

August 10, 2015

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

**Re: Requester's Response to Hearing Request On Draft Permit No.  
WQ0010232002, Proposed for Issuance to New Braunfels Utilities**

Ms. Bohac:

On behalf of myself, I submit this response to the Request for Hearing in the above-referenced matter. Furthermore, I still request a contested case hearing with regard to the above-referenced draft permit on all issues raised in the original timely requested Request for a Contested Case Hearing

The Applicant, New Braunfels Utilities (NBU), seeks a major amendment to its Texas Pollutant Discharge Elimination Permit. The proposed permit, if approved, would authorize NBU to increase by almost fivefold the amount of wastewater that NBU is allowed to discharge directly into the Guadalupe River—from 1.1 million gallons per day to 4.9 million gallons per day. Moreover, NBU seeks to relocate its wastewater treatment plant to a site closer to residential neighborhoods, and the proposed discharge point would be located closer to downstream points of river recreation and the public drinking water intake system.

I, Brad Bechtol, own and live on riverfront property located at 1097 River Terrace, New Braunfels, Texas 78130. I am the owner of Property No. 6 as designated in the applicant's Affected Landowners' Map accompanying the application. My riverfront property is approximately 1,100 feet in distance downstream from the proposed discharge point of the proposed relocated wastewater facility. Because of my property's close proximity to the proposed facility and discharge route, my water quality interest is an interest which is not common to members of the general public. I disagree with the applicant's response that I am not an affected person.

I offer the following brief summary of disputed issues of fact that were raised in the original Hearing Request:

1. Whether the proposed permit provisions will adversely affect the use and enjoyment of the neighboring properties.
2. Whether the proposed discharge will adversely affect water quality in the receiving waters.
3. Whether the proposed permitted activities will comply with applicable anti-degradation regulations.

4. Whether the site of the proposed facility is suitable for a wastewater treatment plant.
5. Whether proposed permit effluent limitations address the increased flow and account for periods of low flow in the river.
6. Whether it has been demonstrated that the increase in flow authorized by the proposed permit is warranted.
7. Whether the permitted activities would result in nuisance odors.
8. Whether the applicant's compliance history justifies the proposed permit.
9. Whether the proposed facility will adversely affect property values.

I engage in recreational activities in, on, and adjacent to the Guadalupe River on my property. My family and I swim in the water abutting my property. We also canoe and fish on the River at our property. We enjoy the beauty and aesthetic value of the River and its aquatic life.

If approved, contaminants in the Guadalupe River from the upstream outfall would adversely impact my use and enjoyment of my property, and would adversely impact my use and enjoyment of the Guadalupe River. My property values would be harmed. Furthermore, odors from the wastewater treatment plant would adversely impact my ability to engage in outdoor recreational activities in the River and on my property.

As it is, the River suffers from algal blooms due to excess nutrients. When the algae grow excessively, it is unpleasant for swimming, wading, or boating. Sometimes swimming is rendered impossible by the algae growth. If approved, the proposed upstream discharge would make algae growth worse and further harm our family's recreational use and enjoyment of the River.

Sincerely,

Name: Brad Bechtol  
Address: 1097 River Terrace  
New Braunfels, TX 78130  
Phone Number: (830) 629-0417

## Mehgan Taack

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**From:** Brad Patterson  
**Sent:** Monday, August 10, 2015 4:41 PM  
**To:** Mehgan Taack  
**Cc:** Tara Drissell; Marisa Weber  
**Subject:** FW: Public comment on Permit Number WQ0010232002  
**Attachments:** Bechtol Response to Request for Contested Case Hearing.pdf

This is a reply brief for a matter on the 8/19 agenda. Thanks, bp.

**From:** [brad@macinctexas.com](mailto:brad@macinctexas.com) [<mailto:brad@macinctexas.com>]  
**Sent:** Monday, August 10, 2015 3:52 PM  
**To:** DoNot Reply  
**Subject:** Public comment on Permit Number WQ0010232002

**REGULATED ENTY NAME** GRUENE ROAD PLANT

**RN NUMBER:** RN101700946

**PERMIT NUMBER:** WQ0010232002

**DOCKET NUMBER:** 2015-0840-MWD

**COUNTY:** COMAL

**PRINCIPAL NAME:** NEW BRAUNFELS UTILITIES

**CN NUMBER:** CN600522957

**FROM**

**NAME:** MR Brad Bechtol

**E-MAIL:** [brad@macinctexas.com](mailto:brad@macinctexas.com)

**COMPANY:**

**ADDRESS:** 1097 RIVER TER  
NEW BRAUNFELS TX 78130-3417

**PHONE:** 5123503767

**FAX:**

**COMMENTS:** Please find the attached Requester's Response to Request for Hearing for the following Permit:  
New Braunfels Utilities TPDES Permit No. WQ0010232002 TCEQ Docket No. 2015-0840-MWD