REVIEWED
NOV 17 2014
By MWD 94171

2014 NOV 17 AM 11 07
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

November 13, 2014

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

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

Dear Madam/Sir

We request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approximately 400 feet as per the above mentioned application.

We oppose the issuance of the proposed permit based on the following reasons:

- Contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Smell Pollution from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek. As mentioned above, the proposed facility will be approximately 400 feet from our home and will be a visual eye sore for us and any future potential purchaser of our home causing a loss of our home's value.

Please advise us to the time and date of the contested hearing. Thank you for your help in this matter.

Sincerely yours,

Bob and Mindy Barrows
6403 Cheridan Circle
Richmond, TX 77406
281-381-0034
rlbarrows@hotmail.com

Bluebonnet

12915 Dairy Ashford
Sugar Land, Texas 77478

NORTH HOUSTON TX 773

14 NOV 2014 PM 2 L

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2014 NOV 17 AM 10: 06

CHIEF CLERKS OFFICE

Office of the Chief Clerk
MC 105, TCEQ
PO Box 13087
Austin TX 78711-3087

RECEIVED
NOV 17 2014
TCEQ MAIL CENTER
JR

78711308787

William B Bayard
Barbara E Bayard
6505 FM 723 Road
Richmond, TX 77406
WBBayard@att.net
BEBayard@att.net

REVIEWED
DEC 16 2014
By

C/O
Office of the Chief Clerk,
MC 105, TCEQ
P.O. Box 13087
Austin, TX 78711-3087
www.tceq.state.tx.us/about/comments.html

MWD 94171

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 DEC 15 PM 2:49
CHIEF CLERK'S OFFICE

Dec 15, 2014

I request a contested case hearing for denying the application of Permit No. WQ0015274001
for AMDT, LLC 1822 Plantation Drive, Richmond, Texas 77406 *alternately* known as the Grand Oaks Business Park located at 1819 First Oaks St. Richmond, TX 77406. The application is for a proposed Texas Pollutant Discharge Elimination System (TPDES) permit.

Name: William B Bayard, Barbara E Bayard
Address: 6505 FM 723 Road, Richmond TX 77406
Applicants Name: AMDT, LLC
Permit No. WQ0015274001
Distance: My house is directly across the street; less than 250 feet
Request: We request a contested case hearing
Request: We request to be placed on (1) permanent mailing list for applicant (AMDT, LLC) and permit number (WQ0015274001) and (2) the mailing list for a Fort Bend County

A public hearing is requested to deny the application:

1) Please forward this request to DENY application permit No. WQ0015274001 appropriate Texas agency that protects our individual property values.
2) Please ensure that representatives, with authority, from the environmental and appropriate Texas agencies (that protect our individual property values) are present at the hearing.
3) Please provide public hearing notices, by mail, to all residents within a 5 mile radius of the proposed sewage plant site; 60 days in advance of any / all hearing scheduled.
4) Please distribute a list of residents notified of any / all hearing to all notified residents; complete with name, address, email addresses, phone numbers and distance from site.
5) Please delay application approval until 60 days after the hearing is held to allow for additional public hearing(s) to insure property values are accounted for and protected by appropriate Texas agency
6) Please insure that the 4 owners are also present at all hearing.
7) Please coordinate, address and document all discussions and / or concerns, within this letter, as required by law, by the appropriate Texas agencies; responding to the address above.
8) Please provide public hearing notices, by mail, to all residents within a 5 mile radius of the proposed sewage plant site; once this application has been denied / or approved to proceed within 60 days in advance releasing the notice to the owners.

Allowing this permit to proceed would:

- Authorize the discharge of treated / untreated wastewater (20,000 gallon per day nominal discharge) to flow directly through the heart of our small subdivision of Huntington Oaks. This rate will increase as plans to expand the plan would further be requested.

- We all know the best of plants have failures. Multitude of evidence exists that show polluted neighborhoods as a result of plants like these age, maintained by minimum wage earners (and later just not maintained properly), and as raw volumes increase, rain fall and run off water increase, etc.; thus eventually contaminating our water ways, our grounds, our wells, our neighborhood. We cannot design a plant that maintains itself; as revenue decreases, maintenance decreases and we will suffer. http://bigstory.ap.org/article/among-most-polluted-us-nyc-area-awaits-cleanup
- These plants, over time, will become a hazard to our community. Our drinking water; the residents around this location are all on private water wells that provide all water to our individual homes. Moving the discharge further down Jones Creek would not prevent the back flow to return during storms. Plant sewage treatment will fail, from time to time, thus discharging raw sewage and contamination of bacteria, nitrates, metals, trace quantities of **toxic** materials into our currently clean Jones.
- Evidence of lung cancer risk will increase from environmental pollution spread from the plant. http://www.ncbi.nlm.nih.gov/pubmed/21528656
- Existing beautiful trees would have to be removed.
- FM723, a scenic highway will lose its attraction. Currently, FM723 consists of lovely homes and ranches. No industrial plants currently exist on this highway.
- Property values would be reduced; I have been told that property values reduction is not of a concern with this particular "environmental" agency. Please forward notification to the appropriate Texas agency that protects / evaluates our property values. Please request this agency prepare a report indicating the projections of property values within 3 miles within the plant site's proposed area.
- I am a FCC approved extra class amateur radio operator. I specifically moved at my current location to put up an antenna to operate as an amateur radio operator. As an amateur radio operator, I am available to assist the community in emergency communication. Adding this plant will increase radio frequency interference; thus "reducing" by ability to "hear" the incoming emergency radio signals. Radio interference will increase by installing any electrical devices such as motors and lights etc.
- Just plain ugly; environment impact to my eyes, smell, sound, this plan will be an eye, ear and nose sore. My property has a seating area that overlooks the property that is being proposes for the plant.
- The existing detention pond, installed for the existing business plant, will be "obtained" and used by this plant; defeating its original design intent.
- Ongoing plans, new subdivisions being built to the north, along FM723, is already increasing our water flow though our neighborhood routing to Jones Creek. This will add more flow. I request an overview and study of all exiting and newly planned subdivision be investigated to ensure that the banks do not overflow.

I propose an alternate:

Locate the plant in vacant space where there are NO EXISTING neighborhoods; people than can decide if they want to move next to an existing plant in the future. There is a lot of vacant space in the vicinity where such a facility could be constructed.

Some local information:
One reason for the proposed location is to save cost for the "newly constructed Grand Oaks Business Park". How about, while we are at it, put in a power plant, oil refinery and munitions plant here as well?

My request:
I request proper justice / review / arguments regarding this appeal. My property and that of our neighbors (Huntington Oaks subdivision) is a small community of well established, moderately priced homes relative to other communities in the area consisting of a community of families whom have worked very hard for our accomplishments and are proud homeowners who want to retain our property value and prestige.

Large corporations should not be able to purchase the rights of land, protecting only its financial interest using influences to control the location of utilities to further their business plans at the expense of our neighborhoods; affecting their values and increasing their profits.

As requested by *others (as an alternate)*, relocating this plant to the south end of the business park is ***not acceptable. I do not want this plant anywhere near my home. Simply put, I was here first, the plant can move elsewhere.***

My promise
I promise to expand the petition this plant, if approved.

Kind regards,

William and Barbara Bayard

Barbara Bayard

✓ ✓

William & Barbara Bayard
6505 Fm 723 Rd
Richmond, TX 77406

CERTIFIED MAIL™

7014 1200 0001 2105 1131

RECEIVED
DEC 15 2014
TCEQ MAIL CENTER
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Office of the Chief Clerk
MC 105, TCEQ
P.O. Box 13087
Austin, TX 78711-3087

CHIEF CLERKS OFFICE
2014 DEC 15 PM 2:49
TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

78711308787

Reference: Permit No. WQ0015274001

William B Bayard
Barbara E Bayard
6505 FM 723 Road
Richmond, TX 77406
✓WBBayard@att.net
BEBayard@att.net

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2015 SEP 14 PM 2:40
CHIEF CLERKS OFFICE

Sept 10, 2015
Second Request

REVIEWED
SEP 14 2015
By

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

MWD 94171

H

I am requesting that the TCEQ
I Request a contested case hearing; in reference to TCEQ letter Aug 14, with reference to AMDT LLC Permit number WQ0015274001

And I request that application and permit be Denied for:

Permit No. WQ0015274001
for AMDT, LLC 1822 Plantation Drive, Richmond, Texas 77406 *alternately* known as the Grand Oaks Business Park located at 1819 First Oaks St. Richmond, TX 77406. The application is for a proposed Texas Pollutant Discharge Elimination System (TPDES) permit.

PLEASE RESOND TO MY REQUEST, BY MAIL

Allowing this permit to proceed would:

General Statement, relating to this my contesting this permit

I have reviewed TCEQ's comments and have replied to several of TCEQ's comments below. IN doing so, I referenced my original statement, the TCEQ's comment, and then replied to the TCEQ's comment. There seems to be a pattern to the TCEQ's comments:

1) The TCEQ commission does not have jurisdiction to a) regulate flooding or erosion in the context of a wastewater discharge permit or b) to address or consider property values, taxes, lost revenue or the marketability of adjacent property in its determination of whether or not to issue a water quality permit or c) consider noise or radio frequency inference from a facility in determining whether to approve or deny a permit.

2) TCEQ keeps stating that the applicant is "required to MINIMISE or COMPLY with" for example a) to take certain steps to MINIMIZE the possibility of an accidental discharge of untreated wastewater, b) to comply with all the numeric and narrative effluent limitation and other conditions in the proposed permit at all times, including during flooding conditions.

3) TCEQ states that nothing in the draft permits or limits the ability of nearby landowners to use common law remedies for trespass, *nuisance*, or *other cause of action* in response *to activities that may* or do result in injury or *adverse effects on human health* or *welfare*, *animal life*, *vegetation*, or *property*, or ***that may or actually do interfere*** with the ***normal use and enjoyment of animal life, vegetation, or property.***

4) TCEQ never mentions air quality concerns and / or control.

MW

It appears that, from the TCEQ's view point, there is nothing I <or my neighbors> can be concerned with that will prevent the applicant from obtaining its permit. And it's suggested by the TCEQ, to resolve any of our concerns that are not under the jurisdiction of the TCEQ, that once the sewage plant is permitted, built and begins operations and then fails (generates a Nuisance); legal action should be taken when the enjoyment of my property is adverted effected.

Be advised, the smell of the plant will interfere with the normal use and enjoyment of my property.

IN summary; I elected not to reply to TCEQ comments passed item 5; the TCEQ's comments seem repetitive (and predictable) as described above; therefore continued pursuit, for action on my behalf within TCEQ, seems pointless.

I specifically request (noting that the term "affected person" as defined and referenced in the TCEQ letter Aug 14, 2015):

1) Prior to a contested hearing; please state if true or not true, that the TCEQ will grant this requested permit to build a sewage plant (of any size), provided that the applicant builds a plant that meets all of the TCEQ's specifications; regardless of tangible or intangible affected neighbors of this sewage plant application that in live in the vicinity of the plant.

2) Prior to a contested hearing; If the above is true, please provide a listing of any Texas and/or US Federal department that has jurisdiction over the TCEQ that will prevent the TCEQ from granting the applicant's permit to build and operate a sewage plant depending on the qualifications of tangible or intangible "affected persons" of this sewage plant application that in live in the vicinity of the plant. Please provide this information, in a timely manner to allow the determination and qualification of "affected person" by other Texas and/or US Federal departments.

3) Prior to a contested hearing; The TCEQ define what is an affected person with economic interest affected by the application is

4) Prior to a contested hearing; A TCEQ statement defining what qualifies and affected person with an economic interest affected by the application

5) Prior to a contested hearing; A statement by the TCEQ to declare / determine if I am an affected person affected by this application; that fit and of the TCEQ requirements.

6) Prior to a contested hearing; A statement by the TCEQ to declare that the TCEQ has or has not the jurisdiction to specifically not issue a permit to the application if an "affected person", with economic interest affected by the respective application has been identified.

7) A contested hearing; at the location of my home, on a date agreeable by myself, with one TCEQ representative without applicant representatives present at the hearing.

Radio frequency interference; MY pursuit in my NORMAL hobby

This plant of this type will typically emit radio frequency interferences. There is no industrial plant design that uses lighting, motors, computers and / or control systems that will not radiate radio emissions; the question is, is how much. Care needs to be taking to "engineer out" radiators.

Specifically, radiators of a harmful interference that hamper and / or prevent authorized users of the radio frequency spectrum are not permitted. Once radiators are detected, the respective plant operations will be required to shut down the associated radiator upon notification; and shall remain down until repaired / replaced / eliminated. To shut down an operating plant, that handles large volumes of raw sewage, will require rerouting / provisioning to continue processing the raw sewage elsewhere.

Anything electrical, magnetic, could be a radiator of harmful interference to the radio frequency spectrum which could include motors, lighting, power distribution, computers, controls, etc. If effect, shutting down the plant until fixed.

The key word above is after the radiator is fixed; which could be difficult and costly.

Once interference is detected and affects my normal use and enjoyment of my amateur radio frequency spectrum; the FCC will be notified of interference; to then perform test and then to issue interference notification to the sewage plant operation business entity.

It has been documented that the only reason I selected my home location (that is across the street from the proposed plant location) was to build and operate a radio tower / amateur radio station and to enjoy my hobby.

When I selected my realtor, he specifically was instructed to find a property that allowed radio tower(s) to be installed so that I could pursue my amateur radio hobby. This property had to had no restrictions, from HOA, etc. that prevented me from building a radio installation for the purpose of amateur reception / transmitting. The property had to be in a "quite" radio frequency area.

When I purchased this property to install my radio equipment; I was not informed that a sewage plant would be installed later, across the street.

Also, be advised, that I have spent a large sum of money, time and investment in pursuing my hobby in antennas and radio equipment; of which are the latest technology, state of the art and considered top to the line. My existing reception is radio frequency noiseless (meaning I can currently detect very distant and faint signals from around the world). Once the proposed sewage plant is operations; the interference from its lighting, motors, engines, controls, computers, etc. will "radiate" various electronic / radio emission noises that will hamper / prevent me from detecting faint signals from around the world.

The radio interference from the proposed sewage plant radiators may be an ongoing nuisance that may continue to **interfere** with the **normal use and enjoyment of my property.**

Be advised, this operating this plant MAY CAUSE a DAILY (ongoing 24 hour, 365 days per year) NUISANCE that MAY INTERFER with my normal use and enjoyment of my property. Also, be advised, the only reason I picked my current location was to pursue my radio hobby; this fact is well documented and can be verified by my realtor.

A few facts to consider:

1

NEWINGTON, CT, Jun 8, 2006--The FCC has issued a Citation to Lakeland Electric, a municipally owned utility in Lakeland, Florida, for violating Part 15 rules by interfering with a local radio amateur. §15.5(c) of the FCC rules requires that the operator of an "incidental radiator" must cease operating the device after an FCC representative notifies the operator that the device is causing harmful interference. The "incidental radiator" in this case is overhead power lines. Under an agreement, the ARRL and the FCC cooperate in resolving cases of line noise interference to Amateur Radio licensees.

2

The Federal Communications Commission has received a complaint of harmful radio interference that is apparently caused by a grow light ballast.

3

Federal Communications Commission

§ 15.5 General conditions of operation. (a) Persons operating intentional or unintentional radiators shall not be deemed to have any vested or recognizable right to continued use of any given frequency by virtue of prior registration or certification of equipment, or, for power line carrier systems, on the basis of prior notification of use pursuant to §90.63(g) of this chapter. (b) Operation of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused and that interference must be accepted that may be caused by the operation of an authorized radio station, by another intentional or unintentional radiator, by industrial, scientific and medical (ISM) equipment, or by an incidental radiator. (c) The operator of a radio frequency device shall be required to cease operating the device upon notification by a Commission representative that the device is causing harmful interference. Operation shall not resume until the condition causing the harmful interference has been corrected. (d) Intentional radiators that produce Class B emissions (damped wave) are prohibited.

§ 15.15 General technical requirements. (a) An intentional or unintentional radiator shall be constructed in accordance with good engineering design and manufacturing practice. Emanations from the device shall be suppressed as much as practicable, but in no case shall the emanations exceed the levels specified in these rules. (b) Except as follows, an intentional or unintentional radiator must be constructed such that the adjustments of any control that is readily accessible by or intended to be accessible to the user will not cause operation of the device in violation of the regulations. Access BPL equipment shall comply with the applicable standards at the control adjustment that is employed. The measurement report used in support of an application for Certification and the user instructions for Access BPL equipment shall clearly specify the user-or installer-control settings that are required for conformance with these regulations. (c) Parties responsible for equipment compliance should note that the limits specified in this part will not prevent harmful interference

under all circumstances. Since the operators of part 15 devices are required to cease operation should harmful interference occur to authorized users of the radio frequency spectrum, the parties responsible for equipment compliance are encouraged to employ the minimum field strength necessary for communications, to provide greater attenuation of unwanted emissions than required by these regulations, and to advise the user as to how to resolve harmful interference problems (for example, see §15.105(b)). [54 FR 17714, Apr. 25, 1989, as amended at 70 FR 1373, Jan. 7, 2005]

§ 15.17 Susceptibility to interference. (a) Parties responsible for equipment compliance are advised to consider the proximity and the high power of nonGovernment licensed radio stations, such as broadcast, amateur, land mobile, and non-geostationary mobile satellite feeder link earth stations, and of U.S. Government radio stations, which could include high-powered radar systems, when choosing operating frequencies during the design of their equipment so as to reduce the susceptibility for receiving harmful interference. Information on non-Government use of the spectrum can be obtained by consulting the Table of Frequency Allocations in §2.106 of this chapter. (b) Information on U.S. Government operations can be obtained by contacting: Director, Spectrum Plans and Policy, National Telecommunications and Information Administration, Department of Commerce, Room 4096, Washington, DC 20230.

>>>>>>>>>>>

Now let's document some of my statements, your comments and my replies...

My Statement 1:

My property values will be reduced; once this plant is built and operated. I would like TCEQ to inform me to which department concern itself with protecting our property values of neighbors that will be impacted by the installation and operations of a sewage plant within in site of my back yard.

Once this plant is built, I will have the local tax assessment revalue my house / land, and document the loss / gain caused by the installation and operations of the plant.

Once I plan to sell the house, I will have potential buyers; their realtors, quote / then document why they chose not to buy my house.

Comment 1; Your Reply:

Section 26.027 of Texas Water Code authorizes the TCEQ to issue permits to control the discharge of wastes or pollutants into state waters and to protect the water quality of the state's rivers, lakes and coastal waters. The water quality permitting process is limited to the controlling the discharge of pollutants into water in the state and protection the water quality of the state's river, lakes, and coastal waters. The TCEQ does not have jurisdiction under the Texas Water Code or its regulations to address or consider property values, taxes, lost revenue or the marketability of adjacent property in its determination of whether or not to issue a water quality permit.

Comment 1; Your Reply Continued:

However, nothing in the draft permits limits the ability of nearby landowners to use common law remedies for trespass, *nuisance*, or *other cause of action* in response *to activities that may* or do result in injury or *adverse effects on human health* or *welfare*, *animal life*, *vegetation*, or *property*, or ***that may or actually do interfere*** with the ***normal use and enjoyment of animal life, vegetation, or property***.

Comment 1; Your Reply Continued:

Nor does the daft permit limit the ability of a nearby landowner to seek relief from a court in response to activities that may or do interfere with the use and enjoyment of their property. If the Applicant's activities create any nuisance conditions, the TCEQ may be contacted to investigate whether a permit violation has occurred. Potential permit violations may be reported to the TCEQ Region 12 Office in Houston at (813)767-3500, or by calling the statewide tool-free number at 1-888-777-3186. Citizen complaints may also be filed online at the following website:

http://www.tceq.state.tx.us/enforcement/complaints/index.html

Comment 1; My Reply:

My property values WILL and SHALL be affected; you have stated that:

"The TCEQ does not have jurisdiction under the Texas Water Code or its regulations to address or consider property values, taxes, lost revenue or the marketability of adjacent property in its determination of whether or not to issue a water quality permit" and

"An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application."

In statement one; since this department (TCEQ) does not concern itself with decreasing property values by allowing sewage plants to be built within sight of high value neighborhood properties (that have been there for at least 10 years); I had requested that the TCEQ notify the appropriate department that does concern itself with protecting our property values.

To date; I have not received confirmation that you have in fact processed my request nor have I received confirmation that it is not part of your jurisdiction to honor such a request.

Referring to your second statement; in my opinion, I am an "affected person" of economic interested affected by the application". Please confirm that I am or am not an affected person of economic interest affected by this application.

Comment 2; Your Reply Continued:

Continuing with your comments, under Decision of the Executive Director... If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing.

Continuing with your definition of "affected person":.. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application.

Comment 1; My Reply Continued:

Your two statements appear to be in conflict; as listed below:

The TCEQ does not have jurisdiction under the Texas Water Code or its regulations to address or consider property values, taxes, lost revenue or the marketability of adjacent property in its determination of whether or not to issue a water quality permit.

An "**affected person**" is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application

I am an effective person who has economic interest affected by the application.

If your department does not have jurisdiction of resolving any affected persons with economic interest that will be affected by the application; please forward my request to the appropriate department to resolve all matters of effective persons who have economic interest that will be affected by the application prior to TCEQ issuing the permit to allow the plant to be built.

IF TCEQ IS NOT in jurisdiction to consider all issues of any affected persons; I have not further reason or interest in ongoing communications with TCEQ anymore; but instead would like another department that does have jurisdiction of protecting "affected persons" prior to your department granting the permit to build a sewage plant across the street from my house.

Continuing... Your statement that ... nothing in the draft permits limits the ability of nearby landowners to use common law remedies for trespass, NUISANCE, or other cause of action in response to activities that may or do result in injury or adverse effects on human health or welfare, animal life, vegetation, or property, or that may or actually do interfere with the normal use and enjoyment of animal life, vegetation, or property.

Can your department guarantee that the plant will not cause nuisance, et al? Can the Applicant design, build, maintain, and operate a plant, 24 hours a day that guarantees that no NUISANCE type action will

occur from this plant? I do not think so; if I am correct, then its guaranteed that there will be NUISANCE, and other causes of action, in response to ACTIVITEIS that will result in HUMAN WELFARE, VEGETATION, AND OR PROPERTY that interfere with MY NORMAL use and enjoyment of VEGETATION and / or PROPERTY.

Does the TCEQ have jurisdiction under the Texas Water Code or its regulations to address or consider NUISANCE, and causes of action, in response to ACTIVITEIS that will result in HUMAN WELFARE, VEGETATION, AND OR PROPERTY that interfere with NORMAL use and enjoyment of VEGETATION and / or PROPERTY in its determination of whether or not to issue a water quality permit? Or is the TCEQ only concern itself in stating to the applicant that they must MINIMIZE causes of NUISANCES and discharges of untreated water? I would like to appropriate department rule prior to your department issuing a permit to build.

My Statement 2:

Several commenters raised a concern that the effluent will be a potential flooding hazard to nearby residents.

Comment 2; Your Reply:

The commission does not have jurisdiction to regulate flooding or erosion in the context of a wastewater discharge permit.

Comment 2; My Reply:

Since your commission does not have the jurisdiction to regulate flooding or erosion in the context of wastewater discharge permit, please identify which commissioned does have jurisdiction to regulate flooding or erosion in the context of a waste water discharge permit; so that I can have a ruling on this issue prior to you commissioning issuing your permit to build.

I respectfully request that the commission that does have jurisdiction to regulate flooding or erosion in the context of a wastewater discharge permit review and comment on my respective concerns that this plant will contribute to local flooding and / or erosion (which is now DOCUMENTED and considered as the baseline NORMAL for the surrounding area BEFORE THE plant has been constructed and operated) in the context of discharging waste water; then as approved by your department which does not concern itself with protecting our nearby properties from being flooded.

Comment 2; Your Reply Continued:

However, to the extent that an issue related to flooding also involves water quality, the Application is required to comply with all the numeric and narrative effluent limitation and other conditions in the proposed permit at all times, including during flooding conditions.

Comment 2; My Reply:

Please provide all numeric and narrative effluent limitations and other conditions in the proposed permit for my review and understanding, prior to allowing the building of this plant to proceed, that informs me of potential hazards and/or causes of NUISANCEs when specific values exceed the specific limits.

And, if the permit is allowed and a plant if built, I hereby request to be notified (with details of abnormal conditions, rates, contaminants, et al) of any "abnormal" discharges, be it air or water born effluents surpass any limitations and other conditions in the proposed permit be reported to my address, to my attention per occurrence within a reasonable time from the start of the event. Please identify what a reasonable time is.

Your Comment 3; No comment

My Statement 4:

We all know plants have failures; small ones at first, bigger, more catastrophic, and more frequent failures as time goes on. Multitude of evidence exists that show polluted neighborhoods as a result of plants (like the one being proposed) age, maintained by minimum wage earners (and later just not maintained properly; as the profits margins dwindle), and as raw volumes increase, rain fall and run off water increase, etc.; thus eventually contaminating our water ways, our grounds, our wells, our neighborhood. Man cannot design a plant that maintains itself; as revenue decreases, maintenance will decreases and we will suffer. http://bigstory.ap.org/article/among-most-polluted-us-nyc-area-awaits-cleanup. And, once the failures begin, the cleanup costs increase to a point of not being funded, and finger pointing starts. By this time, the owners are long gone with profit lined pockets while our neighborhood and its occupants suffer.

Comment 4; Your Reply:

The applicant would be required to take certain steps to MINIMIZE the possibility of an accidental discharge of untreated wastewater.

Comment 4; My Reply:

"Minimize" does not mean "prevent"; in accordance to my statement above... I stated that this plant will have failures... and will eventually contaminate our water ways, our grounds, our wells, our children, our pets, and these failure activities (herein referend to NUANCES) that may or actually do result in injury or adverse effects on human health or welfare, animal life, vegetation, or property, or that may or actually do interfere with the normal use and enjoyment of animal life, vegetation, or property. The TCEQ's statement that "the applicant would be required to take certain steps to MINIMIZE the possibility of an accidental discharge of untreated wastewater" reflects my concert that the plant WILL HAVE FAILUES; then leading to (in the TCEQ's terms) NUANCES.

Since these types of events were 1) predictable, 2) stated in contest, then 3) ignored by the TCEQ prior to issuing this permit, this department managers, clerks, along with its director, 4) made aware, reviewed and known by the business enterprise building this plant together with its owners and representatives, 5) also ignored in building and then operating this respective sewage plant 5) are hereby notified that may be included in any and all NUANCE related settlements relating to this letter of contest when these events in the future occur.

Comment 4; Your Reply Continued:

Also, under 30 TAC, an applicant must plan for the expansion of the facility when the treatment facility approaches design capacity... at 75% of the permitted daily average flow for three consecutive months, the applicant must initiate engineering and financial planning for expansion or upgrade for the domestic wastewater treatment or collection facilities. When the FLOW reaches 90% percent of the permitted daily average flow for three consecutive months, the Applicant must obtain authorization from TCEQ to begin constructing the necessary additional treatment or collection facilities. The permits provisions are designed to help prevent unauthorized discharge of raw wastewater.

If an unauthorized discharge occurs, the Applicant is required to report it to the TCEQ within 24 hours. Finally, the Applicant would be subject to potential enforcement action for failure to comply with TCEQ rules of the permit.

Comment 4; My Reply:

So, as I NOW BECAME AWARE, this applicant can expand the sewage plant, merely by obtaining authorization from TCEQ; what's the chance that this would not be permitted?? Do the same rules apply to obtaining a permit from TCEQ that does not have jurisdiction under the Texas Water Code or its regulations to address or consider property values, taxes, lost revenue or the marketability of adjacent property in its determination of whether or not to issue a water quality permit and that does not have jurisdiction to regulate flooding or erosion in the context of a wastewater discharge permit? IF so, I guess we can expect a supersized plant to be installed as more and more homes are built in the area?

As a result of this statement, the size of the plant changes and becomes even bigger which leads to greater and more frequent NUANCES.

Continuing... the permits provisions are designed to "help prevent" unauthorized discharge of raw wastewater. So, again, "not prevent" but help prevent unauthorized discharge; leading to predictable NUANCES.

What liability of resolving legation claims does the Applicant required to be held into accounts to be paid to nearby land owners when plant "NUANCES" occur; under the original smaller size and then on the supersized plant?

WHEN unauthorized discharge occurs, and WHEN the Applicant is required to report it to the TCEQ within 24 hours; can we assume that the TCEQ will notify all of the nearby property owners to begin our NUANCES ligations? Or do we have to put in watchdog moneys to keep the TCEQ / Applicant accountable?

I specifically request, if this plant is built, that the TCEQ specifically report to my address to my name, to disclose each and every occurrence of unauthorized discharge, be it air born or water born. Please report every occurrence of unauthorized discharges to:

William B Bayard
Barbara E Bayard
6505 FM 723 Road
Richmond, TX 77406
WBBayard@att.net
BEBayard@att.net

My Statement 5:

I had proposed an alternate:

Locate the plant in *vacant space where there are NO EXISTING neighborhoods / and or neighboors*. Establish a location that HAS no people to AFFECT. People than can decide if they want to move to a location near a sewage plant in the future. There is a lot of vacant space in the vicinity where such a facility could be constructed.

Instead, build a park in the designated area. Build something that the neighborhood wants and appreciates vs despises.

Comment 5; Your Reply:

Continuing... William and Barbara Bayard and Marguerite and Martin Turk proposed an alternate location for the proposed facility.

If this permit is issued, it does not grant the permittee the right to use private or public property for conveyance of wastewater along the discharge route. The permit does not authorize any invasion of personal rights or any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire all property rights necessary to use the discharge route.

My Reply to your Comment 5:

A note to the Applicate:

Nothing in the draft permits limits the ability of nearby landowners to use common law remedies for trespass, NUCIANCE, or "other cause of action" in response to activities *that may* or do result in injury or adverse effects on human health or welfare, animal life, vegetation, or property, or that may or actually do interfere with the normal use and enjoyment of animal life, vegetation, or property.

You might want to:

Consider Locating the plant in vacant space where there are NO EXISTING neighborhoods, that DO NOT HAVE neighbors that that WILL APPLY for NUCIANCE ligation in response to any and all ACTIVITEIS that will result in HUMAN WELFARE, VEGETATION, AND OR PROPERTY that interfere with NORMAL use and enjoyment of VEGETATION and / or PROPERTY. That way, people than can decide if they want to move to that location in the future. There is a lot of vacant space in the vicinity where such a facility could be constructed.

If you insist in building a plant in the respective permit location; our surrounding land values, including your existing surrounding land values will decrease. Your existing clients in your existing complex will eventually move out; your earnings from your existing clients will decrease once the plant is built and operations. Also, count on your operational costs will increase; reducing profits, rise as more and more NUCIANCES are reported and dealt with.

Kind regards,

William Bayard

>>
Original Request follows: ---------------

William B Bayard
Barbara E Bayard
6505 FM 723 Road
Richmond, TX 77406
WBBayard@att.net
BEBayard@att.net

Dec 1, 2014

Dear ___________,

I am requesting that the TCEQ
Deny the application of Permit No. WQ0015274001
for AMDT, LLC 1822 Plantation Drive, Richmond, Texas 77406 *alternately* known as the Grand Oaks Business Park located at 1819 First Oaks St. Richmond, TX 77406. The application is for a proposed Texas Pollutant Discharge Elimination System (TPDES) permit.

PLEASE RESOND TO MY REQUEST, BY MAIL

Allowing this permit to proceed would:

- □□□□□□□□Authorize the discharge of treated / untreated wastewater (20,000 gallon per day nominal discharge) to flow directly through the heart of our small subdivision of Huntington Oaks onto a creek named Jones Creek. The plant rate will increase as plans to expand the plan would further be requested. Also, as time goes on, the plant failure rate will increase; thus increasing the rate of untreated wastewater flow into the creek.
- We all know plants have failures; small ones at first, bigger, more catastrophic, and more frequent failures as time goes on. Multitude of evidence exists that show polluted neighborhoods as a result of plants (like the one being proposed) age, maintained by minimum wage earners (and later just not maintained properly; as the profits margins dwindle), and as raw volumes increase, rain fall and run off water increase, etc.; thus eventually contaminating our water ways, our grounds, our wells, our neighborhood. Man cannot design a plant that maintains itself; as revenue decreases, maintenance will decreases and we will suffer. http://bigstory.ap.org/article/among-most-polluted-us-nyc-area-awaits-cleanup. And, once the failures begin, the cleanup costs increase to a point of not being funded, and finger pointing starts. By this time, the owners are long gone with profit lined pockets while our neighborhood and its occupants suffer.
- I understand the rules of how close a plant can be located to private / public water wells; however, this plant over time will become a hazard to our drinking water; the residents around this location are all on private water wells that provide all water to our individual homes. One might suggest, moving the discharge further down Jones Creek (by not flowing directly into the creek as proposed, but instead piping the discharge further downstream away from the wells) would not prevent the back flow to our neighbor (ground water) to return to our waterways during storms when failures are most likely to occur. And as a result, the treatment will fail (from time to time) thus discharging raw sewage and contamination of bacteria, nitrates, metals, trace quantities of toxic materials into our currently clean Jones Creek (which now can be used for fishing and water sports).
- Evidence of lung cancer risk will increase from environmental pollution spread from the plant. http://www.ncbi.nlm.nih.gov/pubmed/21528656
- □□□□□□□□Existing beautiful aged oak trees would have to be removed to make room for the plant. Is this not an environmental no-no?
- □□□□□□□□I am a FCC approved extra class amateur radio operator. I had to pass three testing levels to qualify to this level of expertise; the top class. I specifically moved (here, at my current location) to put up an

antenna to operate as an amateur radio operator. As an amateur radio operator, I am available to assist the community in emergency communication. Adding this plant will increase radio frequency interference; thus "reducing" by ability to "hear" the incoming emergency radio signals. The electrical equipment in the plant will generate radio interference, by installing electrical devices such as motors and lights etc. Electrical interference effectively increase the "noise level" such that faint radio signals cannot be heard and responded to.

- The existing water detention flood pond, installed for the newly constructed Grand Oaks Business Park business park, will be "obtained and used by this plant"; defeating its original design intent.
- Ongoing plans, new subdivisions being built to the north, along FM723, is already increasing our water flow though our neighborhood routing to Jones Creek. This proposal to install a plant here will add more water flow and endanger our neighborhood to flooding. <u>I request an overview and study of all exiting and newly planned subdivision</u> be studied and evaluated to ensure that the creek banks do not overflow.

Other concerns:

- Property values would be reduced; I have been told that property values reduction is not of a concern with this department. I would like this department notify the department that does concern itself with protecting our property values.
- Just plain ugly; environment impact to my eyes, smell, sound, this plan will be an eye, ear and nose sore. My property has a seating area that overlooks the property that is being proposes for the plant.

I propose an alternate:
Locate the plant in vacant space where there are NO EXISTING neighborhoods. People than can decide if they want to move to that location in the future. There is a lot of vacant space in the vicinity where such a facility could be constructed.

Some local information:
One reason for the proposed location is to save cost for the "newly constructed Grand Oaks Business Park". How about, while we are at it, put in a power plant, oil refinery and munitions plant here as well? When do we get to vote?

My request:
I request proper justice / review / arguments regarding this appeal. My property and that of our neighbors (Huntington Oaks subdivision) is a small community of well established, moderately priced homes relative to other communities in the area consisting of a community of families whom have worked very hard for our accomplishments and are proud homeowners who want to retain our property value and prestige.

Large corporations should not be able to purchase the rights of land, protect its interest with "officials" in the right governmental jobs and to control the location of utilities to further their business plans at the expense of our neighborhoods; affecting their values and increasing their profits.

As requested by *others as an alternate*, relocating this plant to the south end of the business park is ***not acceptable. I do not want this plant anywhere near my home*** as I assume the owners of the plant, living in Rolling Oaks do not want it in their neighborhood either (environmental friendly or not). ***Simply put, I was here first, the plant can move elsewhere.***

Kind regards,

William and Barbara Bayard

Bayard, Barbara & William B.
6505 FM 723 RD
Richmond, TX 77406-8714

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Dear Bridgt C Bohac, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3807

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November 4, 2014

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2014 DEC -1 PM 2:31

CHIEF CLERKS OFFICE

Jan and Henry Heyl
5227 Auckland Drive
Sugar Land , TX 77498
713-253-6258

MWD 94171

REVIEWED
DEC 03 2014
By

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

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

Dear Madam/Sir

We request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Henry T. Heyl

Jan E Heyl

Jan E. Heyl
5227 Auckland Dr.
Sugar Land, TX 77498

NORTH HOUSTON TX 773

25 NOV 2014 PM 4 L

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

78711308787

November 18, 2014

Michael & Terri Leakey
6215 Cheridan Circle
Richmond, TX 77406
281-427-5064

REVIEWED
NOV 21 2014
By

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 9:42
CHIEF CLERKS OFFICE

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

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

Dear Madam/Sir

We request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from a home in my neighborhood is approx. 900 feet.

We oppose the issuance of the proposed permit for the following reasons:

. Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying our homes with drinking water;

. Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;

. Foul odors from waste water treatment plant;

. Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Michael Leakey Terri Leakey

Michael Leakey
3307 Savell Dr.
Baytown, TX 77521

NORTH HOUSTON TX 770

19 NOV 2014 PM 5 L

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P.O. Box 13087
Austin, TX 78711-3087

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2014 NOV 19 AM 9:42
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

78711308787

Charles P. McDonald

2019 Huntington Lane

Richmond, Texas 77406

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 OCT 17 AM 10:34
CHIEF CLERKS OFFICE

MWD 94171

Office of the Chief Clerk, MC 105
Texas Commission on Environmental Quality
P.O. Box 13807
Austin, Texas 78711-3807

RE: Proposed Permit No. WQ0015274001; Application for Permit Application by AMDT LLC, 1822 Plantation Drive, Richmond, Texas 77406

To Whom It May Concern:

My name is Charles P. McDonald and I live at 2019 Huntington Lane, Richmond 77406, Fort Bend County, Texas, which is 960 feet from the proposed facility. The granting of the proposed permit will adversely affect my property in the following ways.

1. The waterway being used to drain the waste water effluent will never dry up .This waterway currently only carries water during rain events then dries up. The waterway being able to dry up helps to prevent mosquitos, underbrush, cat tails etc. from inundating the waterway. Also the waterway is kept in pristine condition currently.
2. Property values will be impacted adversely by the wild water weed undergrowth and the bad odor of the stale water in the waterway that never dries up.
3. The waste water plant is unsightly for the entire Huntington Oaks Subdivision.

The Flood Zone Map in the Application is incorrect a new Firm Map was adopted on April 2, 2014 changing the Flood Zone.

Please see the attached picture of the Pristine Mowed Waterway as it looks today.

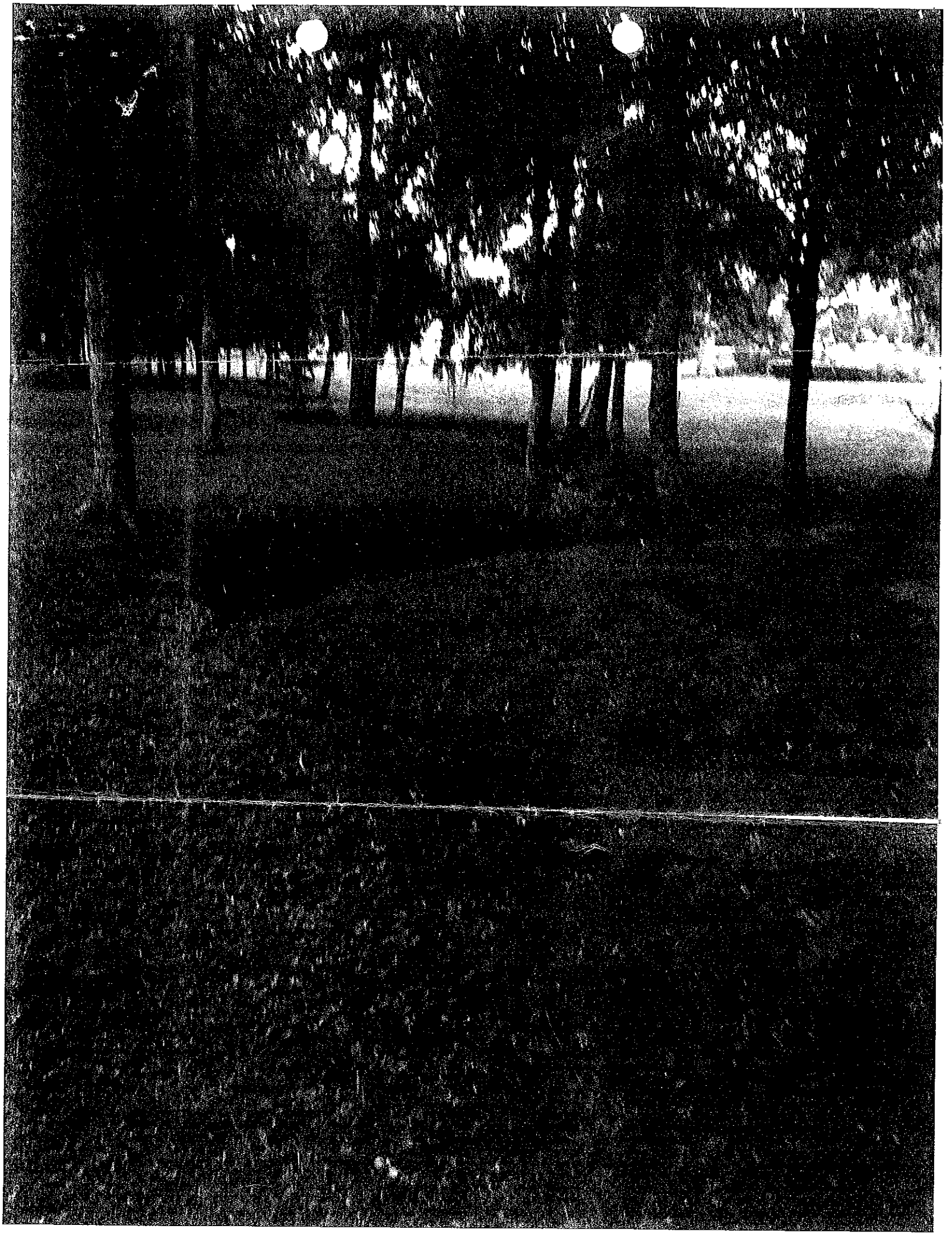
I believe the permit should be denied based on the above adverse impacts and hereby request a contested case hearing.

Sincerely,

REVIEWED
OCT 17 2014
By

Charles P. McDonald
2019 Huntington Lane
Richmond, Texas 77406

MWD



Charles McDonald
2019 Huntington Lane
Richmond, Texas
77406

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NORTH HOUSTON TX 770
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Office of the Chief Clerk
T C E Q
P.O. Box 13087
Austin, Texas
78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2014 OCT 17 AM 10: 34
CHIEF CLERKS OFFICE

78711308787

Marisa Weber

From: PUBCOMMENT-OCC
Sent: Wednesday, October 15, 2014 3:58 PM
To: PUBCOMMENT-OCC2
Subject: FW: Public comment on Permit Number WQ0015274001

H

From: pmcd987@gmail.com [mailto:pmcd987@gmail.com]
Sent: Wednesday, October 15, 2014 3:04 PM
To: donotreply
Subject: Public comment on Permit Number WQ0015274001

MWD 9/4/71

REGULATED ENTY NAME GRAND OAKS BUSINESS PARK

RN NUMBER: RN106543051

PERMIT NUMBER: WQ0015274001

DOCKET NUMBER:

COUNTY: FORT BEND

PRINCIPAL NAME: AMDT LLC

CN NUMBER: CN604089086

FROM

NAME: Charles McDonald

E-MAIL: pmcd987@gmail.com

COMPANY:

ADDRESS: 2019 HUNTINGTON LN
RICHMOND TX 77406-7658

PHONE: 7138589128

FAX:

COMMENTS: I am requesting a contested case hearing for Proposed Permit No. WQ0015274001. The proposed discharge ditch meanders through Huntington Oaks Subdivision. Currently, the meandering ditch is mowed and looks beautiful. When the Grey Water is discharged the ditch will not dry up and will grow Water weed and other invasive weeds. Also the proposed location of the wastewater plant will cause Property values

MC

to decline. I have mailed a picture of the proposed discharge ditch so that the TCEQ can see the well kept area in the Subdivision.

November 21, 2014

Deborah Rader
1803 Huntington Lane
Richmond, TX 77406

MWD 94171

REVIEWED
DEC 02 2014
By

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

2014 NOV 24 AM 10:13
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

Dear Madam/Sir,

I request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 300 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Contamination and/or pollution of ground water, either directly or indirectly, from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that I have my own well supplying the house with drinking water.
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course. The tributary is typically dry but floods in minutes with typical and routine rain storms that raises the level of water from nil to in excess of 4', and a span of nil to in excess of 20' as evidenced by the attached photos.
- Foul odors from waste water treatment plant. This will become a public nuisance, affecting others besides myself.
- Loss of property value, either directly or directly, due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

MWD

Note that my lot is adjacent to the lot my house sits on, thereby affecting the property value of both my lots.

- Loss of property area itself, as the continuous water flow will further erode my existing property line, as the flooding will permanently encroach my lot (Ft. Bend Property ID R73820) and render less property as usable and taxable.

- All points above will be used to contest my property taxes and assessments with all taxing authorities which will negatively impact taxing entities' revenue. Loss in revenue may lead to impact on services to county residents.

- There is an alternate means for the runoff of this waste water treatment facility available to the applicant, which does not impact families. It would appear to involve additional capital cost to the applicant to choose the alternate means, and my supposition is that this may be the reason the applicant is choosing the current proposed unnamed tributary.

Please provide an acknowledgement of my hearing request, for my records.

Regards,

Deborah Rader, Director, Procurement & Contracts
1803 Huntington Lane
Richmond, TX 77406
Ph: 281.232.2442
E-mail: Deborah.Rader@Fluor.com
Certified Mail

Attachments:
Photographs

Cc: Fort Bend Central Appraisal District
Cc: O'Connor and Associates

DKR/nlm

Top picture is lot adjacent to mine. Bottom picture is my lot. This is the tributary that is typically dry. When dry, it is approx. 2′ wide and 2′ deep.
These photographs were taken after a hard rain that dropped approx. 1.5″ of rain in one hour.
This tributary experiences this type of flooding on an average of six times per year over the fifteen years I have owned this lot. The average was higher this year due to increased construction in our area. My lot also has underground springs that add to the water line when stressed.

WWF
Ms. Deborah Rader
1803 Huntington Ln
Richmond, TX 77406-7659

NORTH HOUSTON TX 77

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

78711308787

November 17, 2014

Marguerite Turk
Dr. Martin Turk
1810 Huntington Ln
Richmond, TX 77406-7660
marguerite0831@gmail.com
martin.turk@schneider-electric.com

REVIEWED
NOV 21 2014
By

2014 NOV 20 PM 3:50
CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

We request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from our home is approximately 350 feet based on the map scale in the application.

I oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant;
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding that already exists in the unnamed water course;
- Foul odors from waste water treatment plant (during periodic sludge removal);
- **The initial effluent point of the treated waste water into the unnamed bayou named in the application for the proposed permit is 144 from the water well on our property;**
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek;
- The unsightly appearance of a waste water treatment plant;
- The proposed routing of the treated waste water does not seem logical as it will flow through an established subdivision; other routings are more logical.

Sincerely yours,

Marguerite & Martin Turk

Marguerite and Martin Turk

CERTIFIED MAIL™

Dr. and Mrs. Martin A. Turi
1810 Huntington Lane
Richmond, TX 77406-7661

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UNITED STATES POSTAL SERVICE

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MC 105, TCEQ
P.O. BOX 13087
AUSTIN, TX 78711-3087

2014 NOV 20 PM 3

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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11/18

Marguerite Turk
Dr. Martin Turk
1810 Huntington Lane
Richmond, TX 77406-7660
marguerite0831@gmail.com
martin.turk@schneider-electric.com

2014 DEC 18
CHIEF CLERK'S OFFICE

REVIEWED
DEC 22 2014
By

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NOV 19 2014
Texas Commission on Environmental Quality
Commissioners' Offices

November 17, 2014

Mr. Toby Baker
Commissioner
12100 Park 35 Circle
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Baker,

I implore the TCEQ please deny the application of Permit No. WQ0015274001 for AMDT, LLC 1822 Plantation Drive, Richmond, Texas 77406 *alternately* known as the Grand Oaks Business Park located at 1819 First Oaks St. Richmond, TX 77406. The application is for a proposed Texas Pollutant Discharge Elimination System (TPDES) permit. The permit would authorize the discharge of treated wastewater to be allowed to flow directly through the heart of our small subdivision of Huntington Oaks. As proposed, this 20,000 gallon per day discharge would be devastating to our community as it would allow for bacterial infested water to be drained into a **very small** bayou (unnamed) that already incurs serious flood problems. (See attached photos)

Our home is located at 1810 Huntington Lane and shares the property line with the Grand Oaks Business Park. The property line consists of a small watercourse which is the first named watercourse listed in the application. The application reads: "The discharge route is from the plant site to a detention pond; thence to an unnamed watercourse –144 feet from our water well -- thence to an unnamed creek; thence to Jones Creek.

First and foremost please don't allow this facility to be built. There is far too much vacant space in the vicinity where such a facility could be constructed. I realize it has to be put somewhere, but next to my house is not one of them. As stated by Terry Nehls, building the facility next to the business park will be a great cost savings for the Grand Oaks Business Park. But, we need the support of the members of the Commissioner's Office, the Executive Director and Staff and the Regional Director and Regional Offices to rally behind what is Right and provide proper Justice regarding this appeal. It just doesn't make any sense to proceed as the proposed application reads. The sole benefit is only to the Grand Oaks Business Park and that benefit is money. The owners of the business will save a lot of money at the expense of ruining many people's most valued and hard earned acquisition, their homes. A man's home is his castle—no matter how large.

The Huntington Oaks Subdivision is a small community of well established, moderately priced homes relative to other communities in the area. We are a community of families who have worked very hard for our accomplishments and are proud homeowners who want to retain our property value and prestige. Just as I am sure you do regarding your family domiciles. Please don't allow the cronyism and and underhanded business practices of the ADMT owners to slip this application through.

The Texas Administrative Code Title 30, Part 1, Chapter 309, Subchapter B Rule §309.13 Unsuitable Site Characteristics letter (c) reads: "A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well. The following separation distance supply to any facility used for the storage, processing, or disposal of domestic wastewater. Exception to these requirements will be established in a permit if the alternative condition provides adequate protection to potable water sources and supplies:..."

The water well for our home is 144 feet from the point where the initial effluent water is proposed to commence. This is true for several properties along the proposed route. And, at present, there is a large spillway that already exists that sits at an angle such that, during a large rain event or malfunction of the water treatment equipment, could

potentially send flood water over the small embankment and into our pool. Aside from being an atrocious eyesore, it's a construction of potential danger.

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Thank you for your time and consideration and I wish you and your loved ones Happy Holidays.

Kind regards,

Marguerite & Martin Turk

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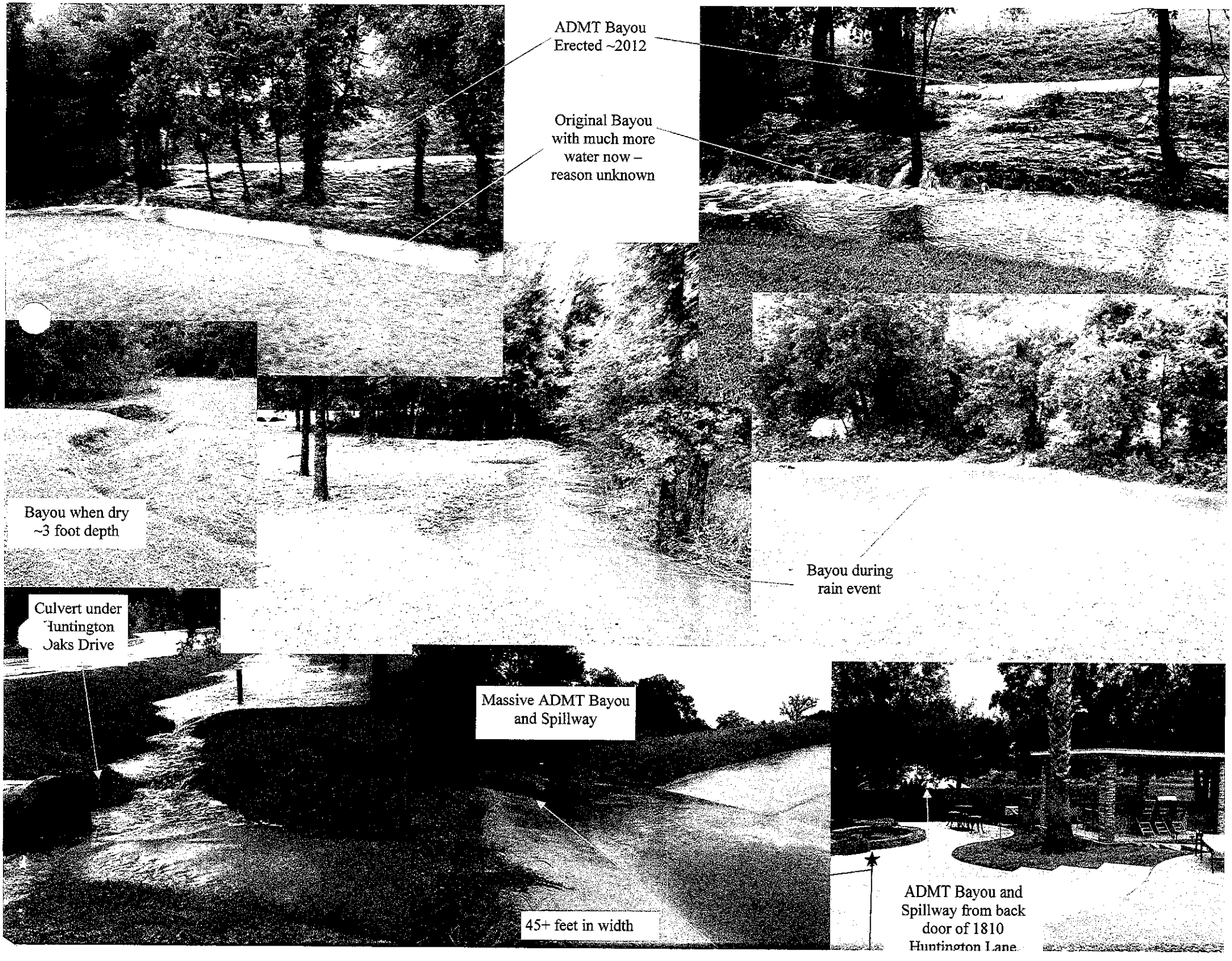
ADMT Bayou
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reason unknown
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Culvert under
Huntington
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Massive ADMT Bayou
and Spillway
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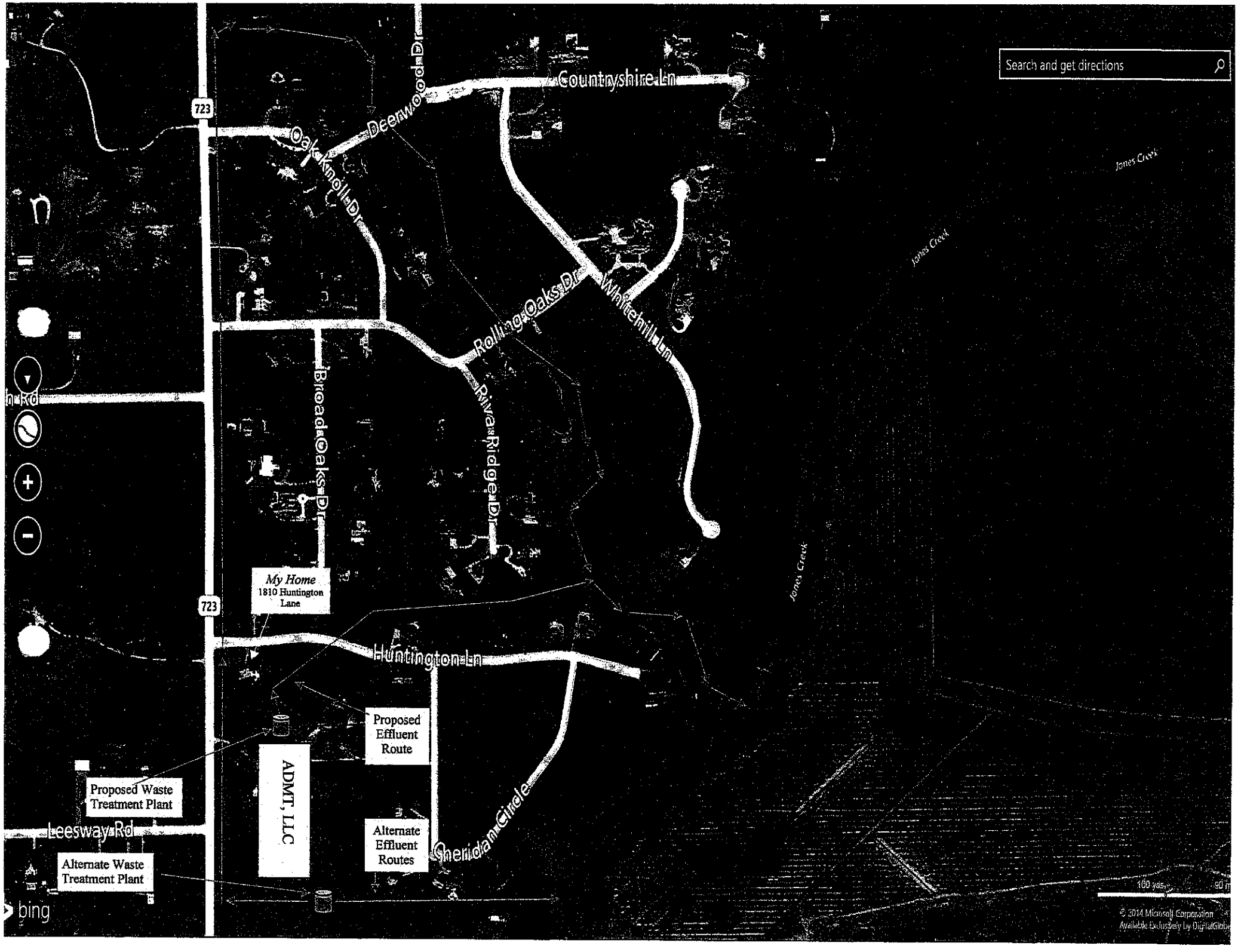
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ADMT, LLC
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Alternate Waste Treatment Plant
Alternate Effluent Routes
Sheridan Circle
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Dr. and Mrs. Martin A. Tuck
1810 Huntington Lane
Richmond, TX 77406-7660

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ON ENVIRONMENTAL

2014 NOV 24 PM 4:31

CHIEF CLERK'S OFFICE

Marguerite Turk
Dr. Martin Turk
1810 Huntington Lane
Richmond, TX 77406-7660
marguerite0831@gmail.com
martin.turk@schneider-electric.com

REVIEWED
NOV 24 2014
By

RECEIVED
NOV 19 2014
Texas Commission on Environmental Quality
Commissioners' Offices

November 17, 2014

Dr. Bryan W. Shaw, Ph.D., P.E.
Chair
12100 Park 35 Circle
P.O. Box 13087
Austin, TX 78711-3087

Dear Dr. Shaw,

I implore the TCEQ please deny the application of Permit No. WQ0015274001 for AMDT, LLC 1822 Plantation Drive, Richmond, Texas 77406 *alternately* known as the Grand Oaks Business Park located at 1819 First Oaks St. Richmond, TX 77406. The application is for a proposed Texas Pollutant Discharge Elimination System (TPDES) permit. The permit would authorize the discharge of treated wastewater to be allowed to flow directly through the heart of our small subdivision of Huntington Oaks. As proposed, this 20,000 gallon per day discharge would be devastating to our community as it would allow for bacterial infested water to be drained into a **very small** bayou (unnamed) that already incurs serious flood problems. (See attached photos)

Our home is located at 1810 Huntington Lane and shares the property line with the Grand Oaks Business Park. The property line consists of a small watercourse which is the first named watercourse listed in the application. The application reads: "The discharge route is from the plant site to a detention pond; thence to an unnamed watercourse –144 feet from our water well -- thence to an unnamed creek; thence to Jones Creek.

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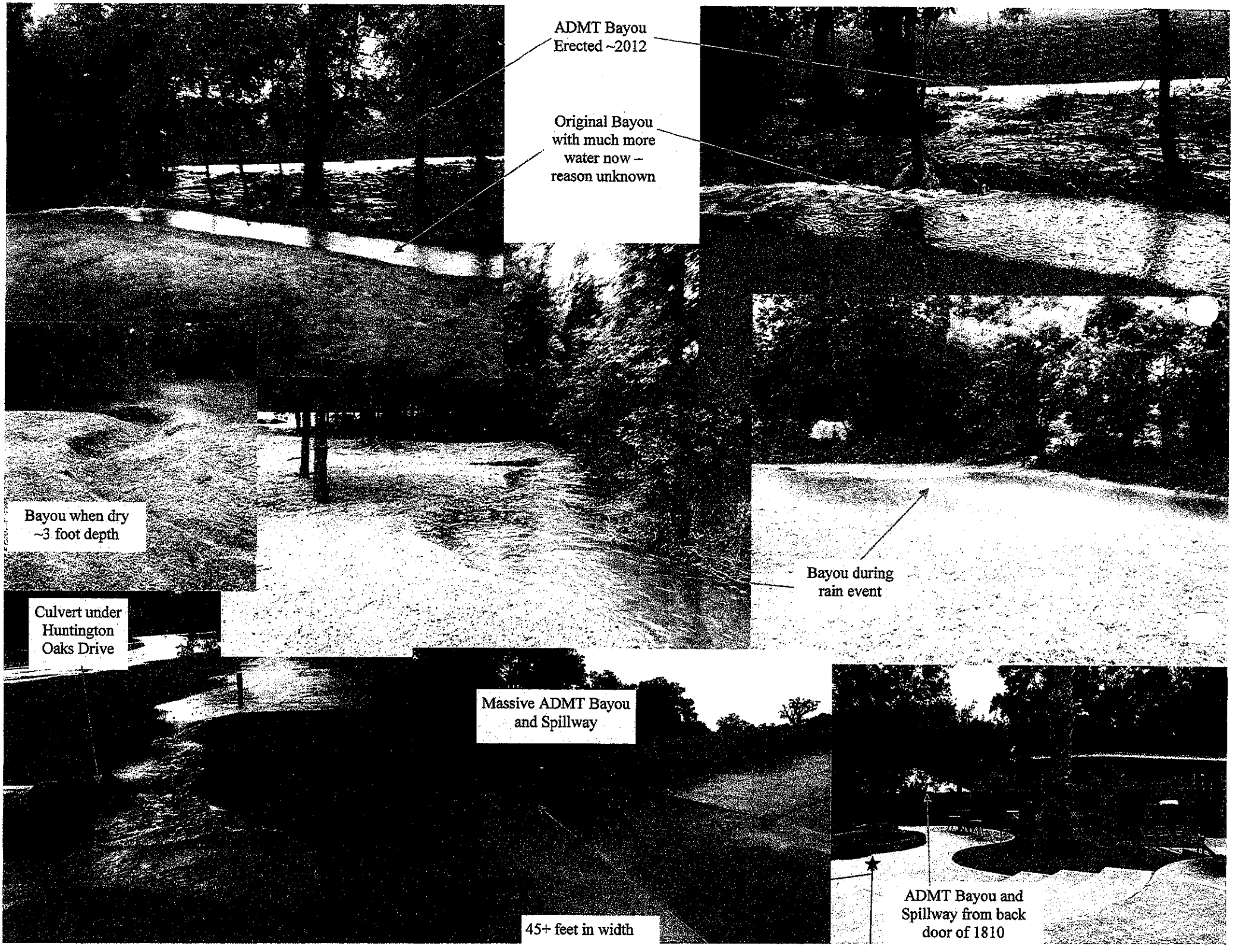
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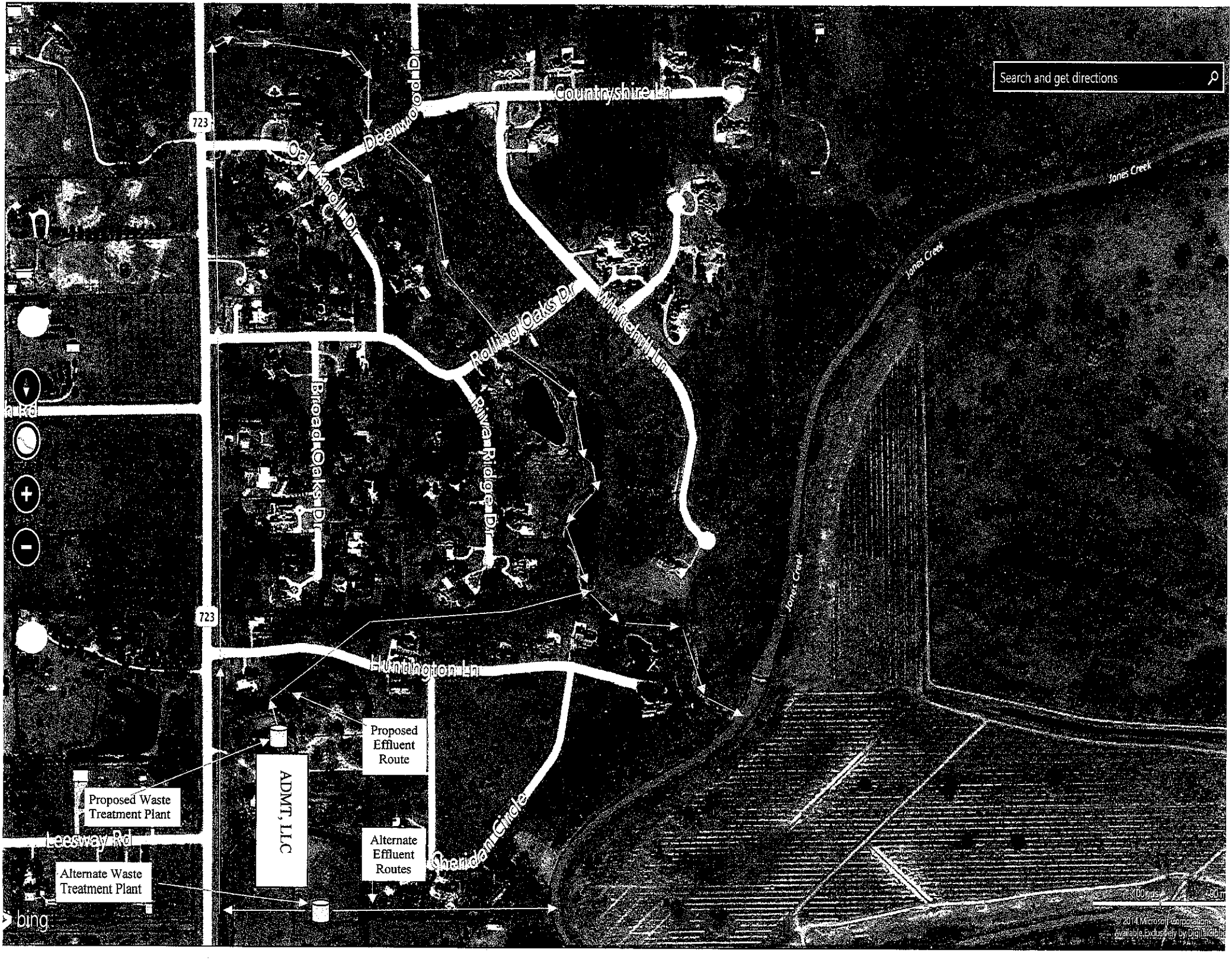

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Dr. and Mrs. Martin A. Turk
1810 Huntington Lane
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CHAIR
12100 PARK 35 CIRCLE
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Marguerite Turk
Dr. Martin Turk
1810 Huntington Lane
Richmond, TX 77406-7660
marguerite0831@gmail.com
martin.turk@schneider-electric.com

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NOV 21 2014
By

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

RECEIVED
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Texas Commission on Environmental Quality
Commissioners' Offices

November 17, 2014

Mr. Zak Covar
Commissioner
12100 Park 35 Circle
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Covar,

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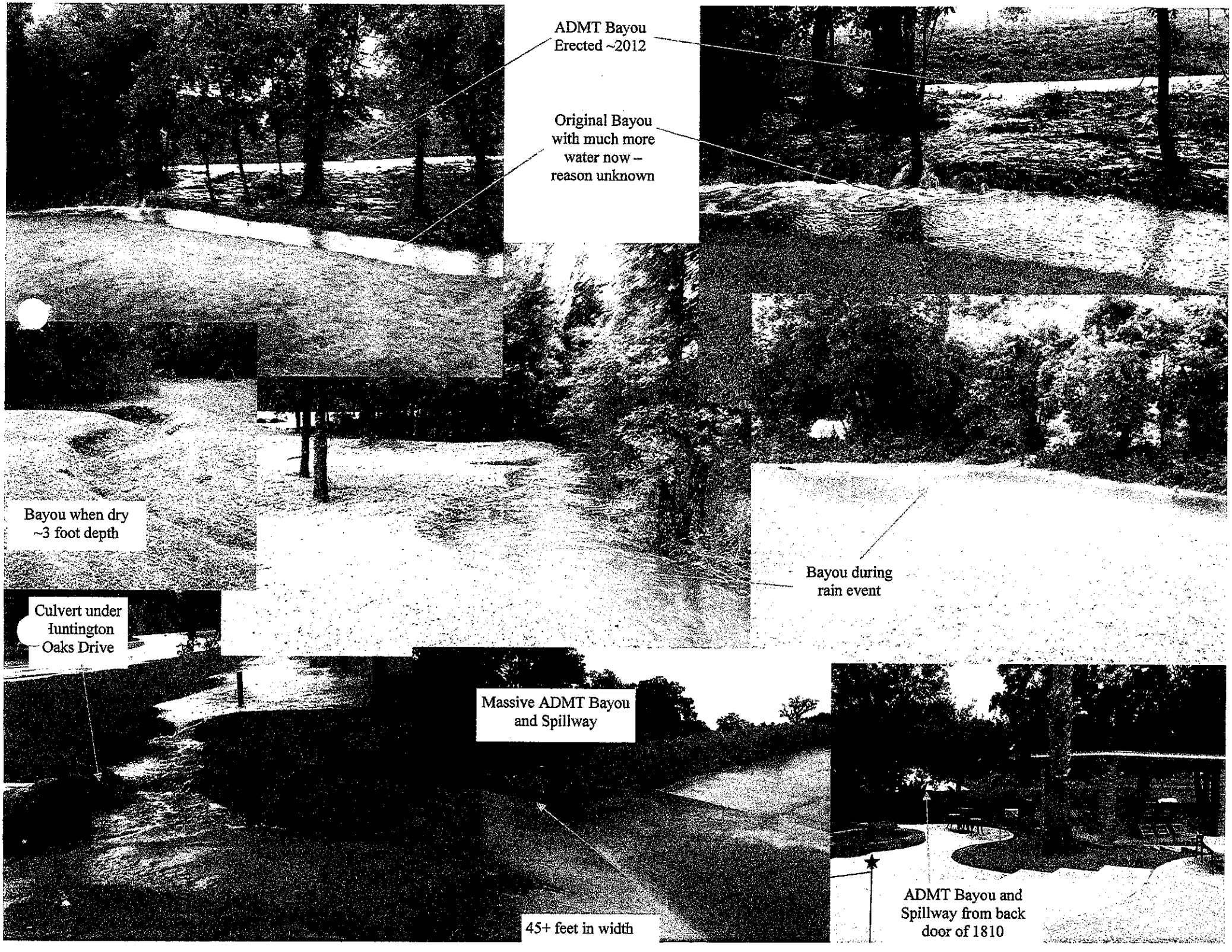
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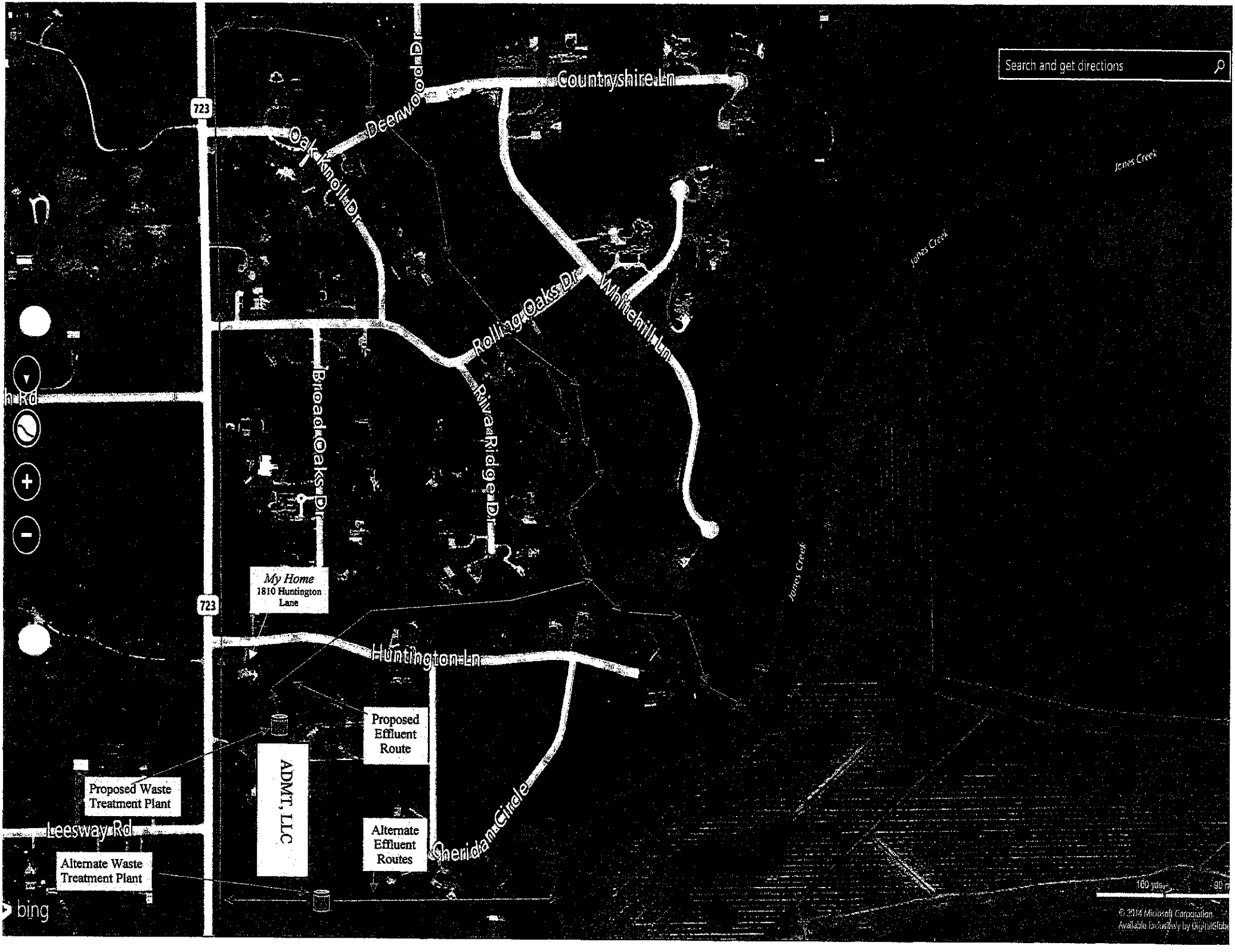
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1810 Huntington Lane
Richmond, TX 77406-7660
October 23, 2014
281-341-5443
marguerite0831@gmail.com
martin.turk@schneider-electric.com

Thursday, October 23, 2014

Executive Director
Office of the Chief Clerk
MC 105 TCEQ
P.O. Box 13087
Austin, TX 78711-3087

MWD 94171

REVIEWED
OCT 27 2014
By

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 OCT 27 AM 10:51
CHIEF CLERKS OFFICE

Dear Executive Director,

This plea is being submitted regarding Proposed Permit No. WQ0015274001 for AMDT LLC, 1822 Plantation Drive, Richmond, TX 77406. I respectfully request that you do NOT grant a permit for a Texas Pollutant Discharge Elimination System (TPDES) to the AMDT LLC/Grand Oaks Business Park.

After review of the proposed permit request, we learned that the source of the waste water discharge would be from a new waste water treatment plant. The location of the proposed waste water treatment plant is directly adjacent to our property. As stated in the letter we received via mail, Notice of Receipt of Application and Intent To Obtain Water Quality Permit, "The discharge route is from the plant site to a detention pond; thence to an unnamed water course...". This unnamed water course is a natural drainage bayou along our shared property line with the Grand Oaks Business Park. The distance from our home to this outflow is ~200 feet.

During periods of heavy rain the bayou overflows and floods part of our yard (please see attached photographs). We believe any additional drainage flow through the bayou would only exacerbate the current flooding problem. It is also of great concern that building a large, unattractive waste water treatment plant adjacent to our property would negatively influence its curb appeal and ultimately lower our property value along with all the other properties in our general vicinity. For these reasons we are greatly opposed to the construction of a waste water treatment plant and request that you please deny this permit.

In June of 2014, through consultation with an engineer from the Fort Bend County Drainage Department, we learned the maintenance for this bayou is not controlled by the county due to its location being between three private properties. It was discussed that in the event the county would intercede and help us clear a path for unrestricted water flow, it would be accomplished by dozing out all debris, i.e., all trees, grasses, large rock, etc. creating a large trough allowing for a free-flow water path. This is definitely NOT our intention as I believe this type of clearance would be very unsightly and not fit with the rural, peaceful, meandering bayou I intend to establish along this waterway.

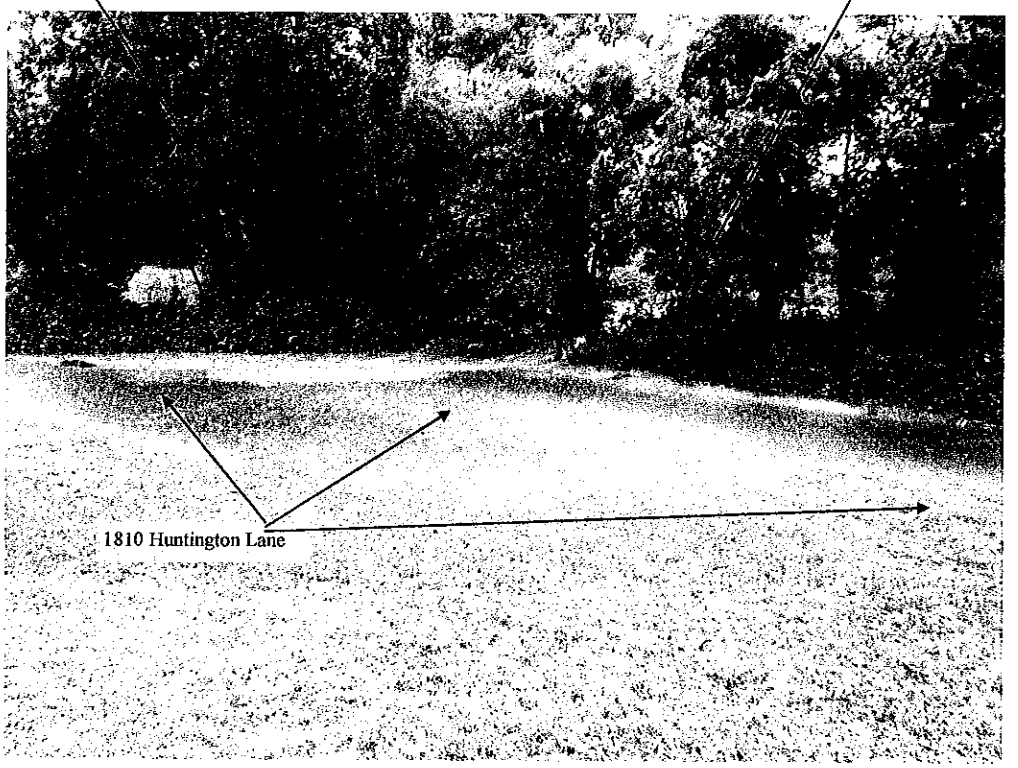
It is our request that if a waste water treatment plant is considered and built by the business park, that it be located to the south end of the business park property rather than the north. This would eliminate any amplification of our current drainage problem.

Please contact me should you have questions regarding this letter of appeal.

Thank you,
Marguerite & Martin Turk

1902 Huntington Lane

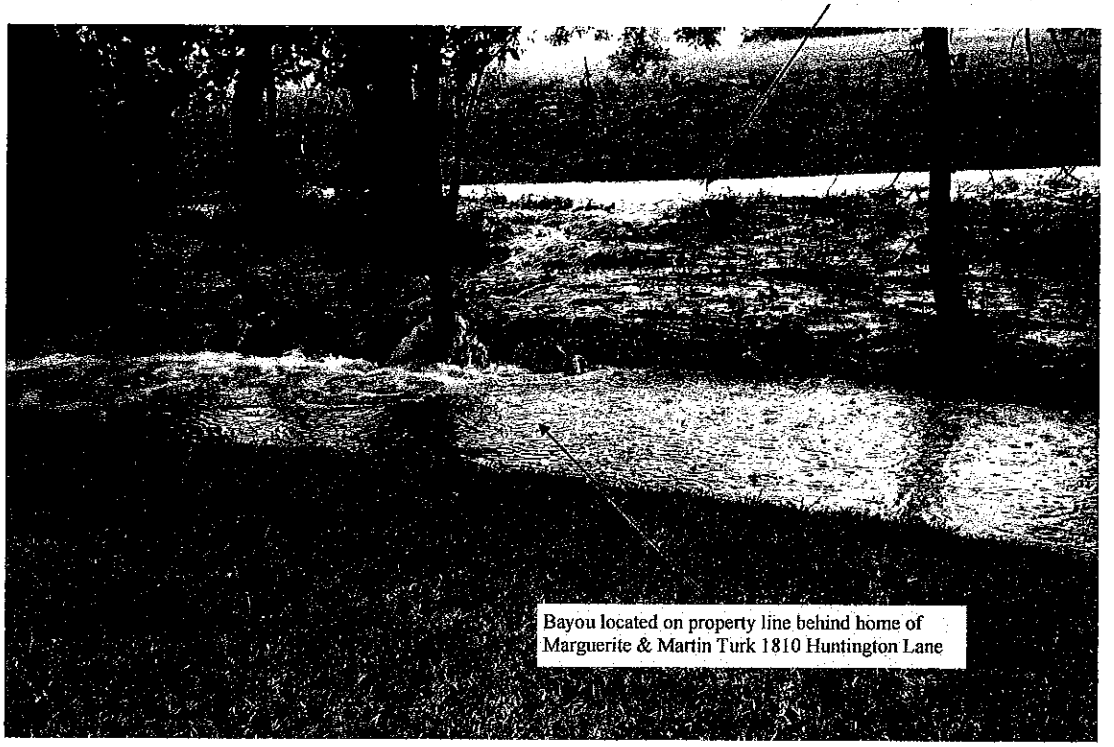
Grand Oaks Business Park Drainage Bayou



Photograph Date: May 27, 2014

Photo Date: September 29, 2014

End of new dredged bayou belonging to
AMDT, LLC/Grand Oaks Business Park



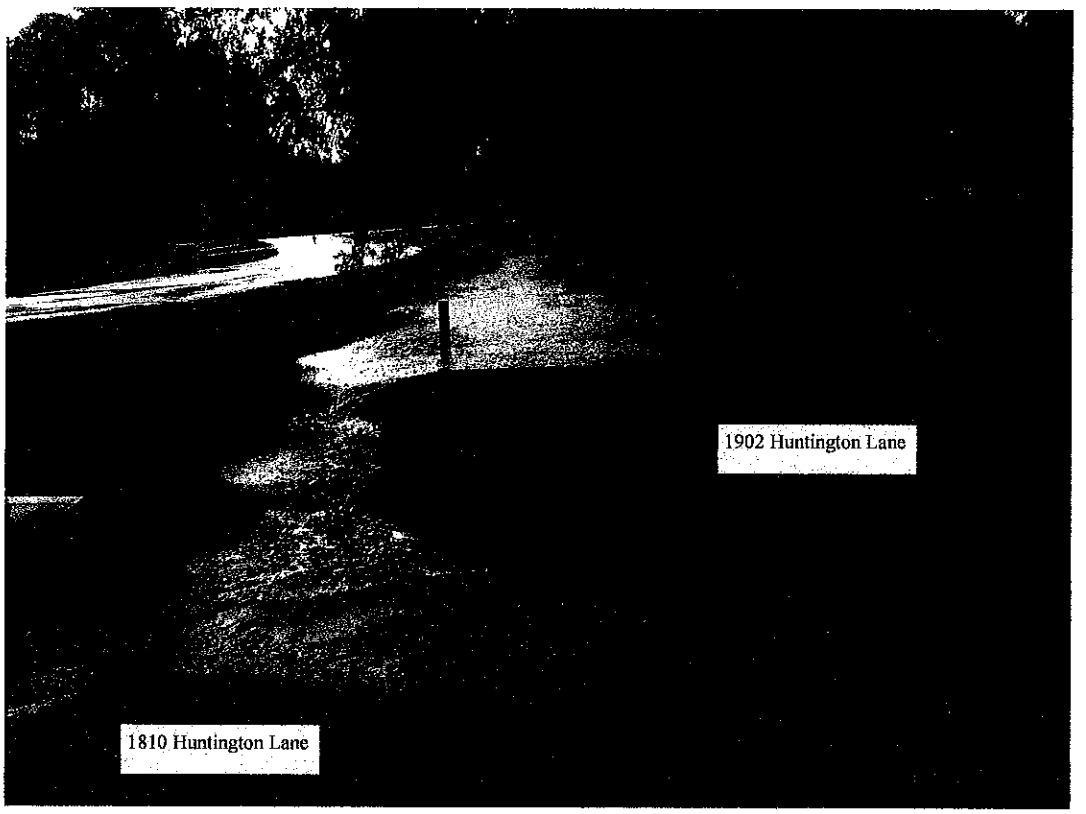
1810 Huntington Lane

Grand Oaks Business Park

Photograph Date: September 29, 2014

Bayou at capacity — Photograph Date: September 29, 2014 Property lines of 1810 Huntington Lane and 1902 Huntington Lane

Confluence of bayou that drains underneath Huntington Lane Photograph Date: September 29, 2014



Dr. and Mrs. Martin A. Turk
1810 Huntington Lane
Richmond, TX 77406-7660

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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NOV 14 2014
By

Roy and Inez Wallace
1910 Huntington Ln
Richmond, TX 77406

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

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

Dear Madam/Sir

We request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Roy D Wallace

Inez H Wallace

Roy and inez Wallace
1910 Huntington Lane
Richmond TX 77406

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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78711308787

November 18, 2014

Roy D. Wallace
President, Huntington Oaks Property Owners Association
1910 Huntington Ln
Richmond, TX 77406-7639

REVIEWED
NOV 21 2014
By D H

MWD 94171

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 PM 2:50
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

As a group, the members of the Huntington Oaks Property Owners Association (HOPOA) are requesting a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from the homes that would be directly impacted by this facility and associated waste water runoff are approximately 350 – 750 feet based on the map scale in the application.

The home nearest to the proposed facility, and the one most negatively impacted, is that of Mrs. Marguerite and Dr. Martin Turk at 1810 Huntington Ln, Richmond, TX 77406-7660. Dr. Turk is named the HOPOA's group representative for receiving future correspondence from TCEQ regarding the request for a contested case hearing.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water **and water wells**, from the treatment chemicals and storm water runoff, that are in the close proximity of the proposed treatment plant;
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding that already exists in the unnamed water course that runs along the property line of Mrs. and Dr. Turk, particularly due to the fact that the elevation of the existing detention pond is well above the Turk's property;
- The existing spillway on the northern edge of the business park was constructed at such a steep angle that there is a possibility for excessive water flow that could breach the embankment of the spillway in the event of a malfunction of plant equipment in conjunction with a major rain event; such overflow could flood the swimming pool equipment and eventually the pool located on the Turk's property;
- Foul odors from waste water treatment plant (during periodic sludge removal);
- **The initial effluent point of the treated waste water into the unnamed bayou named in the application for the proposed permit is 144 feet from the water well on the Turk's property;**
- **The significant adverse effect of loss of property value by the homeowners in Huntington Oaks due to the proximity of the proposed waste water treatment plant to this subdivision;**
- The unsightly appearance of a waste water treatment plant;
- The proposed routing of the treated waste water does not seem logical as it will flow through an established subdivision; other routings are more logical.

Sincerely yours,

Roy D. Wallace

MWD

HUNTINGTON OAKS PROPERTY OWNERS ASSN.
1910 HUNTINGTON LN
RICHMOND, TX 77406-7639

CERTIFIED MAIL™

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November 4, 2014

Daniel & Catherine Winkler
2003 Huntington Ln
Richmond, TX 77406

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. WQ0015274001

Dear Madam/Sir

We request a contested case hearing for the Proposed Permit No. WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

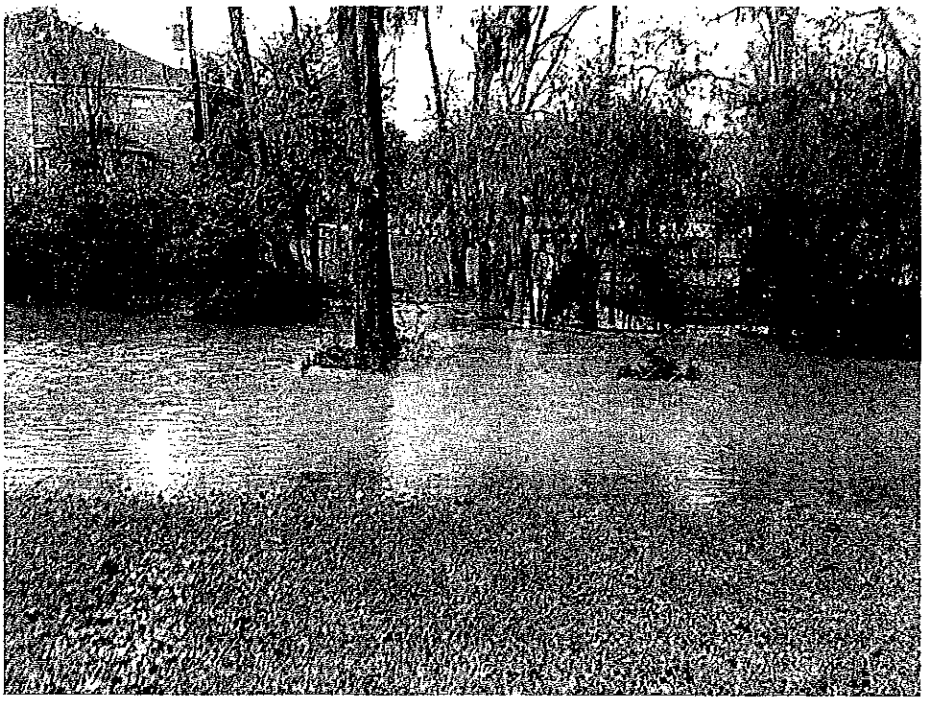
- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Dan Winkler

Catherine Winkler

MWD



Photos taken in 2013

With all the new constructions in the area, we are getting more water than usual in the little dry creek that runs at the bottom of our garden. These 2 photos show the amount of water that comes down, knowing that we never had so much water in the 15 years we have been here.

C. & D. Winkler
2003 Huntington Lane
Richmond TX 77406

FIRST CLASS

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Ali Zabarah Family Partnership, LTD.

November 16, 2014

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 PM 2:47
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (17) 6210 Cheridan CIR: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well.
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

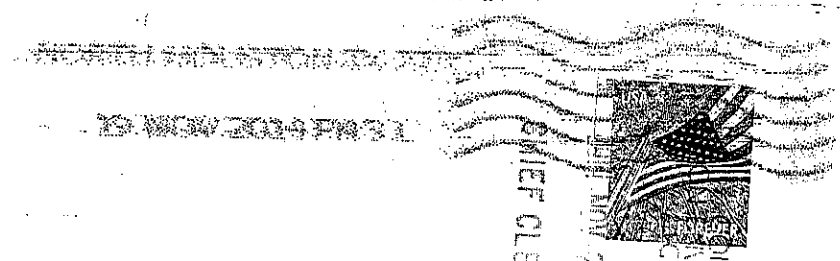
Ali M. Zabarah / GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

Mr. Ali Zabarah
4802 Copper Manor Ct.
Katy, TX 77494



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November 18, 2014

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 11:47
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (15) 6410 Cheridan CIR: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well.
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- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Ali M. Zabarah, GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

Mr. Ali Zabarah
4802 Copper Manor Ct.
Katy, TX 77494

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Ali Zabarah Family Partnership, LTD.

November 17, 2014

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

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NOV 21 2014
By

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 9:
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (16) 6118 Cheridan CIR: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well.
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- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Ali M. Zabarah, GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

Mr. Ali Zabarah
4802 Copper Manor Ct.
Katy, TX 77494

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Ali Zabarah Family Partnership, LTD.

November 14, 2014

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 9:42
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and Intent to Obtain Water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: Number (19) 6310 Cheridan CIR: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the Proposed Permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well.
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- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Ali M. Zabarah / GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

AMZABARAH
4802 Copper Manor Ct.
Katy TX. 77494

NORTH HOUSTON TX 773
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Ali Zabarah Family Partnership, LTD.

November 19, 2014

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 9:42
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (14) 1918 Huntington LN: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

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Sincerely yours,

Ali M. Zabarah / GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

Mr. Ali Zabarah
4802 Copper Manor Ct.
Katy, TX 77494

NORTH REGIONAL OFFICE
19 NOV 2014 PM 3:1

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QUALITY

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Ali Zabarah Family Partnership, LTD.

November 20, 2014

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 9:41
CHIEF CLERKS OFFICE

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (13) 2002 Huntington LN: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
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Sincerely yours,

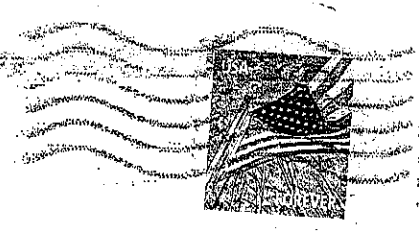
Ali M. Zabarah/GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

Mr. Ali Zabarah
4802 Copper Manor Ct.
Katy, TX 77494



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Ali Zabarah Family Partnership, LTD.

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P.O Box 13087
Austin, TX 78711-3087

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2014 NOV 21 AM 9 41
CHIEF CLERK'S OFFICE

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (12) 2010 Huntington LN: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

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- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well.
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Ali M. Zabarah / GP

Ali M. Zabarah, General Partner

Email: alimzabarah@yahoo.com

4802 Copper Manor Ct.
Katy, Texas 77494 U.S.A.
Phone - 832-437-0913

A.M. ZABARAH
4502 COPPER MANOR CT.
Katy Tx. 77449

NORTH HOUSTON TX 770
19 NOV 2014 PM 3 L

USA
FOREVER

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2014 NOV 21 AM 9:41
CHIEF CLERKS OFFICE

office of the chief clerk
MC 105 TCEQ
P.O. Box 13087
Austin, Tx. 78711-3087

RECEIVED
NOV 21 2014
TCEQ MAIL CENTER
CJ

78711308787

Ali Zabarah Family Partnership, LTD.

REVIEWED
NOV 21 2014
By

November 15, 2014

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

2014 NOV 21 AM 9:40
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Ref: Notice of Receipt of Application and intent to obtain water Quality Permit – Proposed Permit No. Wq0015274001

Subject: Lots: number (18) 6402 Cheridan CIR: @ Huntington Oaks Subdivision and FM 723 Richmond TX.

Dear Madam/Sir

We request a contested case hearing for the proposed permit No WQ0015274001. The applicant's name for the proposed permit is Mr. Terry Nehls, Managing Partner of AMDT, LLC.

The location of the proposed waste water treatment facility is approximately 1.7 miles north of the intersection of Farm-to-Market Road 723 and Farm-to-Market Road 359. The proposed facility is to be located at the north end of the Grand Oaks Business Park on the east side of FM 723. The distance of the waste water treatment facility from my home is approx. 900 feet as per the above mentioned application.

We oppose the issuance of the proposed permit for the following reasons:

- Possible contamination of ground water from the treatment chemicals and storm water runoff in the proximity of the proposed treatment plant. Please note that we have our own well supplying the house with drinking water;
- A wastewater treatment plant unit may not be located closer than 500 feet from a public water well as provided by §290.41(c)(1)(B) of this title (relating to Ground Water Sources and Development) nor 250 feet from a private water well.
- Any additional waste water outflow from the treatment plant will further exacerbate the problem of flooding due to rain that already exists in the unnamed water course;
- Foul odors from waste water treatment plant;
- Loss of property value due to the proximity of the proposed waste water treatment plant to the Huntington Oaks and Rolling Oaks subdivisions, as well as other private homes along FM 723 and Jones Creek.

Sincerely yours,

Ali M. Zabarah / GP

Ali M. Zabarah, General Partner

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AM. Zakarak
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2014 NOV 21 AM 9:40
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15 NOV 2014 PM 5 L