSON
Principal Name:
 CITY OF LIBERTY HILL
CN Number:
 CN602959033

[Return to Previous Screen](#)

Privacy policy: Please be aware the law concerning confidentiality of certain email addresses has recently changed. Effective September 1, 2009, email addresses provided to a governmental body (including the TCEQ) for the purpose of providing public comment on or receiving notices related to an application for a license as defined by Section 2001.003(2) of the Government Code, or receiving orders or decisions from a governmental body are no longer subject to the confidentiality provisions of Section 552.137 of the Act. This means beginning September 1, 2009, email addresses in the possession of the TCEQ that meet the above criteria (set forth in Section 552.137(c)(5)) will be subject to disclosure. (more ...)

To comment online, please enter your contact information:

I accept the privacy policy (required to continue)

I do not accept

Enter e-mail address

Re-enter e-mail address

tscassady@hotmail.com

tscassady@hotmail.com

Prefix (optional)	First Name	Middle Name (optional)	Last Name	Suffix (optional)
MRS	Sharon	H.	Cassady	

Company Name (if applicable)

Mailing Address

1541 Orchard Drive

Suite/Apt/Room/Building/Mail Code (optional)

City	State	ZIP Code
Leander	Texas	78641

Phone Number

5125280428

Fax Number (optional)

Type or copy/paste your comments below.

Comments: (limit of 10,000 characters*)

Please do not allow the City of Liberty Hill to increase the flow of sewage into the South San Gabriel River. The present flow has changed the river from a seasonally dry, sand stone river bottom to an oozing, slime filled quagmire that emits methane gas if you step in the moss. We bought our land to enjoy swimming and fishing in the river. Increasing the flow to 4,000,000 more gallons a day is unconscionable. <http://www.youtube.com/watch?v=d7ZQV17DJ2s>

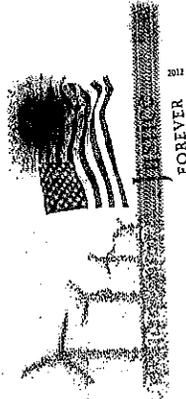
Upload a Microsoft Word document or PDF file with your comments

Attachment: (Files are optional and must be less than 5 MB*. Only one attachment is allowed, per comment.)

[Browse...](#)

*The e-Comments form is limited to 10,000 characters, including spaces (approximately 2-1/2 typed pages), and the upload option is limited to Word and PDF attachments smaller than 5 MB. If your comments exceed these limits, please submit them by mail or fax:

Cassidy
1541 Orchard Drive
Leander, Texas 78641



ALUSTIN TX 787
RECEIVED
GRANDE DISTRICT
MAY 2013 PM 2

MAY 10 2013

TCEQ MAIL CENTER
MM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2013 MAY 10 AM 10: 22
CHIEF CLERKS OFFICE

Office of the Chief Clerk, M¹⁰

TCEQ

P.O. Box 13087

Austain TX 78711-3087

787113087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

PERMIT NO. WQ0014477001

APPLICATION. City of Liberty Hill, P.O. Box 1920, Liberty Hill, Texas 78642, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014477001 (EPA I.D. No. TX0126195) to authorize an increase in the discharge of treated wastewater to a volume not to exceed an annual average flow of 4,000,000 gallons per day. The domestic wastewater treatment facility is located approximately 5,000 feet north of the South Fork San Gabriel River and 2,000 feet east of US 183 in Williamson County, Texas 78642. The discharge route is from the plant site to South Fork San Gabriel River. TCEQ received this application on February 11, 2013. The permit application is available for viewing and copying at the Georgetown Public Library, 402 West 8th Street, Georgetown, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.631944&lng=-97.861666&zoom=13&type=r>

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

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

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

instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

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

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

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

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

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

Further information may also be obtained from the City of Liberty Hill at the address stated above or by calling Mr. Aaron Laughlin, P.E., Steger Bizzell, at 512-930-9412.

Issuance Date: March 21, 2013

Permit No. WQ0014477001
Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
Dear Sir or Madam:

REVIEWED

MAY 13 2014

By GR

MWD
86762 PM

CHIEF CLERKS OFFICE

2014 MAY 13 PM 2:34

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

I have received the NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER AMENDMENT . . . Permit No. WQ0014477001

It states:

A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained.

A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the South Fork San Gabriel River, which has been identified as having high aquatic life. Existing uses will be maintained and protected.

Are we talking about the same river????? The river turns to green scum at the point which the effluent of the Liberty Hill Wastewater Treatment Plant enters it. We have been writing letters and pleading for an evaluation for over a year. You cannot have seen the river and arrived at the above conclusion.

We have been *pleading* for a Public Comment Meeting. Senator Charles Schwertner and Representative Marsha Farney have requested the meeting in our behalf.

If "*Existing uses will be maintained and protected*" we are doomed. You have allowed a beautiful river with a white limestone bed to become a reeking, green, sludge filled horror.

Yes, we would like to schedule a Public Meeting.

Sincerely,



Sharon Cassady, Save the South San Gabriel

1541 Orchard Drive

Leander, TX 78641

tscassady@hotmail.com



CC:

Senator Charles Schwertner
P.O. Box 12068, Capitol Station
Austin, TX 78711

Representative Marsha Farney
P.O. Box 2910
Austin, TX 78768

Mr. Jack Garey
Garey Ranch
6450 RR 2243
Georgetown, TX 78628

Sharon Cassidy
1541 Orchard Dr.
Leander, TX 78641

ALSTIN TX 787
RFD GRANDE DISTRICT
12 MAY 2014 PM 4 L

TEXAS
COMMISSION
ENVIRONMENTAL
QUALITY

MAY 13 PM 2:34

CHEF CLERKS OFFICE

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

RECEIVED

MAY 13 2014

TCEQ MAIL CENTER
JH

Office of the Chief Clerk, MC105
PERMIT # WQ 0014477001

78711308787

March 11, 2014

Office of the Chief Clerk

TCEQ

P.O. Box 13087

Concerning #WQ0014477001

2014 MAR 13 AM 9:52

CHIEF CLERK'S OFFICE

Handwritten initials and signature.

MWD
86762

Dear Sir or Madam:

It is my interpretation of Texas Administrative Code Title 30, Chapter 281, Subchapter A, Rule 281.19, that the time limit rule from receipt of application dated 2/11/13 through the technical review has expired for WQ0014477001.

See TAC (Texas Administrative Code) Title 30, Chapter 281, Subchapter A, Rule 281.19.

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=281&rl=19](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=281&rl=19)

Activity Action List:

Date	Document Type	Action
04/18/2103	VERIFICATION/APPLICATION	RECEIVED
04/29/2013	BILINGUAL VERIFICATION	RECEIVED
04/29/2013	NOTICE OF RECEIPT/INTENT	COMPLETE
04/12/2013	AFFIDAVIT - NORI	RECEIVED
04/12/2013	NEWSPAPER TEARSHEET	RECEIVED
04/03/2013	NOTICE OF RECEIPT/INTENT	PUBLISHED
04/02/2013	NOTICE OF RECEIPT/INTENT	MAILED

Handwritten initials: MWD

03/25/2013 NOTICE OF RECEIPT/INTENT RECEIVED

03/21/2013 ADMIN REVIEW COMPLETE

02/11/2013 APPLICATION RECEIVED

It appears that the application by Liberty Hill is no longer valid as their time has elapsed.

Thank you,



Sharon Cassady

Save the South San Gabriel

1541 Orchard Drive

Leander, TX 78641

CC:

Senator Charles Schwertner

P.O. Box 12068

Capitol Station

Austin, TX 78711

Representative Marsha Farney

P.O. Box 2910

Austin, TX 78768

Mr. Jack Garey

Garey Ranch

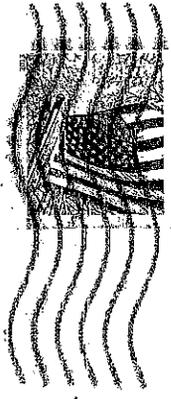
6450 RR 2243

Georgetown, TX 78628



Sharon Cassady
1541 Orchard Dr
Leander TX 78641

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2014 MAR 13 AM 9:52
CHIEF OFFICE



AUSTIN TX 787
RIO GRANDE DISTRICT
12 MAR 2014 PM 4 L

RECEIVED

MAR 13 2014
TCEQ MAIL CENTER
JR

Office Of The Chief Clerk (105)

TCEQ

P.O. Box 13087

Capital Station

Austin, Texas 78711

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

February 12, 2014

2014 FEB 14 AM 9:46 PM REVIEWED

Office of the Chief Clerk

CHIEF CLERKS OFFICE

FEB 14 2014

TCEQ

By bl

PO Box 13087

mwd
86762

WQ0014477001

Dear Sir or Madam:

We living on the South San Gabriel have requested a public meeting concerning the request by Liberty Hill to increase the effluent flow from their wastewater treatment plant to 4,000,000 per day. Below is a reminder of the timeline:

Activity Action List:

Date	Document Type	Action
04/18/21 03	VERIFICATION/APPLICATI ON	RECEIVE D
04/29/20 13	BILINGUAL VERIFICATION	RECEIVE D
04/29/20 13	NOTICE OF RECEIPT/INTENT	COMPLE TE
04/12/20 13	AFFIDAVIT - NORI	RECEIVE D
04/12/20 13	NEWSPAPER TEARSHEET	RECEIVE D
04/03/20 13	NOTICE OF RECEIPT/INTENT	PUBLISH ED
04/02/20 13	<u>NOTICE OF RECEIPT/INTENT</u>	MAILED
03/25/20 13	NOTICE OF RECEIPT/INTENT	RECEIVE D
03/21/20 13	ADMIN REVIEW	COMPLE TE
02/11/20 13	APPLICATION	RECEIVE D

As you can see, it has almost been a year since the application, and we have heard nothing from you. Liberty Hill announces the numbers of added customers to their wastewater service weekly at their city counsel meetings. How can they keep doing this? Why is there no oversight?

mwd

We would appreciate some answers and some action.

Sincerely,



Sharon Cassidy

Save the South San Gabriel

1541 Orchard Drive

Leander, TX 78641

Cc:

Senator Charles Schwertner

P.O. Box 12068, Capitol Station

Austin, TX 78711

Representative Marsha Farney

P. O. Box 2910

Austin, TX 78768

Mr. Jack Garey

Garey Ranch

6450 RR 2243

Georgetown, TX 78628

CHIEF CLERK'S OFFICE

2014 FEB 14 AM 9:46

TEXAS
COMMISSION ON
ENVIRONMENTAL
QUALITY

Sharon Cassidy
1541 Orchard Dr.
Leander, TX 78641

AUSTIN TX 787
RIO GRANDE DISTRICT
13 FEB 2014 PM 4 L



TEXAS
COMMISSION
ENVIRONMENTAL
QUALITY

2014 FEB 14 AM 9:46

CHIEF CLERK'S OFFICE

RECEIVED
FEB 14 2014
TCEQ MAIL CENTER
AJ

Office of the Clerk
T C E Q
P.O. Box 13087
Austin, TX 78711-3087

78711308787

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Tuesday, October 08, 2013 12:49 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number WQ0014477001
Attachments: 0010MWD1.pdf

From: tscassady@hotmail.com [<mailto:tscassady@hotmail.com>]
Sent: Tuesday, October 08, 2013 12:46 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number WQ0014477001

*MWD
86762*

REGULATED ENTY NAME LIBERTY HILL REGIONAL WWTP

RN NUMBER: RN104102132

PERMIT NUMBER: WQ0014477001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: CITY OF LIBERTY HILL

CN NUMBER: CN602959033

FROM

NAME: MRS Sharon H Cassady

E-MAIL: tscassady@hotmail.com

COMPANY: Save the South San Gabriel

ADDRESS: 1541 ORCHARD DR
LEANDER TX 78641-1370

PHONE: 5125280428

FAX:

COMMENTS: The City of Liberty Hill has announced that it is adding new accounts to the wastewater system when the permit has not been granted. Permit WQ0014477001 outlines the noncompliance of the present plant. It was found in violation in December of 2012, and from the evidence currently in the river, has only become worse. Please stop the expansion of a wastewater plant that is currently incapable of treating sewage. The South

MW

San Gabriel River has been decimated by the effluent at the present level. We are awaiting the confirmation of a meeting to allow public input. Sharon Cassady



Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

TCEQ

DATES	Assigned	17-Dec-2012	Screening	19-Dec-2012	EPA Due	5-Mar-2013
	PCW	19-Dec-2012				

RESPONDENT/FACILITY INFORMATION

Respondent	City of Liberty Hill				
Reg. Ent. Ref. No.	RN104102132				
Facility/Site Region	11-Austin	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	45893	No. of Violations	2
Docket No.	2013-0010-MWD-E	Order Type	1660
Media Program(s)	Water Quality	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Christopher Bost
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$6,250
-------------------------------------------------------------	-------------------	---------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the Indicated percentage.

Compliance History	20.0% Enhancement	Subtotals 2, 3, & 7	\$1,250
---------------------------	-------------------	--------------------------------	---------

Notes: Enhancement for three months of self-reported effluent violations and one NOV with same/similar violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
--------------------	----	------------------	-------------------	-----

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
------------------------------------------------------	-------------------	-----

Economic Benefit	0.0% Enhancement	Subtotal 6	\$0
-------------------------	------------------	-------------------	-----

Total EB Amounts: \$603; Approx. Cost of Compliance: \$10,000; *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$7,500
-----------------------------	-----------------------	---------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
---------------------------------------------	------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount: \$7,500

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,500
-----------------------------------	-------------------------------	---------

DEFERRAL	20.0% Reduction	Adjustment	-\$1,500
-----------------	-----------------	-------------------	----------

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$6,000
------------------------	---------

Screening Date 19-Dec-2012

Docket No. 2013-0010-MWD-E

PCW

Respondent City of Liberty Hill

Policy Revision 3 (September 2011)

Case ID No. 45893

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN104102132

Media [Statute] Water Quality

Enf. Coordinator Christopher Bost

Compliance History Worksheet

Compliance History Site Enhancement (Subtotal 2)			
Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	4	20%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
Adjustment Percentage (Subtotal 2)			20%
Repeat Violator (Subtotal 3)			
No		Adjustment Percentage (Subtotal 3)	
			0%
Compliance History Person Classification (Subtotal 7)			
Satisfactory Performer		Adjustment Percentage (Subtotal 7)	
			0%
Compliance History Summary			
Compliance History Notes	Enhancement for three months of self-reported effluent violations and one NOV with same/similar violations.		
Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7)			20%
Final Compliance History Adjustment			
Final Adjustment Percentage *capped at 100%			20%

Screening Date 19-Dec-2012

Docket No. 2013-0010-MWD-E

PCW

Respondent City of Liberty Hill

Policy Revision 3 (September 2011)

Case ID No. 45893

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN104102132

Media (Statute) Water Quality

Enf. Coordinator Christopher Bost

Violation Number 1

Rule Cite(s)

Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014477001, Interim I and II Effluent Limitations and Monitoring Requirements No. 1

Violation Description

Failed to comply with permitted effluent limits, as documented during a record review conducted on December 5, 2012 and shown in the attached table.

Base Penalty \$25,000

> Environmental Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual:			X
Potential:			

Percent 5.0%

> Programmatic Matrix

Falsification	Harm		
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

A simplified model was used to evaluate ammonia-nitrogen to determine whether the discharged amounts of pollutants exceeded levels protective of human health or the environment. Total phosphorous and Escherichia coli were also considered. Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 2

60 Number of violation days

mark only one with an x

daily	
yearly	
monthly	
quarterly	X
semi-annual	
annual	
single events	

Violation Base Penalty \$2,500

Two quarterly events are recommended for the quarters containing the months of June 2012 and September 2012.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Extraordinary

Before NOV NOV to EDRP/Settlement Offer

Ordinary

N/A

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

Economic Benefit (EB) for this violation

Statutory Limits

Estimated EB Amount \$603

Violation Final Penalty Total \$3,000

This violation Final Assessed Penalty (adjusted for limits) \$3,000

Economic Benefit Worksheet

Respondent: City of Liberty Hill
Case ID No.: 45893
Reg. Ent. Reference No.: RN104102132
Media: Water Quality
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs.	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	------	----------------	---------------	-----------

Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling				0.00	\$0	\$0	\$0
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)	\$10,000	30-Jun-2012	13-Sep-2013	3.21	\$603	\$0	\$603

Notes for DELAYED costs: Estimated costs to determine the cause of non-compliance and to implement corrective actions. Date required is the first date of non-compliance. Final date is the expected date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance	\$10,000	TOTAL	\$603
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Screening Date: 19-Dec-2012 **Docket No.:** 2013-0010-MWD-E **PCW**
Respondent: City of Liberty Hill *Policy Revision 3 (September 2011)*
Case ID No.: 45893 *PCW Revision August 3, 2011*
Reg. Ent. Reference No.: RN104102132
Media (Statute): Water Quality
Enf. Coordinator: Christopher Bost

Violation Number: 2
Rule Cite(s): Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0014477001, Interim II Effluent Limitations and Monitoring Requirements No. 1.
Violation Description: Failed to comply with permitted effluent limits, as documented during a record review conducted on December 5, 2012 and shown in the attached table.
Base Penalty: \$25,000

> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual		X		15.0%
Potential				

> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
				0.0%

Matrix Notes: Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment: \$21,250

Violation Events

Number of Violation Events: 1 31 Number of Violation days

mark only one with an x	Bill weekly	
	Monthly	X
	Quarterly	
	Semi-annual	
	Annual	
	Multiple events	

Violation Base Penalty: \$3,750

One monthly event is recommended for August 2012.

Good Faith Efforts to Comply: 0.0% Reduction \$0

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal: \$3,750

Economic Benefit (EB) for this violation: Estimated EB Amount: \$0 **Statutory Limit Test:** Violation Final Penalty Total: \$4,500
This violation Final Assessed Penalty (adjusted for limits): \$4,500

Economic Benefit Worksheet

Respondent: City of Liberty Hill
Case ID No.: 45893
Reg. Ent. Reference No.: RN104102132
Media: Water Quality
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	\$0	\$0
Record Keeping System				0.00	\$0	\$0	\$0
Training/Sampling				0.00	\$0	\$0	\$0
Remediation/Disposal				0.00	\$0	\$0	\$0
Permit Costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for DELAYED costs: See Economic Benefit Worksheet for Violation No. 1.							

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs:							

Approx. Cost of Compliance	\$0	TOTAL	\$0
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EFFLUENT VIOLATION TABLE					
City of Liberty Hill					
TPDES Permit No. WQ0014477001					
Docket No. 2013-0010-MWD-E					
Months	NH ₃ -N daily avg. conc.	NH ₃ -N daily avg. load.	<i>E. coli</i> single grab conc.	Total Phosphorus daily avg. conc.	Total Phosphorus single grab conc.
	Limit = 2 mg/L	Limit = 6.7 lbs/day	Limit = 394 CFU/100 mL	Limit = 0.5 mg/L	Limit = 3 mg/L
June 2012	2.7	c	c	1	4
August 2012	5	c	2,420	c	c
September 2012	9	9	548	c	c

c = compliant

mg/L = milligrams per liter

lbs/day = pounds per day

conc. = concentration

load. = loading

avg. = average

CFU/100 mL = Colony Forming Units per 100 milliliters

E. coli = *Escherichia coli*

NH₃-N = Ammonia-Nitrogen



Compliance History Report

PUBLISHED Compliance History Report for CN602959033, RN104102132, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Customer, Respondent, or Owner/Operator: CN602959033, City of Liberty Hill **Classification:** SATISFACTORY **Rating:** 0.31
Regulated Entity: RN104102132, LIBERTY HILL REGIONAL WWTP **Classification:** SATISFACTORY **Rating:** 0.31
Complexity Points: 0 **Repeat Violator:** NO
CH Group: 14 - Other
Location: Located approximately 9,150 feet southeast of the intersection of U.S Highway 183 and State Highway 29, and approximately 4,000 feet north of the South Fork San Gabriel River in Williamson County, Texas
TCEQ Region: REGION 11 - AUSTIN

ID Number(s):
WASTEWATER EPA ID TX0126195 **WASTEWATER PERMIT** WQ0014477001
Compliance History Period: September 01, 2007 to August 31, 2012 **Rating Year:** 2012 **Rating Date:** 09/01/2012
Date Compliance History Report Prepared: December 19, 2012
Agency Decision Requiring Compliance History: Enforcement
Component Period Selected: December 19, 2007 to December 19, 2012

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.
Name: Christopher Bost **Phone** (512) 239-4575

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If YES for #2, who is the current owner/operator? N/A
- 4) If YES for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If YES, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees:**
N/A
- B. Criminal convictions:**
N/A
- C. Chronic excessive emissions events:**
N/A
- D. The approval dates of investigations (CCEDS Inv. Track. No.):**
 - Item 1 December 20, 2007 (633772)
 - Item 2 January 18, 2008 (633774)
 - Item 3 February 20, 2008 (677886)
 - Item 4 March 20, 2008 (677887)
 - Item 5 April 18, 2008 (677888)
 - Item 6 May 20, 2008 (696718)
 - Item 7 June 20, 2008 (696719)

Item 8	July 21, 2008	(696720)
Item 9	August 20, 2008	(718437)
Item 10	October 17, 2008	(718438)
Item 11	November 20, 2008	(733680)
Item 12	December 19, 2008	(733681)
Item 13	January 20, 2009	(733682)
Item 14	February 13, 2009	(756829)
Item 15	April 20, 2009	(756831)
Item 16	May 18, 2009	(773675)
Item 17	June 15, 2009	(773676)
Item 18	July 20, 2009	(931301)
Item 19	August 20, 2009	(821380)
Item 20	September 18, 2009	(821381)
Item 21	November 20, 2009	(821383)
Item 22	December 18, 2009	(821384)
Item 23	January 19, 2010	(821385)
Item 24	February 17, 2010	(821379)
Item 25	March 19, 2010	(836762)
Item 26	April 14, 2010	(836763)
Item 27	May 14, 2010	(836764)
Item 28	June 18, 2010	(848070)
Item 29	August 20, 2010	(869132)
Item 30	September 17, 2010	(875992)
Item 31	November 17, 2010	(889957)
Item 32	December 17, 2010	(898375)
Item 33	January 14, 2011	(904214)
Item 34	February 17, 2011	(911085)
Item 35	March 16, 2011	(918372)
Item 36	April 18, 2011	(931300)
Item 37	May 13, 2011	(940102)
Item 38	June 15, 2011	(947501)
Item 39	July 18, 2011	(954752)
Item 40	August 16, 2011	(961335)
Item 41	September 19, 2011	(967454)
Item 42	October 18, 2011	(973396)
Item 43	November 18, 2011	(979518)
Item 44	December 19, 2011	(986367)
Item 45	January 18, 2012	(992750)
Item 46	February 20, 2012	(1000092)
Item 47	March 20, 2012	(1005587)
Item 48	April 20, 2012	(1012148)
Item 49	May 17, 2012	(1018547)
Item 50	June 15, 2012	(1026250)
Item 51	September 4, 2012	(1040130)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1. Date: 06/30/2012 (1033605) CN602959033
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter

2	Date: 08/31/2012	CN602959033	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
3	Date: 09/30/2012	CN602959033	
	Self Report? YES	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
4	Date: 12/06/2012 (1034908)	CN602959033	
	Self Report? NO	Classification: Moderate	
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 2D TWC Chapter 26, SubChapter A 26.121(a)(1) 2D TWC Chapter 26, SubChapter A 26.121(a)(3) 2D TWC Chapter 26, SubChapter A 26.121(b) 2D TWC Chapter 26, SubChapter A 26.121(c) 2D TWC Chapter 26, SubChapter A 26.121(d) 2D TWC Chapter 26, SubChapter A 26.121(e) 30 TAC Chapter 305, SubChapter F 305.125(4) 30 TAC Chapter 305, SubChapter F 305.125(5) Permit Conditions, Pg. 7, No. 2(g) PERMIT TWC Chapter 26 26.121 TWC Chapter 26 26.121(a)(2)		
	Description: Failure to prevent the unauthorized discharge		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) Effluent Limitations, page 2 PERMIT		
	Description: Failure to maintain the effluent within the permitted limits.		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) Effluent Limitations, page 2 PERMIT		
	Description: Failure to maintain the effluent within the permitted limits during the on-site investigation.		

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITY OF LIBERTY HILL
RN104102132

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2013-0010-MWD-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding the City of Liberty Hill ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, represented by Ms. Cathy Riedel of the law firm of Bojorquez Law Firm, PLLC, together stipulate that:

1. The Respondent owns a wastewater treatment plant located approximately 9,150 feet southeast of the intersection of United States Highway 183 and State Highway 29, and approximately 4,000 feet north of the South Fork San Gabriel River in Williamson County, Texas (the "Facility").
2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 18, 2012.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Seven Thousand Five Hundred Dollars (\$7,500) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). One Thousand Five Hundred Dollars (\$1,500) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Six Thousand Dollars (\$6,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner of the Facility, the Respondent is alleged to have failed to comply with permitted effluent limits, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014477001, Interim I and II Effluent Limitations and Monitoring Requirements No. 1, as documented during a record review conducted on December 5, 2012 and shown in the table below:

EFFLUENT VIOLATION TABLE					
Months	NH ₃ -N daily avg. conc.	NH ₃ -N daily avg. load.	<i>E. coli</i> single grab conc.	Total Phosphorus daily avg. conc.	Total Phosphorus single grab conc.
	Limit = 2 mg/L	Limit = 6.7 lbs/day	Limit = 394 CFU/100 mL	Limit = 0.5 mg/L	Limit = 3 mg/L
June 2012	2.7	c	c	1	4
August 2012	5	c	2,420	c	c
September 2012	9	9	548	c	c

c = compliant

mg/L = milligrams per liter

lbs/day = pounds per day

conc. = concentration

load. = loading

avg. = average

CFU/100 mL = Colony Forming Units per 100 milliliters

E. coli = *Escherichia coli*

NH₃-N = Ammonia-Nitrogen

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: City of Liberty Hill, Docket No. 2013-0010-MWD-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Six Thousand Dollars (\$6,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implements the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall, within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0014477001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Jamie Williamson
Signature

4-4-13
Date

Jamie Williamson
Name (Printed or typed)
Authorized Representative of
City of Liberty Hill

Mayor
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2013-0010-MWD-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: City of Liberty Hill

Payable Penalty Amount: Six Thousand Dollars (\$6,000)

SEP Amount: Six Thousand Dollars (\$6,000)

Type of SEP: Contribution to a Third-Party Pre-Approved SEP

Third-Party Recipient: Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D") - Water or Wastewater Treatment Assistance

Location of SEP: Williamson County; Brazos River Basin; Edwards Aquifer

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative penalty amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to Texas Association of Resource Conservation and Development Areas, Inc. to be used for the RC&D Water or Wastewater Treatment Assistance Program as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to provide low income rural homeowners with assistance to enable the repair or replacement of their failing on-site wastewater systems. SEP monies will be used to pay for the labor and materials costs related to repairing or replacing the failing systems. The recipients will not be charged for the cost of replacing or repairing the failing systems. If RC&D is unable to spend the total SEP Offset Amount on this project, upon approval of the Executive Director, the remaining SEP Offset Amount may be applied to another approved RC&D project.

Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

City of Liberty Hill
Agreed Order - Attachment A

b. Environmental Benefit

This SEP will provide a discernible environmental benefit by protecting water sources for drinking, recreation, and wildlife from contamination from failing treatment systems.

c. Minimum Expenditure

Respondent shall contribute at least the SEP amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent must contribute the SEP amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc.
Attention: Ken Awtrey
P.O. Box 635067
Nacogdoches, Texas 75961

3. Records and Reporting

Concurrent with the payment of the SEP amount, Respondent shall provide the Enforcement Division SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

City of Liberty Hill
Agreed Order - Attachment A

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

Any public statements concerning this SEP made by or on behalf of Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

Marisa Weber

From: PUBCOMMENT
Sent: Monday, May 06, 2013 8:09 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number WQ0014477001

From: PUBCOMMENT-OCC
Sent: Monday, May 06, 2013 7:19 AM
To: PUBCOMMENT
Subject: FW: Public comment on Permit Number WQ0014477001

*MWD
86762*

From: tscassady@hotmail.com [<mailto:tscassady@hotmail.com>]
Sent: Sunday, May 05, 2013 5:45 PM
To: donotReply@tceq.state.tx.us
Subject: Public comment on Permit Number WQ0014477001

REGULATED ENTY NAME LIBERTY HILL REGIONAL WWTP

RN NUMBER: RN104102132

PERMIT NUMBER: WQ0014477001

DOCKET NUMBER: 2013-0010-MWD-E

COUNTY: WILLIAMSON

PRINCIPAL NAME: CITY OF LIBERTY HILL

CN NUMBER: CN602959033

FROM

NAME: MRS Sharon H. Cassidy

E-MAIL: tscassady@hotmail.com

COMPANY:

ADDRESS: 1541 ORCHARD DR
LEANDER TX 78641-1370

PHONE: 5125280428

FAX:

MWD

COMMENTS: The proposal to add another 4,000,000 gallons per day to the South San Gabriel River is unconscionable. What was previously a seasonally dry, sand stone river bed has become a sludge and muck covered cesspool. If you step into the green slime, bubbles of methane gas rise. Who is regulating the present treatment? To allow even more would be criminal. We bought our land to have access to the river, but it is now a putrid, slime covered horror. <http://www.youtube.com/watch?v=d7ZQVi7DJAs>

TCEQ Public Meeting Form
August 7, 2014

RECEIVED
AUG 07 2014

①
Terry
Cassady

AT PUBLIC MEETING Water Quality Permit Amendment
WQ00114477001

City of Liberty Hill

②
Sharon
Cassady

PLEASE PRINT

Name: Terry ✓ + Sharon ✓ Cassady

Mailing Address: 1541 OREGON DRIVE

Physical Address (if different): _____

City/State: LEANDER, TX Zip: 78641

This information is subject to public disclosure under the Texas Public Information Act

Email: TSCASSADY@HOTMAIL.COM

Phone Number: 512/528-0428

• Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? SOUTH TIDE SOUTH SAN GABRIEL

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. ✓
submitted by Terry Cassady
(Written comments may be submitted at any time during the meeting)

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

MJC

Public Hearing Questions

(8/7/2014)

(Formal Discussion)

RECEIVED

AUG 07 2014

AT PUBLIC MEETING

Questions for TCEQ

1. Regarding the Tier I and Tier II reviews, which were mentioned in the public notice letter, dated June 30, 2014:

Who conducts these reviews?

What criteria are used and how are they measured?

Do the individuals conducting the reviews ever visit the river?

For example, the letter states that one of the uses of the river is "primary contact recreation" and that it would not be affected by the plant discharge. Anyone who has visited the river can see that no one would want to swim in the waters in their present condition.

2. Based on the Ammonia Nitrogen Effluent Data, which I received from Steger and Bizzell (attached), the 2.0 mg/l standard was exceeded on ten (10) different occasions. Why was the City of Liberty Hill not fined for these violations?

3. Since the plant discharge ammonia-nitrogen and phosphorus effluent concentration has been, for the most part, under the permitted standard, then what, in your opinion, has caused the excessive algae growth in the river?

4. Since it is obvious that the water quality of the river is being degraded because of the effluent discharge at the present standards and relatively low discharge flow (0.2 mgd), would it not be correct to

assume that the water quality would continue to degrade at higher flows since the total amount of nitrogen and phosphorus discharged to the river would be higher?

5. About nine years ago we were told during a hearing for the present plant permit that the discharge would have no detrimental effects on the river. Eight years of plant operation has proven this to be a fallacy.

The permit, which is being considered here, has the same standards as the present permit. The permit being considered for Leander MUD Number 3, which has a phosphorus limit twice that for the City of Liberty Hill plant.

In light of these facts, why does the TCEQ continue to set such high limits on both nitrogen and phosphorus when the present limits have resulted in the degradation of the South San Gabriel River? Should actual field data be considered when setting discharge standards?

6. During the first part of July I collected samples of the plant effluent and found that the chlorides, sulfates, and TDS (total dissolved solids) all exceeded the surface water standards for the South San Gabriel River. These concentrations seem to put the present plant in violation of the surface water standards. I would appreciate your comments on this.

Question for Steger and Bizzell.

1. In the July 17, 2014 issue of the Liberty Hill Independent, Mr. Perry Steger stated that the phosphorus limit for the new plant would be 6 - 7 times lower than the present limit of 0.5 mg/l. At a later date, these new limits were repeated to me in person.

Would it be possible to get, in writing, the limits, which will be obtained by the proposed plant for both phosphorus and nitrogen?

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Two general comments.

1. Has the city considered either direct or indirect water reuse for the plant effluent? The July 31, 2014 issue of the *Liberty Hill Independent* had an article about water availability due to a new rental development. There is a valuable resource being discharged into the South San Gabriel, which could be reused either for lawn watering or for direct use.

2. The South San Gabriel is presently functioning as a Bio-Filter for the treatment effluent.

A Bio-Filter is an inexpensive and efficient method to treat polluted water and can act as a buffer for a treatment plant during upsets when the discharge standards might otherwise be exceeded.

The present discharge line enters a power line right of way about ½ mile from the river. Why not move the point of discharge to where the discharge line enters the right of way and convert the right of way into a Bio-Filter, which would extend to the river. This would be a fairly simple and inexpensive project but would provide a great deal of benefit to the water quality of the South San Gabriel River.

I might add that if constructed, the bio filter could provide a good study project for a high school environment group. In fact, I would be willing to help with such an endeavor.

Terry Cassady, P. E.

1541 Orchard Drive

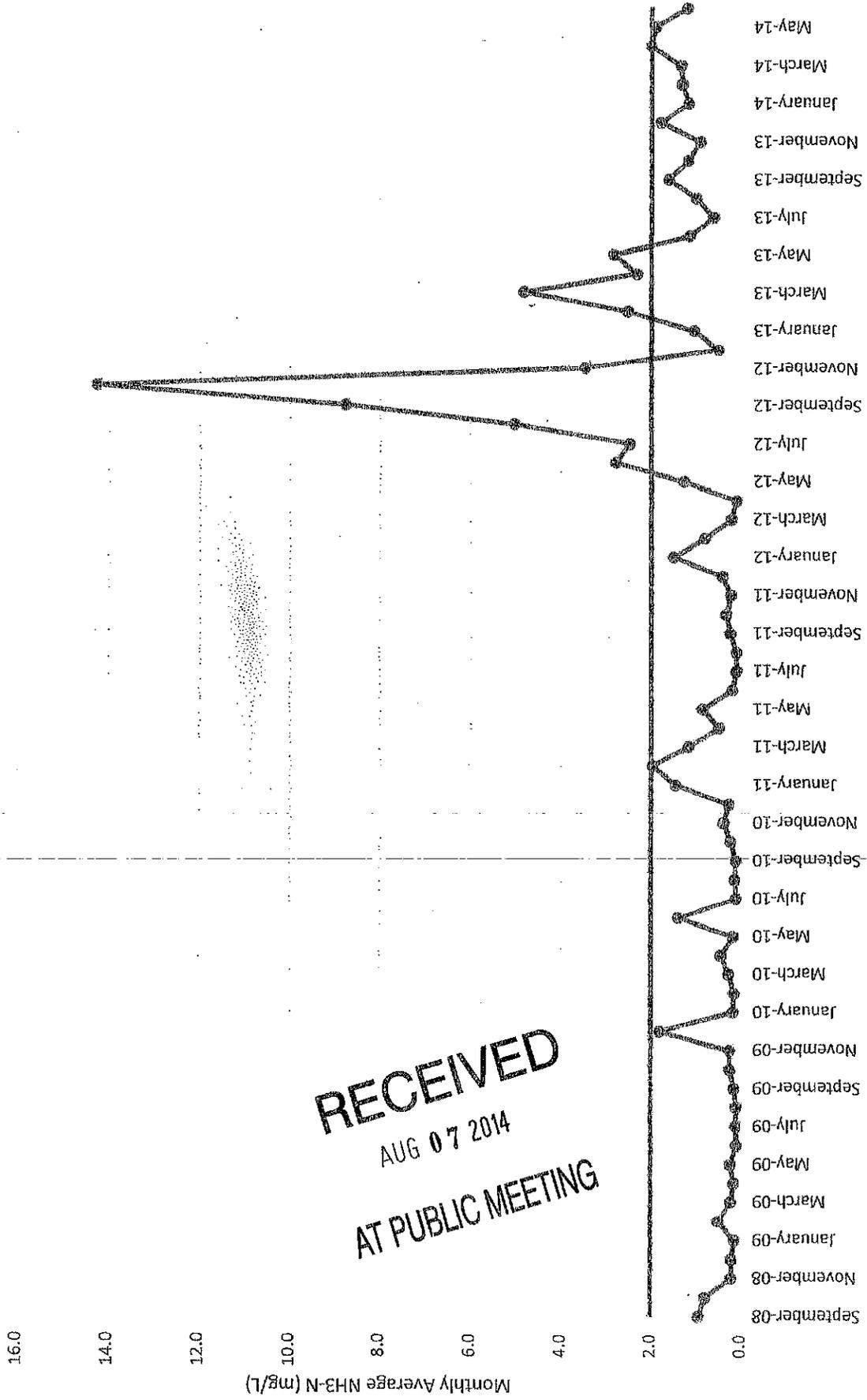
Leander, Texas 78641

512/528-0428

tscassady@hotmail.com ✓

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AUG 07 2014
AT PUBLIC MEETING

Ammonia-Nitrogen Effluent Data - Liberty Hill WWTP



Monthly Average NH3-N (mg/L)

Axis Title

Effluent NH3-N (mg/L) Permitted NH3-N limit

Prepared by Steger Bizzell
7/28/2014

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AUG 07 2014
AT PUBLIC MEETING

October 14, 2014

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

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OCT 15 2014

By kp

CHIEF CLERK'S OFFICE

2014 OCT 15 AM 10:01

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Subject: Permit No. WQ0014477001

City of Liberty Hill Wastewater Treatment Facilities

*MWD
86762*

Gentleman:

I wish to contest the hearing on this permit, which was held on August 7, 2014.

The discharge of the effluent from the Liberty Hill Sewage Treatment Plant has affected me and the other property owners along the South San Gabriel River below the effluent discharge point. The effluent has caused the surface of the river to be covered with algae, eliminated any possibility of using the river for recreation use, and resulted in odors and an unsightly appearance.

I base my contest of the hearing on the following two facts, which were introduced during the statements.

First, referring to the following statement at the top of page 4/15, "TCEQ staff visited the receiving stream on May 14, 2013, prior to the hiring of the new wastewater treatment staff, and observed thick algal growth immediately downstream of the outfall. TCEQ staff revisited the location on August 7, 2014, after the new staff was hired to run the wastewater treatment plant, and noticed a marked improvement and reduced levels of algae in the receiving stream at the outfall and downstream."

This "marked improvement and reduced levels of algae" was not due to improved performance in the operation of the treatment plant, but because about three weeks prior to the staff visit on August 7, 2014, we had received a substantial rainfall which had washed most of the surface algae away. The staff should visit the site at the present time. The algae has returned with a vengeance and it is worse than it ever has been.

It is my opinion that a decision as important as whether or not to grant a discharge permit should be based on more than one field observation. I would urge the TCEQ staff to revisit the effluent discharge point for this plant.

MWD

Second, referring to page one (1) of Attachment "A", Mr. Peter Schaefer states, "Because algae growth is currently visible beginning at the outfall location and extending downstream for some distance, it is recommended that a 0.15 mg/L TP limit be imposed on the 4 MGD final phase to keep existing TP loading from increasing as a result of the increased flow."

I fail to see the logic in Mr. Schaefer's recommendation. If the permitted discharge phosphorus concentration of 0.5 mg/L (total discharge load of 5.004 lbs./day, $0.5 \times 8.34 \times 1.2$) results in algae growth and a degradation of the water quality of the river, what is the advantage of requiring the new discharge phosphorus concentration of 0.15 mg/L which results in the same total phosphorus loading (5.004 lbs./day, $0.15 \text{ mg/L} \times 8.34 \times 4.0$)? It would seem to me that the total loading should be reduced, not maintained at the present level.

Actually, the present total phosphorus loading is well below the approximate 5 lbs. per day. The treatment plant is presently producing an effluent concentration of approximately 0.15 mg/L and the flow is at about 0.2 mgd. This calculates to total phosphorus loading of 0.25 lbs./day, which is presently causing algae growth and a degradation of the river.

Therefore, based on Mr. Schaefer's observations and the actual numbers from the present plant operation, the total phosphorus load to the South San Gabriel River should be set below 0.25 pounds per day.

Mr. Schaefer's erroneous line of reasoning again appears on Page 8 of Attachment "A" and is illustrated in the table at the bottom of the page.

Sincerely,



Terry Cassady, P. E.

1541 Orchard Drive
Leander, Texas 78641

512/528-0428

tscassady@hotmail.com ✓

Cc: Steger and Bizzell
1978 S. Austin Ave.
Georgetown, TX. 78626
Attn: Mr. Perry Steger

City of Liberty Hill
P. O. Box 1920
Liberty Hill, TX. 78642
Attention: Mr. Greg Boatright

City of Liberty Hill
PO Box 1920
Liberty Hill, TX 78642
Attention: Ms. Connie Fuller, Mayor

Senator Charles Schwertner

P. O. Box 12068
Capitol Station
Austin, Texas 78711

Representative Marsha Farney
P. O. Box 2910
Austin, Texas 78768

Mr. Jack Garey
6450 RR 2243
Georgetown, Texas 78628

Mr. Terry Cassidy
1541 Orchard Dr.
Leander, TX 78641-1370

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OCT 15 2014

TCEQ MAIL CENTER
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AUSTIN TX 787

14 OCT 2014 PM 9 L

TEXAS
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ON ENVIRONMENTAL
QUALITY

2014 OCT 15 AM 10: 01

CHIEF CLERKS OFFICE

Office Of The Chief Clerk

MC 105

Texas Commission Of Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

POSTNET barcode

August 8, 2014

REVIEWED

AUG 12 2014

By [Signature]

Office of the Chief Clerk

MC 105

Texas Commission of Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Subject: Permit No. WQ0014477001

City of Liberty Hill Wastewater Treatment Facilities

*MWD
8/6/14*

CHIEF CLERKS OFFICE

2014 AUG 11 PM 3:40

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Gentleman:

I would like to express my thanks and appreciation for the Public Hearing, which was held in Liberty Hill regarding this permit. Your staff was well prepared and very professional in conducting the meeting. Please pass my appreciation on to them, as I didn't get the names of all the people attending the meeting.

Also, I would like to thank Mr. Laughlin of Steger and Bizzell who gave a very good summary of the operational history of the plant and an explanation of the plant process.

Appreciation is also directed at the others who are copied on this letter for their help in arranging the public hearing, recognizing the need for such a hearing, and for their work to restore the beauty of the South San Gabriel River. I believe that everyone in attendance would like to achieve this goal.

Sincerely,

[Signature]

Terry Cassady, P. E.

1541 Orchard Drive
Leander, Texas 78641

512/528-0428

[Handwritten initials]

Cc: Steger and Bizzell
1978 S. Austin Ave.
Georgetown, TX. 78626
Attn: Mr. Perry Steger

City of Liberty Hill
P. O. Box 1920
Liberty Hill, TX. 78642
Attention: Mr. Greg Boatright

City of Liberty Hill
PO Box 1920
Liberty Hill, TX 78642
Attention: Ms. Connie Fuller, Mayor

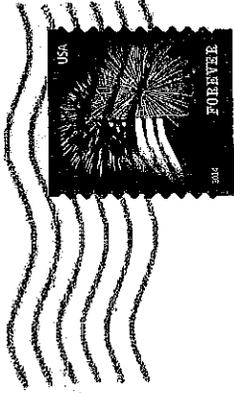
Senator Charles Schwertner
P. O. Box 12068

Capitol Station
Austin, Texas 78711

Representative Marsha Farney
P. O. Box 2910
Austin, Texas 78768

Mr. Jack Garey
6450 RR 2243
Georgetown, Texas 78628

Mr. Terry Cassady
1541 Orchard Dr.
Geander, TX 78641-1370



AUSTIN TX 787
RIO GRANDE DISTRICT
09 AUG 2014 PM 2 L

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QUALITY

2014 AUG 11 PM 3: 03

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Office Of The Chief Clerk

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AUG 11 2014

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AJ

Texas Commission Of Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

July 28, 2014

*MWD
86762*

Office of the Chief Clerk

MC 105

Texas Commission of Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Subject: Permit No. WQ0014477001

City of Liberty Hill Wastewater Treatment Facilities

REVIEWED

AUG 01 2014

By *[Signature]*

CHIEF CLERKS OFFICE

2014 AUG -1 PM 1:11

TEXAS
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ON ENVIRONMENTAL
QUALITY

Gentleman:

As I understand the regulations, the discharge components from a wastewater treatment facility cannot exceed the surface water standards for the receiving stream. I have attached a table showing the surface water standards for the South San Gabriel River. It appears that the chlorides concentration cannot exceed 50 mg/l, that the sulfates concentration cannot exceed 50 mg/l, and that the total dissolved solids (TDS) concentration cannot exceed 350 mg/l.

I pulled samples from the City of Liberty Hill Wastewater Treatment Plant outfall at the point of discharge on the following dates and times and obtained the following results for the listed components. The data sheets from the laboratory are attached.

The tests were conducted by:

Aqua Tech Laboratories
7500 Hwy 71 W, Ste 105
Austin, TX 78735
(512) 301-9559

[Handwritten signature]

Date of Sample: 7/6/2014 (5:00 pm)

Chlorides: 204 mg/l

Date of Sample: 7/7/2014 (12:00 noon)

Chlorides: 207 mg/l

Sulfates: 117 mg/l

TDS: 712 mg/l

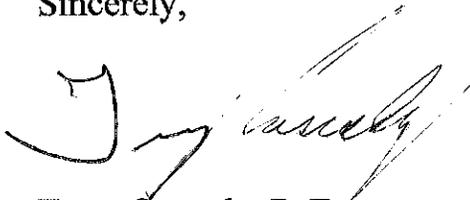
Date of Sample: 7/14/2014 (5:00 pm)

Chlorides: 197 mg/l

Sulfates: 123 mg/l

This data indicates that the existing treatment facility is in violation of the surface water standards and if the process were not modified the new facility would also be in violation.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Cassady". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Terry Cassady, P. E.

1541 Orchard Drive
Leander, Texas 78641

512/528-0428

Cc: Steger and Bizzell
1978 S. Austin Ave.
Georgetown, TX. 78626
Attn: Mr. Perry Steger

City of Liberty Hill
P. O. Box 1920
Liberty Hill, TX. 78642
Attention: Mr. Greg Boatright

City of Liberty Hill
PO Box 1920
Liberty Hill, TX 78642
— Attention: Ms. Connie Fuller, Mayor

City of Leander
200 W Willis Street
Leander, TX 78641
Attention: Mr. Craig Cagle

Senator Charles Schwertner
P. O. Box 12068
Capitol Station
Austin, Texas 78711

Representative Marsha Farney

P. O. Box 2910

Austin, Texas 78768

Mr. Jack Garey

Garey Ranch

6450 RR 2243

Georgetown, Texas 78628

Texas Commission on Environmental Quality
 Chapter 307 - Texas Surface Water Quality Standards

CHLORIDES
 SULFATES
 TOTAL DISSOLVED
 Page 77

CL⁻ SO4⁻² TDS DO PH EC20

Station	Location	PCR	H	PS	100	100	100	540	5.0	6.5-9.0	126	91
1226	North Bosque River	PCR		PS								
1227	Nolan River	PCR	I		375	380	1,483	4.0	6.5-9.0	126	95	
1228	Lake Pat Cleburne	PCR	H	PS	100	100	300	5.0	6.5-9.0	126	93	
1229	Falassy River/North Falassy River	PCR	H	PS	50	100	500	5.0	6.5-9.0	126	91	
1230	Lake Palo Pinto	PCR	H	PS	100	100	450	5.0	6.5-9.0	126	93	
1231	Lake Graham	PCR	II	PS	200	75	500	5.0	6.5-9.0	126	95	
1232	Clear Fork Brazos River	PCR	H		1,550	2,200	4,900	5.0	6.5-9.0	126	93	
1233	Hubbard Creek Reservoir	PCR	H	PS	350	150	900	5.0	6.5-9.0	126	93	
1234	Lake Cisco	PCR	H	PS	75	75	350	5.0	6.5-9.0	126	93	
1235	Lake Stamford	PCR	H	PS	580	400	2,100	5.0	6.5-9.0	126	93	
1236	Port Phantom Hill Reservoir	PCR	II	PS	130	150	550	5.0	6.5-9.0	126	93	
1237	Lake Sweetwater	PCR	II	PS	250	225	730	5.0	6.5-9.0	126	93	
1238	Salt Fork Brazos River	PCR	H		28,050	3,170	51,350	5.0	6.5-9.0	33	93	
1239	White River	PCR	H	PS	100	100	500	5.0	6.5-9.0	126	92	
1240	White River Lake	PCR	H	PS	190	90	730	5.0	6.5-9.0	126	89	
1241	Double Mountain Fork Brazos River	PCR	H		2,630	2,400	5,500	5.0	6.5-9.0	33	95	
1242	Brazos River Above Navasota River	PCR	H	PS	350	200	1,000	5.0	6.5-9.0	126	95	
1243	Shade Creek 1	PCR	H	PS/AP ⁴	50	50	400	5.0	6.5-9.0	126	90	
1244	Brushy Creek	PCR	II	PS/AP ⁴	200	170	800	5.0	6.5-9.0	126	91	
1245	Upper Oyster Creek	PCR	I	PS	140	75	1,970	4.0*	6.5-9.0	126	95	
1246	Middle Bosque/South Bosque River	PCR	H		50	250	700	5.0	6.5-9.0	126	91	
1247	Granger Lake	PCR	H	PS	50	50	400	5.0	6.5-9.0	126	90	
1248	San Gabriel/North Fork San Gabriel River	PCR	H	PS/AP ⁴	50	50	350	5.0	6.5-9.0	126	95	
1249	Lake Georgetown	PCR	H	PS/AP ⁴	50	50	550	5.0	6.5-9.0	126	90	
1250	South Fork San Gabriel River	PCR	II	PS/AP ⁴	50	50	350	5.0	6.5-9.0	126	95	
1251	North Fork San Gabriel River	PCR	H	PS/AP ⁴	50	50	400	5.0	6.5-9.0	126	91	
1252	Lake Lambertine	PCR	H	PS	50	50	300	5.0	6.5-9.0	126	90	
1253	Nueces River, Esker Lake, Mesita	PCR	II	PS	440	150	1,350	5.0	6.5-9.0	126	93	
1254	Angella Reservoir	PCR	II	PS	110	310	660	5.0	6.5-9.0	126	90	
1255	Upper North Bosque River	PCR	I		200	150	1,000	4.0	6.5-9.0	126	91	



Bryan Facility:
635 Phil Gamm Boulevard
Bryan, TX 77807
(979) 779-3707
Fax (979) 779-3193



Austin Facility:
7500 Hwy 71 W, Suite 105
Austin, TX 78725
(512) 301-8559
Fax (512) 301-8552

Analytical Report

Report Printed: 7/23/14 14:48
Cassady, Terry
X012754

Cassady Liberty Hill WWTP Effluent

Lab ID# X012754-01

General Chemistry

Chlorides 204 mg/L

Cassady Liberty Hill WWTP Effluent

Lab ID# X012754-02

General Chemistry

Total Dissolved Solids 712 mg/L
Ammonia as N 0.14 mg/L
Phosphorus as P <0.05 mg/L
Chlorides 207 mg/L

Sample Collected
07/07/14 17:00 by CLIENT

Units Nitrate

Type Grab

Matrix Non Pointable

C-O-C # 268813

Lab Analyzed

07/10/14 12:25 SR

SM4530 Cl-S, 1997

NL

Sample Collected
07/07/14 12:00 by CLIENT

Units Nitrate

Type Grab

Matrix Non Pointable

C-O-C # 268813

Lab Analyzed

07/09/14 14:25 HP

SM4540 C, 1997

NL

07/10/14 15:40 RB

SM4530 NH3 S, 1997

NL

07/14/14 08:30 NG

SM4500-P E, 1999, 5d Rev 2011

NL

07/10/14 12:25 SR

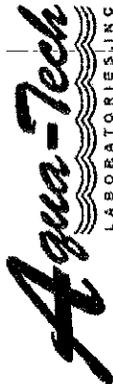
SM4530 Cl-S, 1997

NL

Explanation of Notes

RPD-01 Duplicate RPD is outside acceptable range. Acceptance of run is not based on matrix OC.

Bryan Facility:
 635 Phil Gramm Boulevard
 Bryan, TX 77807
 (979) 778-3707
 Fax (979) 778-3193



Austin Facility:
 7500 Hwy 71 W, Suite 105
 Austin, TX 78735
 (512) 301-9559
 Fax (512) 301-9552

Analytical Report
 Cassidy, Terry
 Report Printed: 7/23/14 14:46
 X013293

Cassidy Liberty Hill WWTP Effluent

Lab ID# X013293-01

General Chemistry

Chlorides
 Sulfate

197
 123

Sample Note: Sample not received on ice at time of submission.

Sample Collected
 07/14/14 17:00 by CLIENT

Result: Units

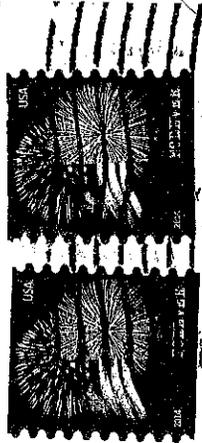
mg/L
 mg/L

Type	Matrix	C-O-C#
Grab	Non Potable	283826
SQL	Method	
5.71	SMS-520 Cl-B, 1997	
25.0	ASTM D814 D7	
	Analysed	
	07/15/14 11:55 SR	
	07/15/14 13:52 JR	
	Lab	
	AUSCH	
	Syber	
		ML
		AS

Explanation of Notes

J Analyte detected below the SQL but above the MDL.


Terry Cassady
1541 Orchard Dr.
Leander, TX 78641



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ON ENVIRONMENTAL
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2014 AUG - 1 AM 9:56

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MC 105
Texas Commission Of Environmental
P.O. Box 13087
Austin, Tx 78711-3087*

Permit # W000144 7701

July 7, 2014

2014 JUL -8 AM 9: 58

Office of the Chief Clerk

CHIEF CLERKS OFFICE

MC 105

Texas Commission of Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

Subject: Permit No. WQ0014477001

REVIEWED
JUL 08 2014
By 
MWD
86762

City of Liberty Hill Wastewater Treatment Facilities

In your letter issued June 30, 2014 concerning the permit for the City of Liberty Hill wastewater treatment facility it states that a Tier 1 and a Tier 2 review was done on the receiving stream and that it was determined that there would be no degradation of the primary contact recreation of the South San Gabriel.

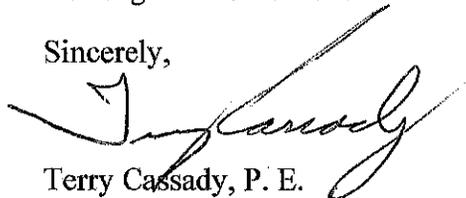
The definition for **Primary Contact Recreation (Swimming)**, which I found, is this: People can swim in the water body without risk of adverse human health effects.

In fact, the discharge from the present Liberty Hill treatment plant has already destroyed the primary contact recreation for the river. The surface of the river below of the effluent outfall is covered with algae and the bottom is covered with from 2 to 3 inches of anaerobically decaying organic matter. No one would even think of swimming in this water.

Whoever did this Tier 1 and Tier 2 review obviously did not observe the present condition of the river.

My question is this: why would the TCEQ, which is charged with protecting the environment and the condition of the South San Gabriel River, allow the discharge of a wastewater treatment plant to be increased when the existing plant discharge is not meeting the state criteria?

Sincerely,



Terry Cassady, P. E.

1541 Orchard Drive
Leander, Texas 78641

512/528-0428



cc: Senator Charles Schwetner

P. O. Box 12068

Capitol Station

Austin, Texas 78711

Representative Marsha Farney

P. O. Box 2910

Austin, Texas 78768

Mr. Jack Garey

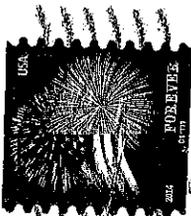
Garey Ranch

6450 RR 2243

Georgetown, Texas 78628

Mr. Terry Cassidy
1541 Orchard Dr.
Leander, TX 78641-1370

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JUL 08 2014
TCEQ MAIL CENTER
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AUSTIN TX 787
RIO GRANDE DISTRICT
07 JUL 2014 9:58 AM

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QUALITY

2014 JUL -8 AM 9:58

CHIEF CLERKS OFFICE

Office Of The Chief Clerk

MC 105

Texas Commission Of Environmental Quality

P.O. Box 13087

Austin Texas 78711-13087

July 3, 2014

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2014 JUL -7 PM 3:10

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Office of the Chief Clerk

MC 105

Texas Commission of Environmental Quality

P. O. Box 13087

Austin, Texas 78711-3087

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MWD
8/6/14

Subject: Permit No. WQ0014477001

City of Liberty Hill Wastewater Treatment Facilities

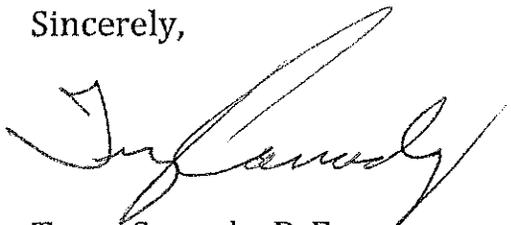
Gentlemen,

I received a letter today informing of a public meeting to be held on Thursday, August 7, 2014.

I thank you for this information.

The letter also states that a Tier I (antidegradation review) and a Tier 2 review was conducted. Could you please provide me with a copy of these two reviews, or information on how I might obtain copies?

Sincerely,



Terry Cassady, P. E.

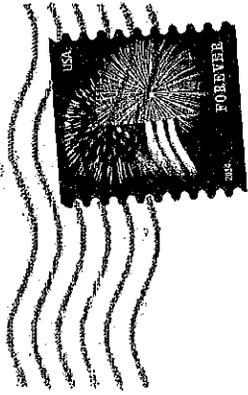
1541 Orchard Drive
Leander, Texas 78641

512/528-0428

tscassady@hotmail.com



Mr. Terry Cassidy
1541 Orchard Dr.
Leander, TX 78641-1370



AUSTIN TX 787
RIO GRANDE DISTRICT
03 JUL 2014 PM 4 L

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JUL 07 2014

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Office Of The Chief Clerk

MC 105

Texas Commission Of Environmental

P.O. Box 13087

AUSTIN TEXAS 78711-3087

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ON ENVIRONMENTAL
QUALITY

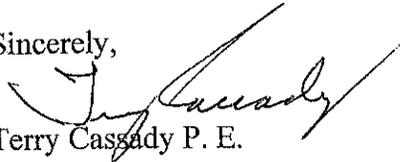
2014 JUL -7 3:08

CHIEF CLERKS OFFICE



existing facility or construction of any new treatment plant. This would include the characteristics of the receiving stream and its ability to assimilate the various waste components as well as the reliability of the proposed treatment processes.

Sincerely,


Terry Cassady P. E.

1541 Orchard Drive

Leander, Texas 78641

512/528-0428

tscassady@hotmail.com

cc:

Senator Charles Schwertner

P.O. Box 12068

Capitol Station

Austin, TX 78711

Representative Marsh Farney

P. O. Box 2910

Austin, TX 78768

Mr. Jack Garey

Garey Ranch

6450 RR 2243

Georgetown, TX 78628

Liberty Hill City Council

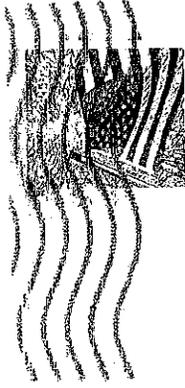
2801 Ranch Rd. 1869

Liberty Hill, TX 78642

Mr. Terry Cassady
1541 Orchard Drive
Leander, TX 78641



AUSTIN TX 787
RIO GRANDE DISTRICT
01 MAR 2014 PM 5 L



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2014 MAR -3 AM 10: 11

CHIEF CLERKS OFFICE

Office Of The Chief Clerk

MC 105

TCEQ

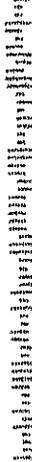
P.O. Box 13087

Austin, TX 78711-3087

RECEIVED

MAR 03 2014

TCEQ MAIL CENTER
CS



Knight & Partners
Attorneys at Law

Tel: (512) 323-5778
Fax: (512) 323-5773
www.cityattorneytexas.com
attorneys@cityattorneytexas.com

Executive Office Terrace
223 West Anderson Lane, Suite A-105
Austin, Texas 78752

Attorneys
Barney L. Knight
Paige H. Saenz
Kenneth W. Mills
Jeffrey T. Ulmami
James D. Parker

November 6, 2014

REVIEWED

NOV 07 2014

By HC

MWD
86762

FF

TEXAS
COMMISSION
ON ENVIRONMENTAL
CONSERVATION
2014 NOV - 6 PM 4: 38
CHIEF CLERKS OFFICE

Via Electronic Submission and Hand Delivery

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

RE: City of Liberty Hill, TPDES Permit No. WQ0014477001; City of Leander's Request for Contested Case Hearing

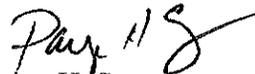
Dear Ms. Bohac:

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To expand on the May 30th letter, Leander is an "affected person" that has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Leander has the legal authority and power to not only provide wastewater services within its city limits and extraterritorial jurisdiction (ETJ), but also to regulate the installation of wastewater facilities and infrastructure through subdivision regulations in the extraterritorial jurisdiction and through its general police powers in the City limits. In addition, the City Charter requires public utility service providers to obtain a franchise from Leander to provide such utility service within the city limits. In addition, the City has an economic interest in the orderly development of land within its city limits and ETJ, which brings additional tax base and utility customers to the City, including the timely extension of utilities to allow for such development to occur.

We appreciate your consideration of our comments and request for contested case hearing.

Very truly yours,



Paige H. Saenz
City Attorney, City of Leander

Encls: (1)

CC: Natasha Martin
Wayne Watts

MWD

**Knight & Partners
Attorneys at Law**

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Austin, Texas 78752

Partners
Barney L. Knight
Paige Harbison Sáenz
Bradford E. Bullock
Barbara Boulware-Wells
Jeffrey T. Ulmann

May 30, 2014

Via Electronic Submission & Mail

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

Re: City of Liberty Hill, TPDES Permit No. WQ0014477001, City of Leander's
Request for Contested Case Hearing

Dear Chief Clerk:

On behalf of the City of Leander, I make the following request for contested case hearing regarding the referenced TPDES permit application. The City received written notice of the application on May 2, 2014.

Request for Contested Case Hearing

Leander requests a contested case hearing.

Identity of Requester

Leander is a home rule municipality located in Williamson and Travis Counties directly south of the City of Liberty Hill. Leander's contact information for this proceeding is as follows:

Leander Contact
Kent Cagle
City of Leander
200 West Willis Street
Leander, TX 78641
P.O. Box 319
Austin, Texas 78646
Fax: (512) 259-1605

Authorized Representative
Paige Saenz
Knight & Partners
223 W. Anderson Lane, Ste. A105
Austin, Texas 78752
Fax: (512) 323-5773 Phone: (512) 323-5778
paige@cityattorneytexas.com

Leander's Demonstration of Affected Person Status

Leander has interests related to legal rights, duties, privileges, powers, or economic interests affected by this application. Some of Leander's specific interests are as follow:

- Liberty Hill's proposed wastewater treatment facility, which is the subject of the application, is located approximately one mile from Leander's extraterritorial jurisdiction, and approximately three miles from the nearest part of Leander's wastewater facility.
- Leander has received requests for water and sewer service from persons who own property north of the South San Gabriel within Leander's extraterritorial jurisdiction (ETJ). The property within Leander's city limits and ETJ north of the South San Gabriel will be referred to as the "Leander Territory". Leander has received and is reviewing bids for the construction of a water line to bring water service to property owners in the Leander Territory. Leander has an agreement with a developer and a Leander Municipal Utility District No. 3 to participate in the construction of a wastewater treatment plant that will serve up to 1740 LUE's within the Leander Territory, in addition to the LUE's to be served within the municipal utility districts. The developer is currently in the process of applying for the permit for the wastewater treatment plant.
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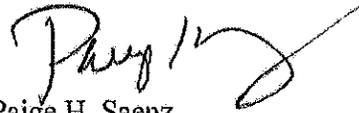
Leander's Position and Comments on Draft Permit

Leander would be adversely affected by the proposed permit in a way not common to the general public. It appears that the Application is based on influent from areas located in the Leander Territory. Leander intends to provide wastewater treatment services to the area, and is currently developing a CCN application and working with a developer to obtain a TPDES permit application to serve the Leander Territory. Without the influent, Liberty Hill cannot adequately justify the full capacity sought in its application. Leander intends to provide wastewater treatment services to this area and the ability to obtain a wastewater permit through plans and existing agreements could be adversely affected by the granting of this permit. Further, the loss of potential sewer customers might affect Leander's ability to provide sewer service within the Leander Territory. Leander is further adversely affected by another utility provider serving within its city limits and ETJ. Leander regulates development and subdivision of land within its territory to provide for safe and orderly development. Leander is better able to plan for and provide for the orderly development of land within its jurisdiction if it is also the utility service provider; control over utilities is a key component of managing growth. Persons who receive utility service from and who reside in Leander will have a strong voice with the governing body that sets their utility rates as voters. Persons who develop their land will benefit from the entity that regulates development and the utility provider being one in the same.

Bases for Granting Contested Case Hearing

LEANDER is an affected person and would be adversely affected by the proposed permit in a way not common to the general public. Furthermore, there is nothing in 30 TAC §55.201(i)(5) providing that the TCEQ may act on the district's application without granting Leander's contested case hearing request. Accordingly, Leander's request for a contested case hearing should be granted.

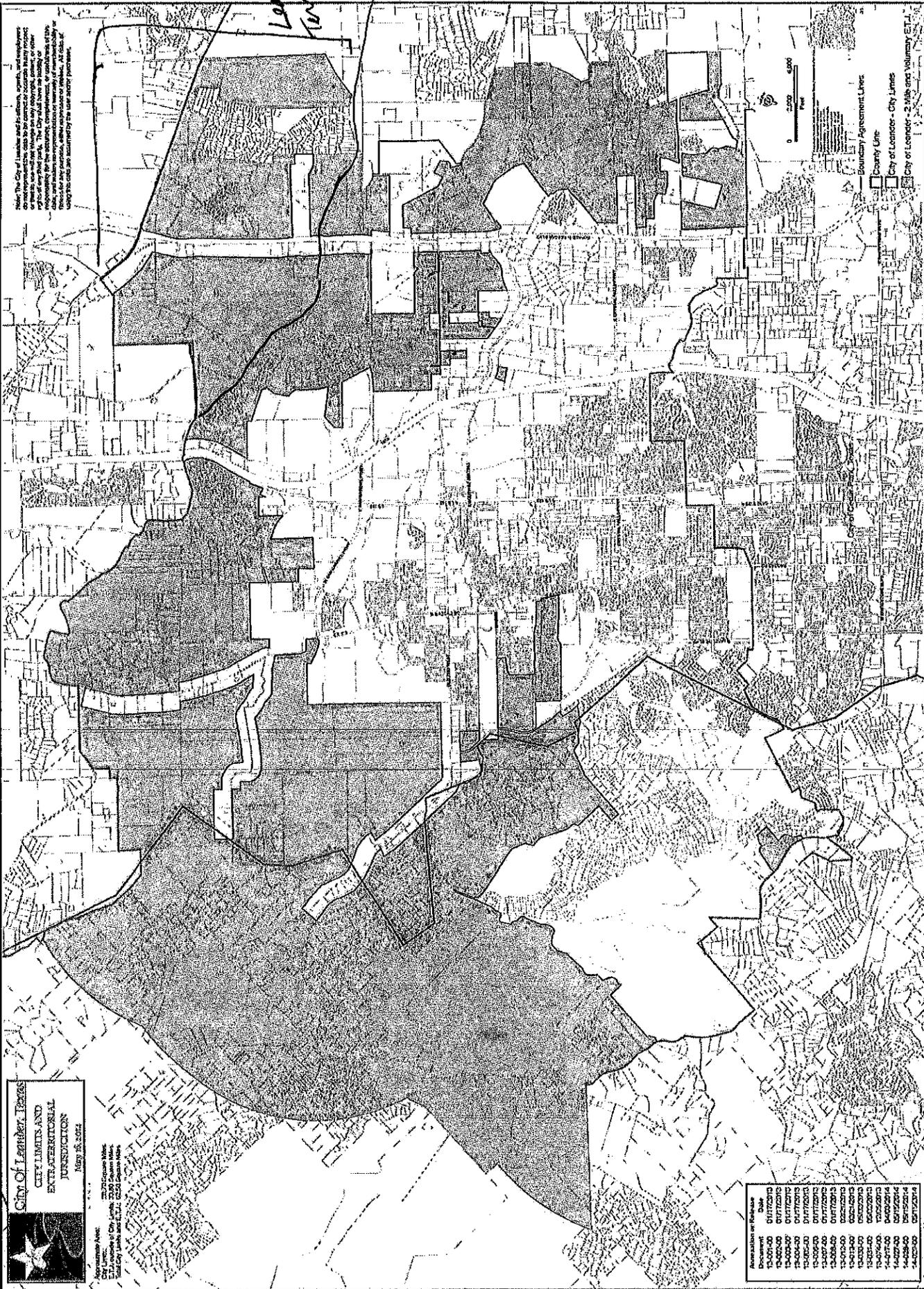
Sincerely,

A handwritten signature in black ink, appearing to read "Paige H. Saenz", with a long, sweeping flourish extending to the right.

Paige H. Saenz
Knight & Partners
Attorney for Leander

cc: Greg Boatright, City of Liberty Hill
Wayne Watts

Landmark Territory

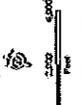


City of Leander, Texas
CITY LIMITS AND
EXTRAJURISDICTIONAL
JURISDICTION
 July 28, 2014

City Limits:
 22.27 Square Miles
 22.27 Square Miles
 22.27 Square Miles
 22.27 Square Miles

Assessment or Release	Assessment or Release
13-07-00	01-17-2013
13-02-00	01-17-2013
13-03-00	01-17-2013
13-04-00	01-17-2013
13-05-00	01-17-2013
13-06-00	01-17-2013
13-07-00	01-17-2013
13-08-00	01-17-2013
13-09-00	02-27-2013
13-10-00	02-27-2013
13-11-00	02-27-2013
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14-93-00	02-27-2013
14-94-00	02-27-2013
14-95-00	02-27-2013
14-96-00	02-27-2013
14-97-00	02-27-2013
14-98-00	02-27-2013
14-99-00	02-27-2013
15-00-00	02-27-2013

Boundary Agreement Lines
 County Line
 City of Leander - City Lines
 City of Leander - 2 Mile and Voluntary E.T.U.



Note: The City of Leander and its officers, agents, and employees do not warrant, either explicitly or implicitly, the accuracy or completeness of the information contained herein. The City of Leander shall not be liable for any damages, including but not limited to, direct, indirect, or consequential damages, arising out of the use of this information. The City of Leander shall not be liable for any damages, including but not limited to, direct, indirect, or consequential damages, arising out of the use of this information. The City of Leander shall not be liable for any damages, including but not limited to, direct, indirect, or consequential damages, arising out of the use of this information.

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Friday, November 07, 2014 8:08 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number WQ0014477001
Attachments: Contest.Liberty.Hill.Permit.No.WQ14477001.pdf

*MWD
86767*

H

From: paige@cityattorneytexas.com [<mailto:paige@cityattorneytexas.com>]
Sent: Thursday, November 06, 2014 4:24 PM
To: donotreply
Subject: Public comment on Permit Number WQ0014477001

REGULATED ENTY NAME LIBERTY HILL REGIONAL WWTP

RN NUMBER: RN104102132

PERMIT NUMBER: WQ0014477001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: CITY OF LIBERTY HILL

CN NUMBER: CN602959033

FROM

NAME: Paige Saenz

E-MAIL: paige@cityattorneytexas.com

COMPANY: Knight & Partners

ADDRESS: 11005 GALLERIA CV A105
AUSTIN TX 78759-5134

PHONE: 5123235778

FAX: 5123235773

COMMENTS: Please accept this letter in place of the one just previously sent. The letter previously sent was missing one page. Thank you, Paige Saenz

MWD

Knight & Partners
Attorneys at Law

tel: (512) 323-5778
fax: (512) 323-5773
www.cityattorneytexas.com
attorneys@cityattorneytexas.com

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223 West Anderson Lane, Suite A-105
Austin, Texas 78752

Attorneys
Barney L. Kulight
Paige H. Saenz
Kenneth W. Mills
Jeffrey L. Umanov
James D. Parker

November 6, 2014

Via Electronic Submission and Hand Delivery

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

RE: City of Liberty Hill, TPDES Permit No. WQ0014477001; City of Leander's Request
for Contested Case Hearing

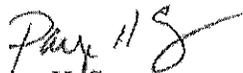
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City Attorney, City of Leander

Encls: (1)

CC: Natasha Martin
Wayne Watts

**Knight & Partners
Attorneys at Law**

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Jeffrey T. Ulmann

May 30, 2014

Via Electronic Submission & Mail

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

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Fax: (512) 259-1605

Authorized Representative
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Knight & Partners
223 W. Anderson Lane, Ste. A105
Austin, Texas 78752
Fax: (512) 323-5773 Phone: (512) 323-5778
paige@cityattorneytexas.com

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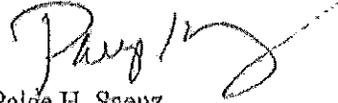
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Bases for Granting Contested Case Hearing

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Sincerely,



Palge H. Saenz
Knight & Partners
Attorney for Leander

cc: Greg Boatright, City of Liberty Hill
Wayne Watts

Leander Territory

Map of City of Leander, Texas, showing the boundaries of the City of Leander, Texas, and the Leander Territory. The map is a detailed street map with various shaded areas representing different jurisdictions. A scale bar in the top right corner indicates distances up to 4000 feet. A legend in the top right corner identifies the symbols used for the City of Leander, the City of Leander - City Limits, and the City of Leander - 2 Mile and Vicinity S.T.L. A north arrow is also present.

City of Leander, Texas
 CITY LIMITS AND
 2-MILE VICINITY
 SUPERSTITION
 MAP NO. 2-12



Approved: _____
 City Council
 City of Leander, Texas
 2000 Leander Blvd.
 Leander, Texas 77954

Address/Block Number	Date
10000-10009	01/17/2011
10010-10019	01/17/2011
10020-10029	01/17/2011
10030-10039	01/17/2011
10040-10049	01/17/2011
10050-10059	01/17/2011
10060-10069	01/17/2011
10070-10079	01/17/2011
10080-10089	01/17/2011
10090-10099	01/17/2011
10100-10109	01/17/2011
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10170-10179	01/17/2011
10180-10189	01/17/2011
10190-10199	01/17/2011
10200-10209	01/17/2011
10210-10219	01/17/2011
10220-10229	01/17/2011
10230-10239	01/17/2011
10240-10249	01/17/2011
10250-10259	01/17/2011
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10460-10469	01/17/2011
10470-10479	01/17/2011
10480-10489	01/17/2011
10490-10499	01/17/2011
10500-10509	01/17/2011
10510-10519	01/17/2011
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10540-10549	01/17/2011
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10960-10969	01/17/2011
10970-10979	01/17/2011
10980-10989	01/17/2011
10990-10999	01/17/2011

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Friday, November 07, 2014 8:09 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number WQ0014477001
Attachments: Contest.Liberty.Hill.Permit.No.WQ14477001.pdf

H

From: paige@cityattorneytexas.com [<mailto:paige@cityattorneytexas.com>]
Sent: Thursday, November 06, 2014 4:15 PM
To: donotreply
Subject: Public comment on Permit Number WQ0014477001

MWD
86762

REGULATED ENTY NAME LIBERTY HILL REGIONAL WWTP

RN NUMBER: RN104102132

PERMIT NUMBER: WQ0014477001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: CITY OF LIBERTY HILL

CN NUMBER: CN602959033

FROM

NAME: Paige Saenz

E-MAIL: paige@cityattorneytexas.com

COMPANY: Knight & Partners

ADDRESS: 11005 GALLERIA CV A105
AUSTIN TX 78759-5134

PHONE: 5123235778

FAX: 5123235773

COMMENTS: Please see attached file

MWD

Knight & Partners
Attorneys at Law

Tel. (512) 323-5778
Fax (512) 323-5773
www.cityattorneytexas.com
attorneys@cityattorneytexas.com

Executive Office Terrace
223 West Anderson Lane, Suite A-105
Austin, Texas 78752

Attorneys
Bancey L. Knight
Paige H. Saenz
Kenneth W. Alfts
Jeffrey T. Uhlmann
James D. Parker

November 6, 2014

Via Electronic Submission and Hand Delivery

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

RE: City of Liberty Hill, TPDES Permit No. WQ0014477001; City of Leander's Request
for Contested Case Hearing

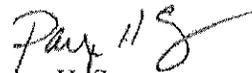
Dear Ms. Bohac:

On behalf of the City of Leander, I continue to request a contested case hearing regarding the above-referenced TPDES permit application, as stated in the letter dated May 30, 2014, which attached hereto and incorporated herein. The City read this letter into the record at the public meeting on August 7th and has not withdrawn the May 30th letter or its comments.

To expand on the May 30th letter, Leander is an "affected person" that has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Leander has the legal authority and power to not only provide wastewater services within its city limits and extraterritorial jurisdiction (ETJ), but also to regulate the installation of wastewater facilities and infrastructure through subdivision regulations in the extraterritorial jurisdiction and through its general police powers in the City limits. In addition, the City Charter requires public utility service providers to obtain a franchise from Leander to provide such utility service within the city limits. In addition, the City has an economic interest in the orderly development of land within its city limits and ETJ, which brings additional tax base and utility customers to the City, including the timely extension of utilities to allow for such development to occur.

We appreciate your consideration of our comments and request for contested case hearing.

Very truly yours,


Paige H. Saenz
City Attorney, City of Leander

Encls: (1)

CC: Natasha Martin
Wayne Watts

**Knight & Partners
Attorneys at Law**

Tel: (512) 323-5778
Fax: (512) 323-5773
www.cityattorneytexas.com
attorneys@cityattorneytexas.com

Executive Office Terrace
223 West Anderson Lane, Suite A-105
Austin, Texas 78752

Partners
Barney L. Knight
Paige Hurlison Saenz
Bradford E. Bullock
Barbara Boulware-Wells
Jeffrey T. Umann

May 30, 2014

Via Electronic Submission & Mail

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

Re: City of Liberty Hill, TPDES Permit No. WQ0014477001, City of Leander's
Request for Contested Case Hearing

Dear Chief Clerk:

On behalf of the City of Leander, I make the following request for contested case hearing regarding the referenced TPDES permit application. The City received written notice of the application on May 2, 2014.

Request for Contested Case Hearing

Leander requests a contested case hearing.

Identity of Requester

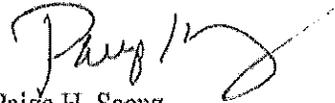
Leander is a home rule municipality located in Williamson and Travis Counties directly south of the City of Liberty Hill. Leander's contact information for this proceeding is as follows:

Leander Contact
Kent Cagle
City of Leander
200 West Willis Street
Leander, TX 78641
P.O. Box 319
Austin, Texas 78646
Fax: (512) 259-1605

Authorized Representative
Paige Saenz
Knight & Partners
223 W. Anderson Lane, Ste. A105
Austin, Texas 78752
Fax: (512) 323-5773 Phone: (512) 323-5778
paige@cityattorneytexas.com

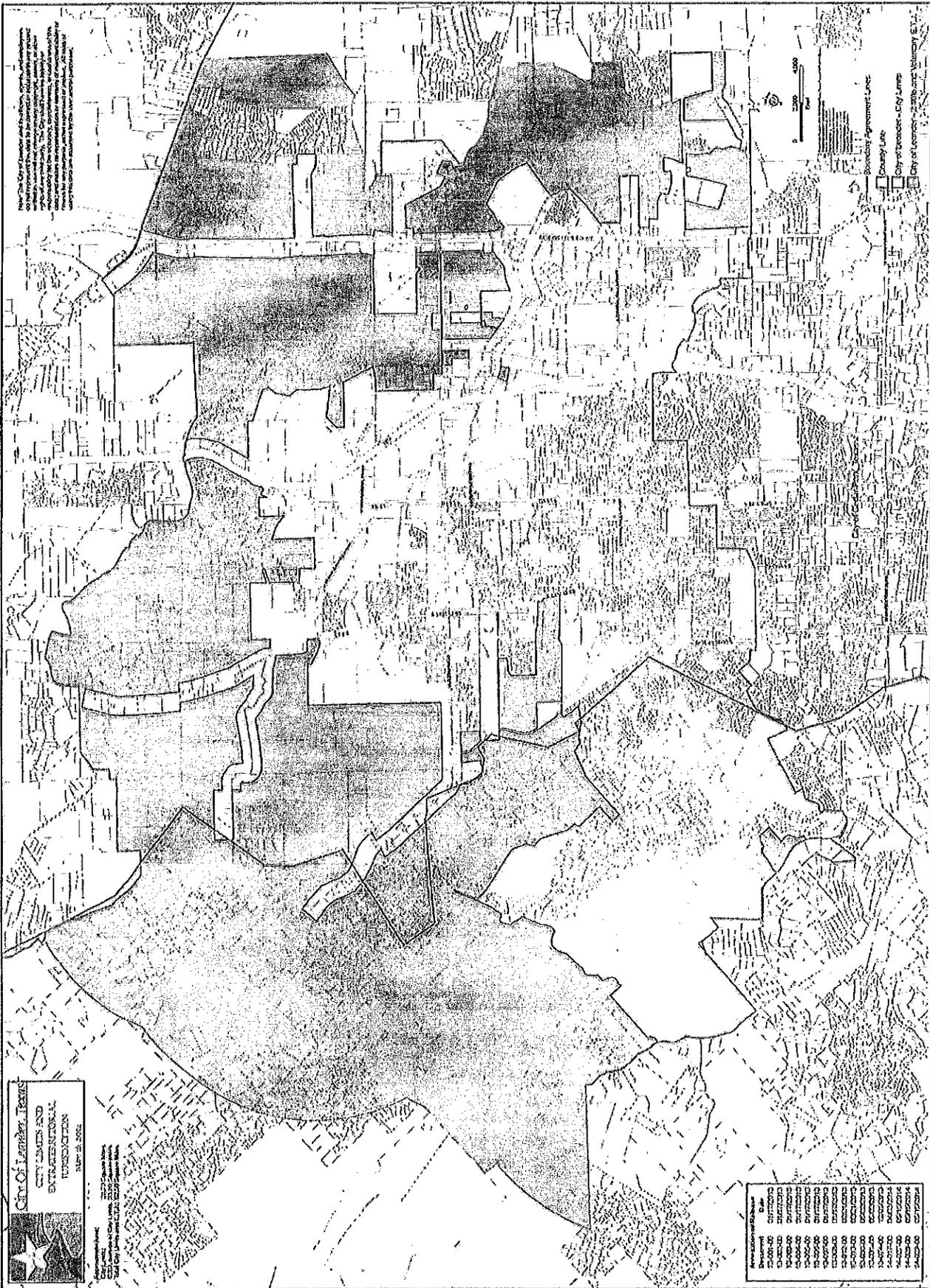
LEANDER is an affected person and would be adversely affected by the proposed permit in a way not common to the general public. Furthermore, there is nothing in 30 TAC §55.201(i)(5) providing that the TCEQ may act on the district's application without granting Leander's contested case hearing request. Accordingly, Leander's request for a contested case hearing should be granted.

Sincerely,



Paige H. Saenz
Knight & Partners
Attorney for Leander

cc: Greg Boatright, City of Liberty Hill
Wayne Watts




City of Leander, Texas
 CITY LIMITS AND
 UTILITIES FUNDATION
 MAP # 2002

Prepared by: [illegible]
 Date: [illegible]
 City of Leander, Texas
 2002

- Boundary Agreement Land
 County Lake
 City of Leander - City Limits
 City of Leander - Utility S.P.

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Knight & Partners
Attorneys at Law

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Tel: (512) 323-5778
Fax: (512) 323-5773
www.cityattorneytexas.com
attorneys@cityattorneytexas.com

Executive Office Terrace
223 West Anderson Lane, Suite A-105
Austin, Texas 78752

2014 JUN -2 AM 11:04

CHIEF CLERKS OFFICE

Partners
Barney L. Knight
Paige Harbison Sáenz
Bradford E. Bullock
Barbara Boulware-Wells
Jeffrey T. Ulmann

May 30, 2014

Via Electronic Submission & Mail

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

*MWD
6/7/14*

REVIEWED

JUN 02 2014

By BP

H

Re: City of Liberty Hill, TPDES Permit No. WQ0014477001, City of Leander's Request for Contested Case Hearing

Dear Chief Clerk:

On behalf of the City of Leander, I make the following request for contested case hearing regarding the referenced TPDES permit application. The City received written notice of the application on May 2, 2014.

Request for Contested Case Hearing

Leander requests a contested case hearing.

Identity of Requester

Leander is a home rule municipality located in Williamson and Travis Counties directly south of the City of Liberty Hill. Leander's contact information for this proceeding is as follows:

Leander Contact
Kent Cagle
City of Leander
200 West Willis Street
Leander, TX 78641
P.O. Box 319
Austin, Texas 78646
Fax: (512) 259-1605

Authorized Representative
Paige Saenz
Knight & Partners
223 W. Anderson Lane, Ste. A105
Austin, Texas 78752
Fax: (512) 323-5773 Phone: (512) 323-5778
paige@cityattorneytexas.com

MWD

Leander's Demonstration of Affected Person Status

Leander has interests related to legal rights, duties, privileges, powers, or economic interests affected by this application. Some of Leander's specific interests are as follow:

- Liberty Hill's proposed wastewater treatment facility, which is the subject of the application, is located approximately one mile from Leander's extraterritorial jurisdiction, and approximately three miles from the nearest part of Leander's wastewater facility.
- Leander has received requests for water and sewer service from persons who own property north of the South San Gabriel within Leander's extraterritorial jurisdiction (ETJ). The property within Leander's city limits and ETJ north of the South San Gabriel will be referred to as the "Leander Territory". Leander has received and is reviewing bids for the construction of a water line to bring water service to property owners in the Leander Territory. Leander has an agreement with a developer and a Leander Municipal Utility District No. 3 to participate in the construction of a wastewater treatment plant that will serve up to 1740 LUE's within the Leander Territory, in addition to the LUE's to be served within the municipal utility districts. The developer is currently in the process of applying for the permit for the wastewater treatment plant.
- Leander is planning on filing water and sewer CCN applications to include areas north of the South San Gabriel.

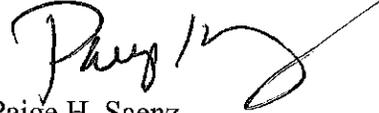
Leander's Position and Comments on Draft Permit

Leander would be adversely affected by the proposed permit in a way not common to the general public. It appears that the Application is based on influent from areas located in the Leander Territory. Leander intends to provide wastewater treatment services to the area, and is currently developing a CCN application and working with a developer to obtain a TPDES permit application to serve the Leander Territory. Without the influent, Liberty Hill cannot adequately justify the full capacity sought in its application. Leander intends to provide wastewater treatment services to this area and the ability to obtain a wastewater permit through plans and existing agreements could be adversely affected by the granting of this permit. Further, the loss of potential sewer customers might affect Leander's ability to provide sewer service within the Leander Territory. Leander is further adversely affected by another utility provider serving within its city limits and ETJ. Leander regulates development and subdivision of land within its territory to provide for safe and orderly development. Leander is better able to plan for and provide for the orderly development of land within its jurisdiction if it is also the utility service provider; control over utilities is a key component of managing growth. Persons who receive utility service from and who reside in Leander will have a strong voice with the governing body that sets their utility rates as voters. Persons who develop their land will benefit from the entity that regulates development and the utility provider being one in the same

Bases for Granting Contested Case Hearing

LEANDER is an affected person and would be adversely affected by the proposed permit in a way not common to the general public. Furthermore, there is nothing in 30 TAC §55.201(i)(5) providing that the TCEQ may act on the district's application without granting Leander's contested case hearing request. Accordingly, Leander's request for a contested case hearing should be granted.

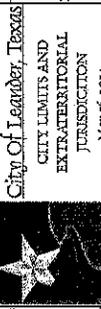
Sincerely,

A handwritten signature in black ink, appearing to read "Paige H. Saenz", with a long, sweeping flourish extending to the right.

Paige H. Saenz
Knight & Partners
Attorney for Leander

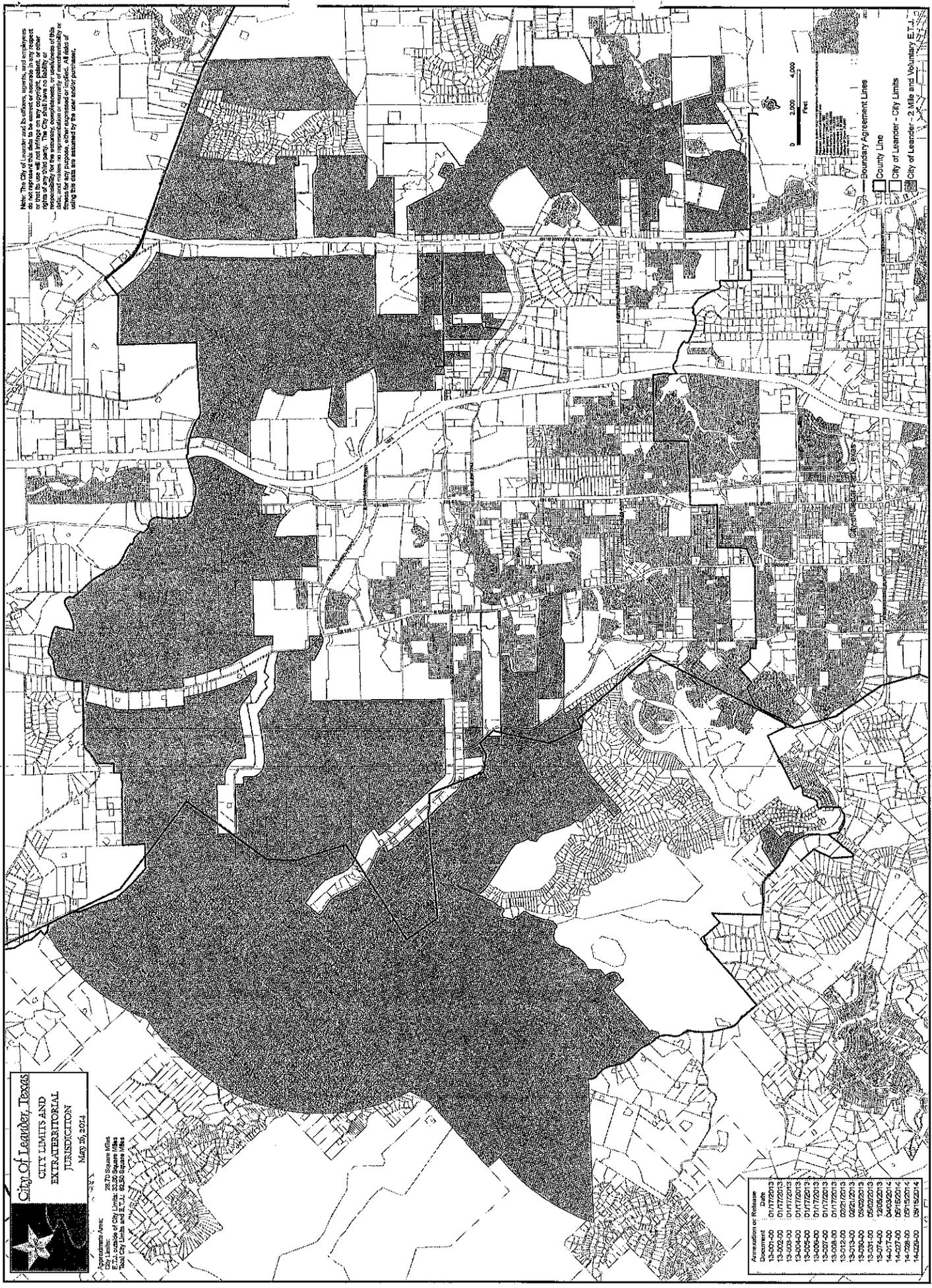
cc: Greg Boatright, City of Liberty Hill
Wayne Watts

Note: The City of Leander and its officers, servants, and employees do not represent this data to be correct or accurate in any respect. The City of Leander, its officers, servants, and employees shall not be held liable for any damages, including, but not limited to, consequential, special, or other damages, arising out of the use of this data. The City of Leander, its officers, servants, and employees shall not be held liable for any damages, including, but not limited to, consequential, special, or other damages, arising out of the use of this data. The City of Leander, its officers, servants, and employees shall not be held liable for any damages, including, but not limited to, consequential, special, or other damages, arising out of the use of this data.



City of Leander, Texas
CITY LIMITS AND
EXTRAJURISDICTIONAL
JURISDICTION
 May 19, 2014

City Limits Area: 22.70 Square Miles
 E.T.J. outside of City Limits: 22.26 Square Miles
 Total City Limits and E.T.J.: 44.96 Square Miles



Amendment or Release	Document	Date
	13-002-00	01/17/2013
	13-003-00	01/17/2013
	13-004-00	01/17/2013
	13-005-00	01/17/2013
	13-006-00	01/17/2013
	13-007-00	01/17/2013
	13-008-00	02/21/2013
	13-009-00	05/02/2013
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	13-199-00	05/02/2013
	13-200-00	05/02/2013

Boundary Agreement Lines
 County Line
 City of Leander - City Limits
 City of Leander - 2 Mile and Voluntary E.T.J.



RECEIVED

JUN 02 2014

TCEQ MAIL CENTER
BC

Knight & Partners
223 W. Anderson Lane, Suite A105
Austin, Texas 78752

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

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2014 JUN - 2 AM 11: 04
CHIEF CLERKS OFFICE

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Monday, June 02, 2014 9:04 AM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number WQ0014477001

H

From: paige@cityattorneytexas.com [mailto:paige@cityattorneytexas.com]
Sent: Friday, May 30, 2014 4:49 PM
To: donotReply@tceq.texas.gov
Subject: Public comment on Permit Number WQ0014477001

MWD
Be Filed

REGULATED ENTY NAME LIBERTY HILL REGIONAL WWTP

RN NUMBER: RN104102132

PERMIT NUMBER: WQ0014477001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: CITY OF LIBERTY HILL

CN NUMBER: CN602959033

FROM

NAME: Paige Saenz

E-MAIL: paige@cityattorneytexas.com

COMPANY: Knight & Partners

ADDRESS: 11005 GALLERIA CV A105
AUSTIN TX 78759-5134

PHONE: 5123235778

FAX: 5123235773

COMMENTS: May 30, 2014 Via Electronic Submission & Mail Chief Clerk TCEQ, MC-105 P.O. Box 13087 Austin, Texas 78711-3087 Re: City of Liberty Hill, TPDES Permit No. WQ0014477001, City of Leander's Request for Contested Case Hearing Dear Chief Clerk: On behalf of the City of Leander, I make the following request for contested case hearing regarding the referenced TPDES permit application. The City received written notice of the application on May 2, 2014. Request for Contested Case Hearing Leander requests a

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contested case hearing. Identity of Requester Leander is a home rule municipality located in Williamson and Travis Counties directly south of the City of Liberty Hill. Leander's contact information for this proceeding is as follows: Leander Contact Authorized Representative Kent Cagle Paige Saenz City of Leander Knight & Partners 200 West Willis Street 223 W. Anderson Lane, Ste. A105 Leander, TX 78641 Austin, Texas 78752 P.O. Box 319 Fax: (512) 323-5773 Phone: (512) 323-5778 Austin, Texas 78646 paige@cityattorneytexas.com Fax: (512) 259-1605 Leander's Demonstration of Affected Person Status Leander has interests related to legal rights, duties, privileges, powers, or economic interests affected by this application. Some of Leander's specific interests are as follow: • Liberty Hill's proposed wastewater treatment facility, which is the subject of the application, is located approximately one mile from Leander's extraterritorial jurisdiction, and approximately three miles from the nearest part of Leander's wastewater facility. • Leander has received requests for water and sewer service from persons who own property north of the South San Gabriel within Leander's extraterritorial jurisdiction (ETJ). The property within Leander's city limits and ETJ north of the South San Gabriel will be referred to as the "Leander Territory". Leander has received and is reviewing bids for the construction of a water line to bring water service to property owners in the Leander Territory. Leander has an agreement with a developer and a Leander Municipal Utility District No. 3 to participate in the construction of a wastewater treatment plant that will serve up to 1740 LUE's within the Leander Territory, in addition to the LUE's to be served within the municipal utility districts. The developer is currently in the process of applying for the permit for the wastewater treatment plant. • Leander is planning on filing water and sewer CCN applications to include areas north of the South San Gabriel. Leander's Position and Comments on Draft Permit Leander would be adversely affected by the proposed permit in a way not common to the general public. It appears that the Application is based on influent from areas located in the Leander Territory. Leander intends to provide wastewater treatment services to the area, and is currently developing a CCN application and working with a developer to obtain a TPDES permit application to serve the Leander Territory. Without the influent, Liberty Hill cannot adequately justify the full capacity sought in its application. Leander intends to provide wastewater treatment services to this area and the ability to obtain a wastewater permit through plans and existing agreements could be adversely affected by the granting of this permit. Further, the loss of potential sewer customers might affect Leander's ability to provide sewer service within the Leander Territory. Leander is further adversely affected by another utility provider serving within its city limits and ETJ. Leander regulates development and subdivision of land within its territory to provide for safe and orderly development. Leander is better able to plan for and provide for the orderly development of land within its jurisdiction if it is also the utility service provider; control over utilities is a key component of managing growth. Persons who receive utility service from and who reside in Leander will have a strong voice with the governing body that sets their utility rates as voters. Persons who develop their land will benefit from the entity that regulates development and the utility provider being one in the same Bases for Granting Contested Case Hearing LEANDER is an affected person and would be adversely affected by the proposed permit in a way not common to the general public. Furthermore, there is nothing in 30 TAC §55.201(i)(5) providing that the TCEQ may act on the district's application without granting Leander's contested case hearing request. Accordingly, Leander's request for a contested case hearing should be granted. Sincerely, Paige H. Saenz Knight & Partners Attorney for Leander

Dean and Audrey Swearingen
1104 S. Gabriel Drive
Leander, TX 78641

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86762

October 7, 2013

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78768

REVIEWED

OCT 14 2013

By *BP*

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CHIEF CLERKS OFFICE

2013 OCT 13 AM 10:31

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Sir or Madam:

I live in Williamson County just south of the South San Gabriel River, as part of the High Gabriel Estates homeowner's association. We enjoy a private neighborhood part that provides access to the river a bit east of U.S. 183.

After moving there in 2011, we became aware that the city of Liberty Hill has operated a wastewater treatment plant upstream from our home for the past seven years, and dumps over 200,000 gallons of treated sewage effluent into the river daily. The plant has never operated correctly since it went on line, and the river has become increasingly polluted. The algae that has filled the river now sinks to the riverbed and forms a gooey mess that smells like rotten eggs, and the surface is covered with thick, green scum. We are joining with the "Save the South San Gabriel" organization to request a hearing with TCEQ, asking for the city to be held accountable, and to be prohibited in discharging additional 'treated' sewage effluent.

Like most Hill Country rivers, the South San Gabriel has a limestone bed that is frequently dry in the summer. Now, especially since the past dry years, most of the flow of the river is simply effluent from the treatment plant, and the effluent is not meeting the requirements of the discharge permit. The permit should serve to prevent the degradation of the receiving stream. If you look on Google Earth, you will see that the South San Gabriel turns green at the point of the outflow, and stays green all the way to Georgetown. Heavy rainfall in early October temporarily 'washed out' much of the scum and slime in the river, however, it took less than a week for it to be scummy and smelly again!

The plant received a notice of violation December 18, 2012 (AGREED ORDER ~~DOCKET NO. 2013-0010~~ - MWD-E). They were fined by TCEQ because of effluent violations. We are now into October of 2013 and the river has gotten worse.

In June, we got a letter from TCEQ informing us that Liberty Hill was requesting a permit to increase the discharge to 4,000,000 gallons of effluent per day into the river. If the approximately 200,000 gallons per day currently being released has had the described deleterious results, 4 million gallons will be disastrous! Many within "Save the South San Gabriel" organization immediately responded with

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objections and attended a Liberty Hill City Council meeting, but have received little response from TCEQ, or the City of Liberty Hill.

We on the South San Gabriel River and the "Save the South San Gabriel" organization request a hearing with TCEQ.

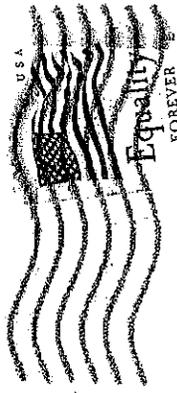
Sincerely,

A handwritten signature in cursive script that reads "Audrey Swearingen".

Audrey Swearingen
Save the South San Gabriel
512-818-3811
audgal@sbcglobal.net

Attachment

Swearingen
1104 S. Gabriel Dr.
Leander, TX 78641



AUSTIN TX 787
RIO GRANDE DISTRICT
09 OCT 2013 PM 5 L

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2013 OCT 13 AM 10:31

CHIEF CLERKS OFFICE

RECEIVED

OCT 10 2013

TCEQ MAIL CENTER
CS

Office of Chief Clerk, mc 105

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

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09 OCT 2013 PM 5 L

Dean and Audrey Swearingen
1104 S. Gabriel Drive
Leander, TX 78641

MWD
8/6/12

October 7, 2013

REVIEWED

OCT 08 2013

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Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087 Austin, TX 78768

By *[Signature]*

CHIEF CLERKS OFFICE

2013 OCT -8 PM 2:13

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Dear Sir or Madam:

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[Handwritten signature]

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We on the South San Gabriel River and the "Save the South San Gabriel" organization request a hearing with TCEQ.

Sincerely,

Audrey Swearingen
Save the South San Gabriel
512-818-3811
audgal@sbcglobal.net

FAX

To: TCEQ, Office of Chief Clerk

From: A. Swearingen

Pages: 3 (including this cover)

Re: So. San Gabriel River pollution

Hard copy following by U.S.P.S.

CHIEF CLERKS OFFICE

2013 OCT -8 PM 2:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

July 30, 2014

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

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867762

CHIEF CLERKS OFFICE

2014 JUL 31 AM 10:18

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Subject: Permit No. WQ0014477001
City of Liberty Hill Wastewater Treatment Facilities

To Whom It May Concern:

In your letter issued June 30, 2014 concerning the permit for the City of Liberty Hill wastewater treatment facility it states that a Tier 1 and a Tier 2 review was done on the receiving stream and that it was determined that there would be no degradation of the primary contact recreation of the South San Gabriel.

The definition I found for *Primary Contact Recreation (Swimming)* is: People can swim in the water body without risk of adverse human health effects.

The fact is that the discharge from the present Liberty Hill treatment plant has already destroyed the primary contact recreation for the South San Gabriel River. The surface of the river below the effluent location is covered with algae and the bottom is covered with several inches of anaerobically decaying organic matter. No one would even think of swimming in this water.

It is apparent that whoever did this Tier 1 and Tier 2 review obviously did not observe the present condition of the river.

The local group, "Save the South San Gabriel," to which I belong, wants to know why the TCEQ, whose charge and responsibility is to protect the environment and the condition of the South San Gabriel River, would allow the discharge of a wastewater treatment plant to be increased so substantially when the existing plant discharge is not meeting the state criteria?

Sincerely,

✓ Audrey Swearingen
✓ Dean Swearingen

REVIEWED
AUG 01 2014
By

MWD

Dean and Audrey Swearingen
1104 S. Gabriel Drive
Leander, Texas 78641

cc: Senator Charles Schwetner
P. O. Box 12068
Capitol Station
Austin, Texas 78711

Representative Marsha Farney
P. O. Box 2910
Austin, Texas 78768

Swearingen
1104 S Gabriel Dr
Leander, TX 78641

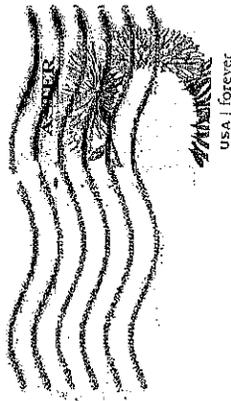
AUSTIN TX 787
RFD GRANDE DISTRICT
30 JUL 2014 PM 5 L

RECEIVED

JUL 31 2014

TCEQ MAIL CENTER
JR

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

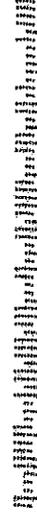


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ON ENVIRONMENTAL
QUALITY

2014 JUL 31 AM 10 18

CHIEF CLERKS OFFICE

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Dean and Audrey Swearingen
1104 S. Gabriel Drive
Leander, TX 78641

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REVIEWED

OCT 08 2013

By *HP*

October 7, 2013

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087 Austin, TX 78768

CHIEF CLERKS OFFICE

2013 OCT -8 PM 2:16

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

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HP

Received

From: EMERGO GROUP

512 327 9998

Oct 8 2013 02:16pm

10/08/2013 13:20

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