

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 MAR -4 PM 2:20

CHIEF CLERKS OFFICE

Luke BUDD  
17278 FM 2090  
CONROE, Tx. 77306  
(713) 377-4667  
"Affected Person"

&  
Brent Liedtke  
17278 FM 2090  
Conroe, Tx. 77306  
(936) 714-1593  
"Affected Person"

REVIEWED

MAR 04 2022 H  
By GCW

MARCH 3, 2022

Laurie Gharis, Chief Clerk

TCEQ - MC-105

P.O. Box 13087

Austin, Tx. 78711-3087

RE: Crystal Springs Water Co., Inc., Applicant  
White Rock Wastewater Treatment Plant  
Water Engineers, Inc., Shelby Young, PE, Consulting Engineer  
Ray Young, PE, President  
Larry Purcell, Owner/operator

GREETINGS:

First, we apologize for handwriting. Last minute printer problems. Confirming computer generated copies to follow. "cc" to Executive Director enclosed. Should the hearing be approved please process compulsory process to (1) Larry Purcell, Crystal Springs Water Co., Inc.; (2) Shelby Young, PE, Water Engineers, Inc.; (3) Ray Young, Water Engineers, Inc.; (4) Toby Baker, TCEQ Executive Director. A full witness list will, of course, be provided on request from Crystal Springs' counsel. Pre-marked Exhibits (photos, etc) will be provided TCEQ prior to any hearing. Expert witness' CV, or resumé and a summary of proposed testimony will be provided prior to the date of the hearing pursuant to the Rules.

Second, Luke Budd, is an "affected person". He owns the first property South of the proposed Plant, in the 100 year flood plain, approximately  $\frac{1}{3}$  mile from the plant, with his own private water well and two ponds which will be destroyed as a result of approximately eight tons of solid waste per year being discharged from the Plant, indefinite albeit extended period of years of fully chlorinated effluent discharge from the plant and eventually full flood water absorption of the 750,000 gallons of wastewater daily, discharged onto the ground, carried in flood waters on a regular basis.

Third, these issues presented herein were resolved in 1995 on settlement of a lawsuit filed by Cline Budd and Stephen Budd naming Caney Independent School District, documents evidencing the issues from that case file will be offered as self-authenticated proof the District Court of Montgomery County, Texas will not permit the discharge of treated wastewater onto the ground of adjacent land owners without permission.

Fourth, Brent Liedtke is an affected person, who retired to the area, living on Luke & Steven Budd's property, for the purpose of providing free paralegal and legal assistance to locals in need and too poor to afford such assistance. The effort cannot survive flooding, mixed with solid waste, approximately 32 tons annually, mixed with eventual and regular flood waters, Ruining Luke's property.

and eventually destroy Luke's property, livelihood and will

Fifth, the reasons for and outcome of Luke's and Brent's objections to the Executive Director's granting the application:

(1) Effluent discharge onto the ground on private property, and transferred through culverts that are public property, and no permission of the owners, violating Ch. 26, et. seq. Texas Water Act and 30 TAC 309; (2) Texas law requires the effluent to be discharged into water, and there is "no way" to get the effluent, solid waste, etc., into a pipe for transfer of the fight with honorable men and women not yet included in any deal. Crystal Springs' through consultants attempt to show discharge of effluent into creek water, but first from his actual "diet". Rather, the discharge is to actual ground, no water running in the envelopes of dry land referred to as an "unnamed tributary" of Caney Creek. The area referred to is neither a tributary nor a stream. A "tributary" is a smaller "River" or "Stream" running into a larger "River". A "Stream" is a smaller "River" characterized as a constant flow of water in a banked structure that

is characterized by running water flowing in the same direction. The "unnamed tributary" will never be named, as it is simply "engineer speak" taking unauthorized poetic license not to embellish the interest level of a story, rather to make it appear as though "all is well", Crystal Springs is not emasculating Texas law. But, that is exactly what is happening. Crystal Springs and Water Engineers described the "3 miles downstream" required description pursuant to 30 TAC 309.13 (a)(b)(c)(d) and made it appear the description was as to the "unnamed tributary". No water "flows" here. It is dry, and was once referred to a "ditch" ... "not yet constructed". Soon 250,000 gallons of fully chlorinated and two and one half tons of solid waste annually will increase to 750,000 gallons of waste water and 32 tons of solid waste annually will be being dumped daily onto Montgomery County, Texas, and that is not all. By all appearance: there will be 3,000 new (cracker box) and cheap homes will be built, sold to Hispanic folks, mostly illegal aliens and provided water and sewer services, all of which in.

the early stages of completion involving full chlorinated discharge spilled onto the ground, and two and a half tons of solid waste spilled onto the ground, leading up to 750,000 gallons of waste water and 32 tons of solid waste, All dumped on the ground, at not one plant but four plants, and 12,000 new home owners paying \$100 - \$200 monthly for water and sewer. (Larry Purcell's) "Country West" Subdivision was the Pilot Program preceeding the instant effort, using mobile homes not new construction, but a clientele of predominantly Hispanic mostly illegal aliens, and state and federal law enforcement efforts and state and federal criminal laws are in the way of "progress"!

Finally, the Plant is being built in the flood plain, no special construction initiatives are being built in to minimize the catastrophic effects of flooding, so the Plant violates express Texas law. And, Luke Budd has proposed an alternative site

Rejected for NO Rational OR Reasonable explanation from Consultant Shelby Young who explained TCEQ rejected the Route of the discharge in Spring Branch Creek for too low "oxygen levels" Spring Branch Creek is a stream and a tributary of Caney Creek and the area proposed by Luke Budd is at 150 feet, outside the 100 year flood plain.

Objections to the Plant as currently configured arises from empirical presumptions: (a) Illegal aliens are perfect customers because they pay "ghetto gauging" prices without complaining. (b) They do not complain about regulatory matters. The entire community will be presumed accurately to not complain, never even read the proposals, and customers will smell the 32 tons of solid waste, 96 ~~years~~ <sup>years</sup> then years into full operation, ten years of partial operation, too late to trace the problem's origin.

Finally, especially Larry Purcell, there is a presumption of regulatory apathy, actual regulatory apathy/abstention. NOT A SINGLE SUCH PROJECT has experienced a single effort by TCEQ to place a single Roadblock to construction. Initial temporary permits ARE rubber stamped, identical templates appearing to approve temporary permits, and draft permit approval following equally identical templates, no objections whatsoever. Larry Purcell abides the TCEQ by adept maneuvering around information provided, actually not answering key portions, and then stating under penalty of perjury the information on the application is true, correctly based on what he has been told, and complete ! TCEQ NEVER, NOT ONCE, held MR. Purcell to answer ALL QUESTIONS, AND PROVIDE ALL information requested

Effluent and solid waste is being approved for dumping, discharging, and not dechlorinating from FM 1314 and State Hwy 242, to Crockett-Martin Road and FM 2090, through to FM 2090 and US Hwy 59-Interstate 69, a simply massive expanse of new housing starts, evidence of ghetto gouging prices, and a home for illegal immigration from Mexico.


At a bare and forgiving minimum the genius behind what is sure to become Creative Partners' next expertise in cornering the market on yet another "How To" TRAINING Course AND INDUSTRY PRODUCT AND SALES TO MAXIMIZE WASTEWATER TREATMENT PLANT CONSTRUCTION AND OPERATION THROUGHOUT THE UNITED STATES, SOUTH AMERICA, CENTRAL AMERICA CANADA, MEXICO, EUROPE AND AUSTRALIA, LIKE WAS BRILLIANTLY Accomplished by CREATIVE



PARTNERS' CORNERING THE RETROFITTING OF ALL MANUFACTURING PLANTS FOR FULL AUTOMATION VIA ROBOTS, CREATIVE PARTNERS BEING THE ONCE "MERGERS & ACQUISITIONS" COLLECTION OF HARVARD BUSINESS, STANFORD BUSINESS, etc., COLLECTIVE OF MBA'S AND PHD'S WHO OWN, W/COTT, THE COMPANY THAT OWNS "CRYSTAL SPRINGS WATER CO., INC", THE APPLICANT, HEREIN, SHOULD BE OPENLY EXAMINED IN A PUBLIC HEARING, CONTESTED PUBLICLY, BEFORE THIS PLANT, LIKE ALL THE REST "CONSULTED" BY SHELLEY YOUNG, PE, AND WATER ENGINEERS, INC. IF ENVIRONMENTAL LAWS, RULES AND STANDARDS ARE NOT BEING VIOLATED, GREAT! IF THEY ARE, FIX THE PROBLEMS! CREATIVE PARTNERS.

IS WAITING IN THE WINGS FOR PEOPLE MUCH SMARTER, MUCH MORE CREATIVE, TO PROFIT OFF TELLING THE WORLD HOW TO TREAT WASTEWATER FOR MASSIVE PROFITS. AT A BARE AND FORGIVING MINIMUM MAKE THEM PUT IN THE SYLLABUS OF THEIR TEACHING MATERIALS A CHAPTER ON THE RAREST, UNLIKELIEST EVENTUALITY OF "HOW TO" MAXIMIZE PROFITS IF A STATE ENVIRONMENTAL AGENCY SHOULD ACTUALLY DO THEIR JOBS AND REGULATE ONE OF THEM.

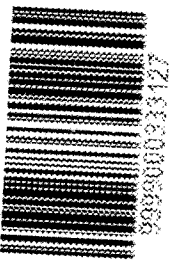
LUKE BUDD AND BRENT LIETKE  
REQUEST A CONTESTED PUBLIC HEARING.

  
LUKE BUDD

  
BRENT LIETKE

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UNITED STATES POSTAL SERVICE



UNITED STATES POSTAL SERVICE

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17278 FM 2090  
Conroe, Texas 77306  
(713) 377-4667  
Applicant Pro Se

Brent Liedtke  
17278 FM 2090  
Conroe, Texas 77306  
Co-Applicant Pro Se

November 28, 2021

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

REVIEWED

DEC 08 2021  
By GCW H  
RFR

**RE: Permit No. WQ0016005001; (proposed) White Rock Waste-Water Treatment Plant; located .25 miles North of FM 2090 on Crockett-Martin Road, Montgomery County, Texas**

**Applicant: Crystal Springs Water Co., Inc., P.O. Box 603, Porter, Texas 77365 for a Texas Pollutant Discharge Elimination System (TPDES)**

**REQUEST FOR RECONSIDERATION  
OF TCEQ EXECUTIVE DIRECTOR'S PRELIMINARY APPROVAL  
AND ISSUANCE OF A DRAFT PERMIT**

1. The TCEQ's Executive Director has completed the technical review and determined that if a permit is issued it will meet all statutory and regulatory requirements. The Executive Director has issued a draft permit. The Executive Director's determination the permit will meet all statutory and regulatory requirements. The Executive Director's issuance of a draft permit is premature. Significant factors affecting approval of the Plant still exist. Texas law requires those factors must be addressed before the Plant can apply for the permit. Those factors have not been addressed by the Applicant before applying for the permit. Those factors were not addressed in the application for the permit. Those factors played no part in the Executive Director's determination the permit meets all statutory and regulatory requirements. Those factors played no part in the

*Executive Director's issuance of a draft permit. was received by TCEQ on June 18, 2021.*

*2. Simply put, the Plant will be built in a "flood plain". Applicant knew, or should have known, the following facts because the following facts were obtained from the National Weather Service, who obtains its information from United States Geological Survey. The Survey's Gage Number for this area is Gage No. 780, the Harris County Flood Control District's historical flood records for the area.*

*3. The Plant is being built in an area that has suffered five distinctively major floods from 1945 through this year! In 1945 flood waters were 147.67 feet above sea level. In 1973 flood waters reached 145.78 feet above sea level. In 1994 flood waters reached 145.88 feet above sea level. In 2001 Tropical Storm Allison hit the area sending flood waters to 145.93 feet above sea level. In 2017 Hurricane Harvey sent flood waters in the area to 146.11 above sea level. Harvey was the worst flooding in recent history, but there has been no abatement in the flooding problem.*

*4. The area where the Plant will be built is more likely to suffer a serious flood annually, than not! Flood waters in the area have risen to within a few feet above sea level when compared to the five major flooding events, in five (5) of the last six (6) years. In 2016 the area flooded. Flood waters reached 142.74 feet above sea level. The following year was Hurricane Harvey which was the worst flooding since 1945. Two floods occurred in 2018, both serious as flood waters reached 139.93 feet above sea level, and 139.04 feet above sea level, respectively. In 2019 Hurricane Imelda forced flood waters to 139.74 feet above sea level.*

*5. Then in this year, on May 1, 2021, while the other Plants within three miles of this plant were approached by Ms. Shelley Young, P.E., Consulting Engineer for Crystal Springs Water Co.. Inc. to establish their inability to expand their operations sufficiently to take on the project, the site of the Plant FLOODED.*

*6. Owner of Gage 780, the National Weather Service, has measured Crockett Martin Road at FM 2090, the site of the proposed Plant, begins to take on water 19.5 feet or 138.9 feet above sea level. Crockett Martin Road at a quarter mile north of FM 2090 has reached National Weather Service flooding records thirty-one (31) times since 1945 and has reached flood levels of 25 feet or more five times, 26 feet or more four times, 28 feet one time. Where the proposed Plant*

*is to be built has suffered what the National Weather Service describes as “historic crest” flooding in ten different years not counting 2001 and 2017*

*7. In 2021 FM 2090 had some roadwork done by the Texas Highway Department. The road was raised approximately 30 inches, causing a virtual damn to be constructed holding back flood waters until waters rise to flood levels. At 24 feet FM 2090 begins to take on water. Until then flood waters are held back, like a damn, flooding areas on both sides of the road including the proposed Plant. With the building of the road up 30 inches higher the road crews left what is called “rip rap”, huge piles of disreputable or undesirable expanses of huge dense rocks and stones, piled into Caney Creek and against the new bridge, for the protection against erosion, but blocking off what had been areas for water to flow freely under the bridge and reduce flooding. The amounts of water that had caused flooding at the site .25 miles north of FM 2090 on Crockett-Martin Road, because of the highway construction on FM 2090, now is even more likely to flood, and the flooding is likely to be worse than reported! (Discharge of effluent at lowest point on the site...south into FLOOD ZONE...)*

**PUBLIC COMMENT  
AND  
REQUEST FOR CONTESTED HEARING**

*1. The Plant could put all contested issues to rest with one simple reasonable decision. Larry Purcell could simply move the Plant to any place on the site other than the location where the Plant is proposed to be built. That site is in a flood plain. The Conroe Independent School District has already built a wastewater treatment plant setting the standard accepted in this community as the reasonable and practical manner in which to proceed with the construction. Conroe Independent School District has been dumping effluent in Caney Creek since 1995. This community can endure what needs endured, if reasonable, and calculated to the best interest of the community, the presumption that Texas’ water quality will not be diminished by an decision made relative to this project, and as always, with a healthy understanding that the environment can be protected while at the same time commerce is a consideration equally compelling.*

*2. The contest is not to the wastewater treatment plant being built. A new subdivision of families and Grangerland is coming to Crockett-Martin road. The effluent from the wastewater does not have to go into Caney Creek. There are three distinct options, other creeks, no unnamed tributary, and no flooding. This Plant can be built and thrive, but the Plant cannot be built in a flood zone.*

3. *My public comment is that this Plant can be a good thing for Mr. Purcell and his company. That benefit is completely, totally and irrevocably reduced to a nullity if the Plant is built in an area that floods, regularly, and the area around the Plant is covered with sludge-like excrement covering the property owned by the Plant's owner and others.*

4. *The comment I rely upon in making this request for a contested hearing is we have already started coming together. The affected areas and people affected by the Plant being constructed contrary to logic and rational thought have been found, recognized and interviewed. The interest is high among all of us to get this job done well, with all of us kept in mind and all of our thoughts considered and respected. Petitioner are being circulated today, Sunday, November 28, 2021, and after this introductory Public Comment and Request for Contested Hearing is filed in a timely manner, the work of convincing the Executive Director that this Plant is of great interest to all affected, those interested in preserving the peace and harmony of the area, as well as, those of us who just want the Plant constructed pursuant to established and accepted business practices in a manner calculated to meet the general requests of everyone, while attempting to satisfy each and every one of us.*

#### **PRAYER FOR RELIEF**

*WHEREFORE, in consideration of the interests of the entire community, and in the interests of justice and the best interests of the Plant being proposed, I pray that this Court: (1) Grant a reconsideration of the prior approval of a permit, temporary and indeterminate time, to the end that a draft permit can be approved, and that this Court enters an order amending these proceedings to involve all participants in a position to join this effort. In the event of a stalemate or other blockage of a passageway to Liedtke's new home, (2) Liedtke prays that this Court enters an order, granting a hearing, specifically a contested hearing, to the end that Applicant is granted an opportunity to participate in the construction of the Plant, and for any and all relief deemed in the best interests of all parties.*

**APPROVED AS TO FORM  
AND AS TO SUBSTANCE:**

Luke Budd  
*Luke Budd, Affiant*  
17278 FM 2090

**APPROVED AS TO FORM  
AND AS TO SUBSTANCE:**

Brent Liedtke  
*Brent Liedtke, Affiant*  
17278 FM 2090

*Conroe, Texas 77306  
APPLICANT Pro Se*

*Conroe, Texas 77306  
Co-Applicant Pro Se*

*I executed this affidavit as the  
Facts stated are in my personal  
Knowledge and are true and  
Correct, I say based upon my  
Oath and declaration under  
Penalty of perjury.*

*Brent Liedtke, Co-Applicant  
Pro Se*

*I executed this affidavit as the  
Facts stated are in my personal  
knowledge and are true and  
correct I swear un-  
der penalty of perjury.*

*Luke Budd, Applicant  
Pro Se*

#### ***CERTIFICATE OF SERVICE***

*The Plant President was served. The service was made postage prepaid, one day next day service, just as service should be accomplished.*

Luke Budd, Applicant  
Brent Liedtke, Co-Applicant

***FIAT***

*This day the Executive President entered an Order that the Contested Hearing, complete with subpoenaed witnesses and subpoenaed duces tecum documents, was ORDERED be conducted at the Offices of the Texas Commission on Environmental Quality on the 17<sup>th</sup> day of December, 2021, at 10:00 AM. IT IS SO ORDERED.*

---

*Executive Director*



Mike Budd  
8281 Liepke  
7878 FM 2090  
Carrizo, Texas 77906



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