

From: spicerhousekaty@yahoo.com
To: [PUBCOMMENT-OCC](#)
Subject: Public comment on Permit Number WQ0015222001
Date: Monday, February 28, 2022 4:57:48 PM

REGULATED ENTY NAME PULTE HOMES OF TEXAS WWTP

RN NUMBER: RN107117327

PERMIT NUMBER: WQ0015222001

DOCKET NUMBER: 2022-0148-MWD

COUNTY: HARRIS

PRINCIPAL NAME: HARRIS COUNTY MUD 495

CN NUMBER: CN604514943

FROM

NAME: Chris Spicer

E-MAIL: spicerhousekaty@yahoo.com

COMPANY: Home

ADDRESS: 23910 STOCKDICK SCHOOL RD
KATY TX 77493-6317

PHONE: 7134711123

FAX:

COMMENTS: Chris Spicer 23910 Stockdick School Road, Katy, TX 77493 713-471-1123
TECQ Permit NO: 15222001 I appreciate OPIC review of the comments made by myself, Chris Spicer, in the comment period where concerns were expressed that affect me as an "affected person" regarding TECQ Permit NO: 15222001. I, Chris Spicer, respectfully request a reconsideration from OPIC on TECQ Permit NO: 15222001. The request for reconsideration on comments and responses in no way signifies acceptance in whole or part of any comments or responses contained in the Executive Directors' and OPIC responses. It should not be considered a wave of my right to dispute the response in any future ligation to all parties involved with the permit request or approval. I would like OPIC to reconsider the following in their decisions in matters pertaining to TECQ Permit NO: 15222001. 1. Flooding and Erosion:
a. The permit requestor nor TECQ can unequivocally guarantee that at no time and under no circumstance will raw sewage not vacate the WWTC property. This is evident by the fact that provision 30 TACA S 305.132 has been put into law. Therefore the opportunity for raw sewage, no matter the circumstance, to trespass onto my property is a direct violation of my Texas Land Owner Bill of Rights, which would take precedence and should without delay be reconsidered pertaining to TECQ Permit NO: 15222001. b. Given the documented and undisputed opportunity for flooding at or near the WWTP site. Flood water is known and is

not in dispute to affect the erosion of land along the pathway of the floodwaters. Downstream effects on flooding, which are directly proportional to the increased effluent egress from the WWTP in question, would significantly contribute to the flooding conditions. To approve the requested increase in effluent from .9 MGD to 1.50 MGD blind of this fact is negligent at best.

c. The permit in and of itself is requesting an increase in effluent egress in the matter before the TECQ. The requester is not asking for a change in the effluent itself but the amount allowed to discharge into the waterways abutting and traversing my property. Therefore I am requesting reconsideration on how the approval of the increased effluent will have a cause and effect on the waterways the increase in the effluent will have. Suppose the TECQ does not approve the increase in the egress of the effluent. In that case, the cause and effect of going from .9 MGD to 1.50 MGD will not contribute to the opportunity in heavy rain conditions of flooding, giving way to effluent trespassing on my property and in direct violation of the Texas Land Owners Bill of Rights.

d. Suppose the TECQ is of the notion that the flood district is responsible for controlling the flooding due to the approval of wastewater egress. In that case, the TECQ should ensure a proper mitigation plan is in place by the flood district before a change in effluent egress of .6 MGD is permitted to be dumped into a known 100-year flood plain. Not considering this in an approval process is negligent on the State of Texas, the TECQ, and the County Flood Management Authority.

2. Health and Nutrition:

a. The health and well-being of my family and I should be a consideration when allowing a more significant amount of both water and air pollutants, as shown in the numerous studies referenced in the document submitted to the TECQ as an indication I am an affected person. It is negligent to dismiss these widely accepted studies on air and water pollutants from WWTP's and their effect on human health. Choosing not to accept scientific facts on the impact of these numerous and various pollutants in the air and water in and around WWTPs because the state decides to pretend they don't exist or refuses to fund and support their own study does not make the fact that they exist go away. It would be like refusing to say it's raining by not going or looking outside on a rainy day. The fact that it is raining does not go away because one refuses to acknowledge it as fact.

b. The fact that effluents will spill over onto my land with the increase from .9 MGD to 1.5 MGD on a heavy rain day or in topical weather occurrence, which was shown in the photos provided in consideration of affect person status, violates the Texas Land Owner Bill of Rights and is considered trespassing. The increased amount of pollutants in the water due to the approval of .6 MGD increase will exponentially increase the pollutants onto my property and into my stocked pond and garden, which my family and I use as a food source.

3. Lifestyle and Enjoyment of one's Property:

a. In the response given, Nuisance Odor lists three ways to mitigate Odor nuisance 1) Buffer Zones, 2) Nuisance Odor Prevention developed by a licensed Professional, and 3) Legal restrictions that prohibit residential structures within the buffer zone. Under the best and most controlled scenarios, believing an invisible dome from which the odor nuisance will be confined is naïve at best. To accept that the wind studies performed many decades ago still hold today, given what we know about climate change, is again naïve if not uninformed about what's happening around the globe and is a scientific fact that weather and Jetstream changes are happening. Yet, the TECQ is still reliant on the wind rose chart decades old.

b. Noise Nuisance- again, to assume the noise produced by a WWTP is contained within an invisible dome surrounding the WWTP is naïve and is only accepted by an individual that does not live within a few hundred feet of a WWTP. I know that Noise nuisance from a WWTP is not contained within the WWTP's property line as I live it daily. It violates the enjoyment of my property, which in turn violates the Texas Land Owner Bill of rights, and one could go as far as to say it's trespassing within one's air rights over one's property. By approving an increase to effluent levels from .9 MGD to 1.50 MGD and the increased equipment to support such an increase, the TECQ is approving the Noise Nuisance and inhibiting the enjoyment of my property again, knowingly violates the

Texas land Owners Bill of rights. c. Pest and Animal infestation- When a water source is created, or there was not one before or in this case a WWTP is built, to ignore the fact that pests and animals will increase is again naïve and only assumed to not occur by an individual who does not live with a few hundred feet of a WWTP. If the requested increase in effluent from .9 MGD to 1.5 MGD is granted, it will have a directly proportional effect on the increased amount of pests that trespass onto my property. As the pest increases, this further inhibits my enjoyment of my property and puts an unduly financial burden on my family and me, affecting my enjoyment of our property and life. The request for reconsideration is not limited to the concerned solely listed in this request, but all of the concerns submitted to the TECQ regarding TECQ Permit NO: 1522200. I am in no way resending or withdrawing any concerns that have been previously raised that may be used in future litigation concerning TECQ Permit NO: 15222001.

From: spicerhousekaty@yahoo.com
To: [PUBCOMMENT-OCC](#)
Subject: Public comment on Permit Number WQ0015222001
Date: Sunday, February 27, 2022 8:23:33 PM

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RN NUMBER: RN107117327

PERMIT NUMBER: WQ0015222001

DOCKET NUMBER: 2022-0148-MWD

COUNTY: HARRIS

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1. Flooding and Erosion: a. The permit requestor nor TECQ can unequivocally guarantee that at no time and under no circumstance will raw sewage not vacate the WWTC property. This is evident by the fact that provision 30 TACA S 305.132 has been put into law. Therefore the opportunity for raw sewage, no matter the circumstance, to trespass onto my property is a direct violation of my Texas Land Owner Bill of Rights, which would take precedence and should without delay be reconsidered pertaining to TECQ Permit NO: 15222001. b. Given the documented and undisputed opportunity for flooding at or near the WWTP site. Flood water is

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