Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 9:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: brickerfam8@yahoo.com <brickerfam8@yahoo.com>
Sent: Tuesday, September 28, 2021 4:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Glynda Bricker

E-MAIL: brickerfam8@yahoo.com

COMPANY:

ADDRESS: 5036 ENCHANTED OAKS DR
COLLEGE STATION TX 77845-7652

PHONE: 9792188439

FAX:

COMMENTS: We would like a public hearing before this issue is decided. The area does not even receive services from the city of Bryan, but is expected to have to deal with the smell, harmful chemicals, erosion, and further stress to the countryside and the wildlife? The environmental problems this would cause to Brushy Creek and the surrounding area as well as the to the wildlife that is already under stress as more subdivisions and metal buildings are added to the area are significant. Brushy Creek is basically a wet weather creek and not equipped for the amount of water that will be released

down it. There will be erosion and further damage to personal property to people who get absolutely no benefit from this station. And how much pipeline is the city having to lay to deliver the raw sewage to the treatment facility?

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 6, 2021 4:24 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: acdaleon@yahoo.com <acdaleon@yahoo.com>
Sent: Wednesday, October 6, 2021 3:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Anne Cecile Daleon

E-MAIL: acdaleon@yahoo.com

COMPANY:

ADDRESS: 5695 COLE LN
COLLEGE STATION TX 77845-7612

PHONE: 9795956640

FAX:

COMMENTS: I am very concerned about the proposed sewer treatment plant to be located on Cole Lane. The proposed site is directly across Cole Lane from my house. The prevailing wind is from the south, so the air quality after the plant is in operation would be blown directly across the front of my house. There are many trees around my house and I have always enjoyed having my windows open and letting the air blow through the house. I am a horticulturist and enjoy being outdoors. With the decreased air quality, both of the above will no longer be possible. I have been told that the

raw sewage would be piped in along a route that follows the creek. With our heavy clay soils, it is not a question of whether or not the pipe would break, but when and where it would break. This again raises concerns. Raw sewage would flow into Brushy Creek, into Wixon Creek, and into the Navasota River. Fish would be killed and any wildlife using that water for drinking would be affected. The other consideration is the contamination of our ground water. I still have a water well, as do many people in this community. The water table is very shallow here. My well is 200 ft deep. What happens if the ground water is contaminated? Will the city of Bryan fix it? I have been told no by the city engineer. I will be retired shortly and will be on a very limited income. I will not be able to have another well dug. I did contact Dr. Jayson Barfknecht, and was not pleased with our conversation. I found out that he lied regarding the person who had purposed this treatment plant (he did). He could not give me answers regarding the purposed output of the plant, who or what entity would govern this, and if any penalty is attached to exceeding the proposed output. I am also concerned about the wildlife that currently inhabit the 75 acres in question. For many years, nothing has been done with this land. Building this treatment plant would upset the balance of nature in this area and the surrounding areas. I definitely would like to request a public hearing regarding this. This area is not incorporated into the city of Bryan. We receive no city services, yet seem to be expected to take care of their sewage. I am a 4th generation native and have always been very proud of the city of Bryan. Now I am just ashamed and embarrassed.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, January 18, 2022 3:36 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

MWD
122441

From: acdaleon@yahoo.com <acdaleon@yahoo.com>
Sent: Tuesday, January 18, 2022 12:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Anne Daleon

E-MAIL: acdaleon@yahoo.com

COMPANY:

ADDRESS: 5695 COLE LN
COLLEGE STATION TX 77845-7612

PHONE: 9795956640

FAX:

COMMENTS: Was an environmental impact study done on this site? If so, I would like a copy. If not, why not? What is the affect of this plant on existing flora and fauna both in the immediate area and downstream all the way to the Navasota River? I want to see the proposed route of the pipeline that would transport raw sewage to the plant. Include the route, size of pipe, how deep the pipe would be buried and any modifications to the existing soil. Is there a plan of action in place for when this pipe breaks? What is it? If not, why not? At the public meeting it was stated that the air

could be treated. Please elaborate--who determines this? What criteria determine this? What would it be treated with? What are the ramifications of this treatment? Exactly how will water be provided to this plant? A separate line? Beginning and ending where? If not, will other people be on this line and how will the water pressure be affected? At the public meeting it was stated that the plant would only use the same amount of water as 3 houses. I find this hard to believe. If the plant is releasing 12 million gallons of affluent per day--and this is the number that should be used since the city of Bryan provided it--it has to take in 12 million gallons of water. Expand on the phosphorous content of the affluent vs EPA regulations. How will this affect existing lakes when flooding occurs? How will it affect algae blooms and the fish population? Assume 12 million gallons per day are released. The flood waters will contain some of the treated affluent and this will enter the 3 acre lake behind my house. This will also contaminate my water well. I would like to see exactly what the treated affluent will be composed of and what limits of ecoli and other comtaminants will be allowed. Repeated flooding of the surrounding land with high phosphorous levels will cause major problems with the production of hay crops by the ranchers in the area. How will this be addressed? Phosphorous cannot be leached from the soil; it can only be depleted by plant uptake and both coastal and alfalfa are very low users of phosphorous. Too much phosphorous, deposited in the soil over time, will chemically tie up the other elements. Please state how this problem will be addressed.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 3, 2021 1:36 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Pending Permit WQ0015930001 - Brushy Creek Treatment Plant/ILD02618858
Attachments: FW: Pending Permit WQ0015930001 - Brushy Creek Treatment Plant/ILD02618858

MWD
122441

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Wednesday, November 3, 2021 1:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Pending Permit WQ0015930001 - Brushy Creek Treatment Plant/ILD02618858

Lori Rowe

From: Gordon Cooper
Sent: Wednesday, November 3, 2021 1:23 PM
To: Brad Patterson
Subject: FW: Pending Permit WQ0015930001 - Brushy Creek Treatment Plant/ILD02618858

Brad,

We received the e-mail below and Matthew wants this sent to OCC as a comment on the permit.

Thanks,

Gordon R. Cooper
Environmental Permit Specialist
TCEQ Municipal Wastewater Permits Team
Direct 512-239-1963

From: Matthew Udenenwu <matthew.udenenwu@tceq.texas.gov>
Sent: Wednesday, November 3, 2021 1:20 PM
To: Gordon Cooper <gordon.cooper@tceq.texas.gov>
Cc: Firoj Vahora <firoj.vahora@tceq.texas.gov>
Subject: FW: Pending Permit WQ0015930001 - Brushy Creek Treatment Plant/ILD02618858

Chip - Please forward this email to OCC to add to the public comments received on this application.
Firoj – If you can reach out to Ms. Daleon to let her know what we can and cannot do regarding the location of a treatment plant, that would be great.

Thanks!

Matthew

From: Sims, Mary Louise L <mlsims@tamu.edu>
Sent: Wednesday, November 3, 2021 12:59 PM
To: Matthew Udenenwu <matthew.udenenwu@tceq.texas.gov>
Cc: Anne Daleon <acdaleon@yahoo.com>; Sims, Mary Louise L <mlsims@tamu.edu>
Subject: FW: Pending Permit WQ0015930001 - Brushy Creek Treatment Plant/ILD02618858

Hello Mr. Udenenwu,
I have been referred to you by Mr. Alan Day from the Brazos Valley Ground Water Conservation District, regarding this pending proposal. Residents of our three neighborhoods are questioning the validity of introducing a Wastewater Treatment Plant where numerous wells are operating. These working wells are used for drinking and other household purposes on a daily basis. Most of these wells are only 250 ft deep on average. With the introduction of treated brown water infiltrating these well areas, a major concern is that over time contamination of the ground water table will occur. Also the method of carrying the raw sewage to the plant raises issues. We have been told by the City of Bryan that this will be piped underground following the creek (assume Brushy Creek); with our heavy clay soils it is not a question of if the pipe will break but WHEN and WHERE. This is a definite environmental concern.

Please do not make this the Flint, Michigan of the Brazos Country where ten to twenty years from now it is found that humans have developed illnesses or even died from this plant's discharge. The City of Bryan has located the proposed plant outside the city limits where we have no representation and we are counting on individuals working for the State of Texas to help us have a voice. Thank you for your time and I look forward to a phone call regarding this matter, my phone number is listed below.

Anne Daleon

acdaleon@yahoo.com
979-595-6640

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 1:23 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: septicpro1@gmail.com <septicpro1@gmail.com>
Sent: Monday, October 11, 2021 12:03 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Kenneth D Davis

E-MAIL: septicpro1@gmail.com

COMPANY:

ADDRESS: 11455 DEER CREEK DR
COLLEGE STATION TX 77845-7626

PHONE: 9795741177

FAX:

COMMENTS: Howdy! I am Kenneth Davis, a resident and property owner in the immediate vicinity (within 2500Ft) of the proposed treatment plant. I am also a TCEQ licensed Installer II, Site-Soil Evaluator, Maintenance Provider, and Texas Registered Sanitarian. I am concerned about the additional pollution (bacterial load, BOD, TSS, etc.) and floodplain displacement to the immediate watershed area. Wickson Creek and the Navasota River appear to be both listed on the Impaired waters of the State list. I believe this treatment plant discharge will not only impact our local area but may also

impact the Wellborn Water Treatment Plant (downstream on the Navasota) that pulls surface water from the Navasota for Drinking water production. I have heard that from time to time that the water quality of the Navasota River is so poor that the treatment of the water for Potable purposes barely meets TCEQ standards. Introducing additional TMDL's upstream of this facility might further degrade the water quality and require a more costly treatment. This would impact a far greater number of taxpayers then in just the immediate vicinity of the proposed wastewater treatment plant. I would like to request a public hearing on the consideration of this permit. Thank you for the opportunity to comment on this matter.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 29, 2022 1:46 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001
Attachments: 2022-03-29 Hyden Comments Ltr. and Hearing Request.pdf

MWD
122441

H

From: afriedman@msmtx.com <afriedman@msmtx.com>
Sent: Tuesday, March 29, 2022 1:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Adam Friedman

E-MAIL: afriedman@msmtx.com

COMPANY: McElroy, Sullivan, Miller & Weber, L.L.P.

ADDRESS: PO BOX 12127
AUSTIN TX 78711-2127

PHONE: 5123278111

FAX:

COMMENTS: 2022-03-29_Hyden Comments Letter and Hearing Request

MSMW | McElroy, Sullivan, Miller & Weber, L.L.P.

1201 Spyglass Drive, Suite 200, Austin, TX 78746 | www.msmtx.com

MAILING ADDRESS: P.O. Box 12127, Austin, TX 78711 | T. 512.327.8111 F. 512.327.6566

March 29, 2022

VIA ELECTRONIC COMMENT:
Laurie Gharis, MC-105
Office of the Chief Clerk, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
https://www14.tceq.texas.gov/epic/eComment/

Re: Request for Hearing Regarding the Application of the City of Bryan for Texas Pollutant Discharge Elimination System Permit No. WQ0015930001

Dear Ms. Gharis:

I represent David and Margaret Gail Hyden (the "Hydens") regarding the City of Bryan's (the "City") pending application (the "Application") for Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015930001 (the "Permit"), to authorize the discharge of treated domestic wastewater from a proposed wastewater treatment facility in Brazos County, Texas. By this letter, the Hydens submit comments to the Application and request a contested case hearing. The Hydens can be reached by calling my office at 512-327-8111, and their address is 6300 Cole Lane, College Station, Texas 77845.

I. The Hydens are affected persons entitled to a contested case hearing.

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. An interest common to members of the general public does not qualify as a personal justiciable interest." 30 TEX. ADMIN. CODE §55.256(a). The City's proposed discharge will have a clear impact on the Hyden's legal rights, duties, power, and economic interests. The Hydens own property adjacent to and downstream of the City's proposed discharge point. The Application's Map of Affected Landowners identifies multiple tracts owned by the Hydens with the Number 1, all of which are directly adjacent to the City's proposed wastewater facility tract.[1] The Hydens' tract to the east of the proposed plant is immediately downstream from the Application's proposed discharge location. Brushy Creek, the Application's proposed receiving water body, is the boundary between the Hyden's property directly north to the City's tract. As seen from the Map of Adjacent Landowners, the Hyden's property surrounds the City's tract on three sides and is located on both sides and downstream of Brushy Creek. The Hydens use their property on either side of Brushy Creek for a commercial cattle operation.

1 *See* Attachment A: Map of Affected Landowners.

Brushy Creek abuts the Hyden's property at the Application's discharge point where the City seeks to ultimately discharge ***12 million gallons per day*** ("MGD") of treated water. TCEQ has previously granted affected person status to a TPDES permit protestant due to the protestant's owning property "in the immediate vicinity of the [Applicant's] proposed discharge" and general concerns regarding adverse effects to surface water quality and enjoyment of the protestant's property.[2] The Hydens' property is adjacent and downstream to the City's discharge point and the proposed discharge will have negative impacts on surface water quality, groundwater, result in the loss of enjoyment of the Hyden's property, and negatively impact the Hydens' cattle operation.

II. The Application fails to demonstrate that the City's proposed facilities satisfy TCEQ's requirements for unsuitable site characteristics.

TCEQ regulations do not allow wastewater treatment facilities to be located within a 100-year floodplain. 30 TEX. ADMIN. CODE §309.13. On the Application, to show compliance with TCEQ's requirements, the City represented that none of its proposed facilities would fall within Brushy Creek's 100 year floodplain. To support this assertion, the City relied on FEMA FIRM Panel 48041C0250E (the "FEMA Map"). The FEMA Map in the area of the proposed discharge and related facilities is designated as "Zone A."[3]

FEMA defines Zone A locations as "areas subject to inundation by the 1-percent-annual flood event generally determined using approximate methodologies. Because detailed analyses have not performed, no Base Flood Elevations (BFEs) or flood depths are shown."[4] The FEMA Map, therefore, is only an approximation of the 100-year floodplains for Brushy Creek and its tributaries. Following the contour lines on the FEMA Map shows that some of the City's facilities fall within Brushy Creeks' 100-year-floodplain, which contradicts the City's representation on the Application and violates TCEQ requirements regarding unsuitable site characteristics.[5]

Locating facilities within the 100-year floodplain pose a significant threat to the Hydens' Property, as a flooding event could result in the discharge of untreated wastewater on to the Hydens' property.

Additionally, the City's site and facilities are located near a potential wetland. TCEQ does not allow the construction of wastewater treatment facilities in a wetland. 30 TEX. ADMIN. CODE §309.13.

III. The Application failed to show the proposed discharge satisfies TCEQ's antidegradation policy.

The Standard Implementation Team's Interoffice Memorandum related to the Application classifies Brushy Creek as limited aquatic life use and Wickson Creek as presumed high aquatic life use. Nothing in TCEQ's materials indicate that TCEQ conducted a site visit to Brushy Creek to determine whether Brushy Creek has been appropriately classified. Also, no information from TCEQ shows a site visit to Brushy Creek or Wickson Creek to confirm the actual conditions, such

[2] TCEQ Docket No. 2021-0055-TWD: Adam Adams' Hearing Request.
[3] *See* Attachment B: Declaration of Lawrence Dunbar at ¶¶5-6.
[4] https://www.fema.gov/glossary/zone
[5] *See* Attachment B: Declaration of Lawrence Dunbar at ¶¶6-8.

as the hydraulics, of these receiving waters to determine what the impact of the proposed discharge will be.

Therefore, TCEQ's analysis of the discharge relied on an uncalibrated model based on default values that do not reflect the actual conditions of Brushy Creek or Wickson Creek. Due to the large volume of the proposed discharge—12 MGD—and its resulting impact on the receiving waters, the use of site-specific data of the receiving waters is necessary to ensure the proper anti-degradation analysis is conducted and that improper degradation of water quality is avoided.

Further, even relying on the uncalibrated model shows the proposed discharge fails to meet the standards of an antidegradation review. TCEQ's model shows that the proposed discharge will cause the dissolved oxygen concentration in Wickson Creek to fall to 4.84 mg/L.[6] This figure is below the 5.0 mg/L dissolved oxygen criteria and fails to satisfy the Tier 1 antidegradation review for Wickson Creek.

The proposed discharge will also cause the dissolved oxygen concentration in Wickson Creek to decrease by more than 1.0 mg/L along its entire length downstream of Brushy Creek.[7] TCEQ's Implementation Procedures instruct that degradation is unlikely to occur if dissolved oxygen is not reduced by less than 0.5 mg/L, here where the decrease will be more than 1 mg/L indicates that degradation is likely to occur in violation of Tier 2 antidegradation.[8]

Additionally, TCEQ's model depicts Wickson Creek from the confluence of Brushy Creek to 3.9 kilometers downstream to the Navasota River. In actuality, Wickson Creek extends 5.5 kilometers from Brushy Creek to the Navasota River.[9] TCEQ elected to either model only a portion of Wickson Creek or relied on an incorrect line of Wickson Creek.[10] The failure to model the entirety of Wickson Creek for a 12 MGD discharge is counter to TCEQ's Texas Surface Water Quality Standards.[11]

Finally, the draft permit does not include a phosphorous limitation or monitoring requirement. The phosphorous in the proposed discharge will result in algal growth in the receiving waters.[12] Due to the proximity of Brushy Creek and Wickson Creek to the Navasota River and the size of the proposed discharge, TCEQ should have conducted nutrient screening to determine whether the draft permit needs a phosphorous limitation.[13] TCEQ did not conduct any screening, has not shown the draft permit is protective from harmful algal growth, and has not shown that the draft permit satisfies Tier 2 antidegradation review.

---

[6] Attachment C: Affidavit of Bruce Wiland at ¶6.
[7] *Id.* at ¶7.
[8] *Id.*
[9] *Id.* at ¶5.
10 *Id.*
11 *Id.*
[12] *Id.* at ¶8.
[13] *Id.*

IV. The proposed discharge fails to minimize possible contamination of Brushy Creek, Wickson Creek and underlying groundwater.

The Application seeks to discharge 6 MGD in its initial phase and 12 MGD in its final phase. This is an exceptionally large amount of wastewater that has the potential to accelerate or change the erosion patterns in Brushy Creek and the discharge's other receiving waters. Erosion is an "active geologic process" that TCEQ may consider to determine whether a proposed facility is appropriately sited to "minimize possible contamination of water in the state." 30 TEX. ADMIN. CODE §309.12. The Application and draft permit do not adequately address erosion, how the proposed discharge will alter Brushy Creek erosion patterns and be protective of Brushy Creek, Wickson Creek and groundwater.

V. Relevant and Material Disputed Issues of Fact for Contested Case Hearing

The Hydens respectfully request the following issues be referred to SOAH for a contested hearing:

1. Whether the proposed wastewater treatment plant is within a 100-year flood plain. 30 TEX. ADMIN. CODE 309.13(a).

2. Whether the proposed wastewater treatment plant is located on or will have a negative impact on wetlands. 30 TEX. ADMIN. CODE 309.13(a).

3. Whether the proposed wastewater treatment plant meets the requirement to abate and control a nuisance of odor. 30 TEX. ADMIN. CODE 309.13(e).

4. Whether the Application violates the TCEQ's Tier 1 and Tier 2 antidegradation requirements. 30 TEX. ADMIN. CODE § 307.5(b).

5. Whether the proposed wastewater treatment plant is designed to minimize possible contamination of water in the state. 30 TEX. ADMIN. CODE § 309.12

6. Whether the proposed discharge will adversely impact water quality and/or aquatic life.

7. Whether the wastewater treatment plant or the requested discharge volume should be denied or altered in consideration of the need for the facility. TEX. WATER CODE § 26.0282.

VI. Conclusion

Based on the foregoing, the Hydens respectfully request that they be found as affected persons entitled to a contested case hearing on the identified issues to ensure their property and the receiving waters are protected from the City's proposed discharge.

Thank you,

/s/ Adam Friedman

Adam M. Friedman
McElroy, Sullivan, Miller & Weber
1201 Spyglass, Suite 200
Austin, Texas 78746
afriedman@msmtx.com
Attorney for the Hydens

ATTACHMENT A

FIGURE G-1
Affected Landowner Map

N
W E
S

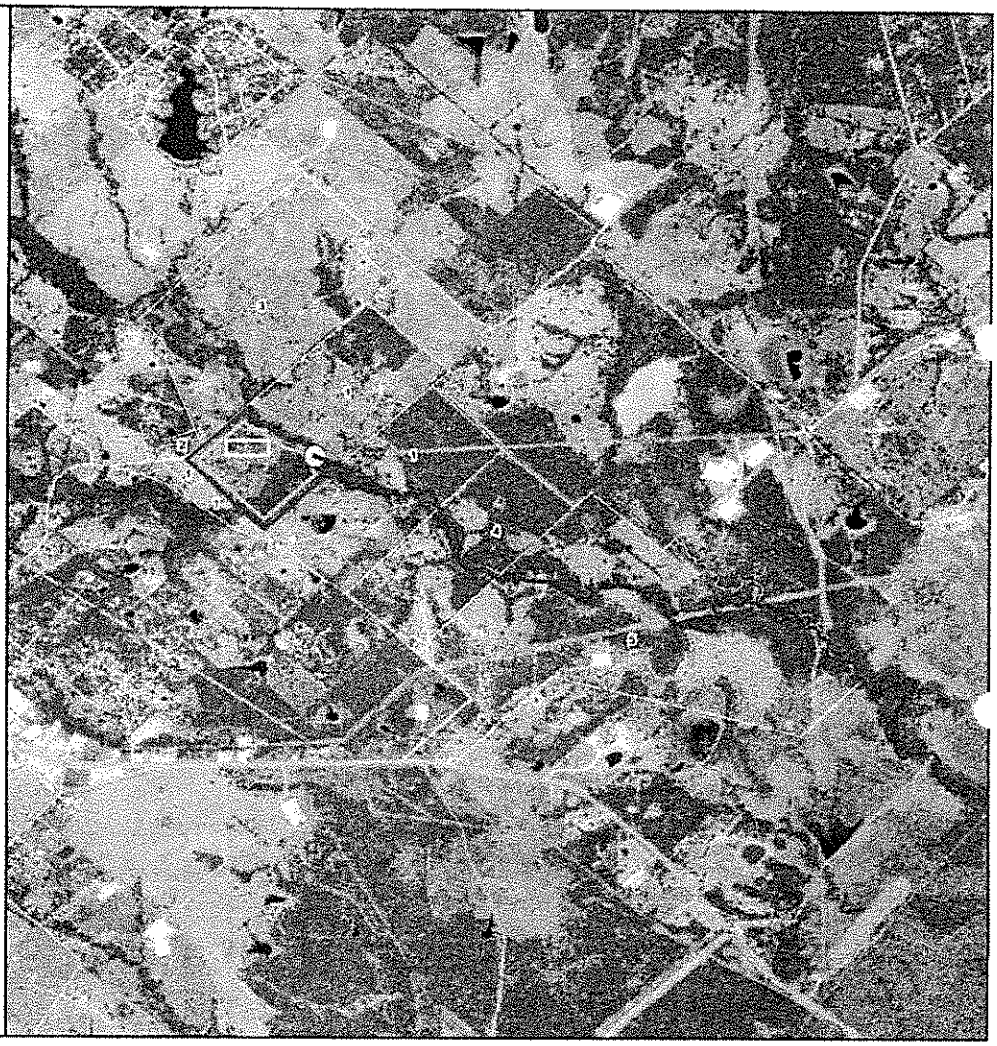
0 0.25 0.5
Miles

Legend

- Discharge Route
- Point of Discharge
- City of Bryan WWTP Boundary
- City of Bryan Property Boundary
- 150 ft. Buffer Zone
- Surrounding Land Owner

See Figure G-2 For Addresses

CDM Smith



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ATTACHMENT B

APPLICATION OF THE CITY OF BRYAN FOR TEXAS POLLUTANT DISCHARGE ELIIMNATION SYSTEM PERMIT NO. WQ0015930001	§ § § § § § § § § § § §	**BEFORE THE** **TEXAS COMMISSION ON** **ENIVRONMENTAL QUALILTY**

DECLARATION OF LAWRENCE G. DUNBAR, P.E.

1. I am over the age of 21 and am competent in all respects to make this declaration. This declaration is true and correct and based on my personal knowledge.

2. I am a water resources and environmental engineer/consultant with about 40 years of engineering experience, primarily in the area of flooding and drainage. I am a registered professional engineer in Texas with my P.E. license No. 54506. I have extensive experience in preparing and reviewing FEMA floodplain maps. For example, while I worked at the Corps of Engineers in Chicago, I oversaw the preparation of the FEMA floodplain mapping for portions of the states of Wisconsin, Illinois and Indiana. I also was responsible for the development of the FEMA floodplain mapping for the Brazos River in Fort Bend County, Texas, as well as most of the floodplains in the county. I have been a consultant to the Fort Bend County Drainage District for years and currently am reviewing the development of updated floodplain mapping for all of the watersheds in the county. A true and correct copy of a summary of my experience is presented in my resume that is attached to this declaration as Exhibit A.

3. I have been engaged by David and Margaret Gail Hyden (the "Hydens") to review the Application filed by the City of Bryan for Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ001593001 to operate a wastewater treatment plant ("WWTP"). I reviewed this Application to determine if the WWTP or its proposed discharge would have an impact on the Hyden's property.

4. The City of Bryan has applied to the TCEQ for a TPDES permit to construct and operate a wastewater treatment plant adjacent to Brushy Creek and to discharge treated wastewater at a volume not to exceed an average daily flow of 12 MGD, with a peak 2-hour flow of 48 MGD. The WWTP Site Layout of its facilities is shown in Figure D-1 from the Application.

5. In reviewing this Application, I noticed that Section 5.A. of the Application asks if the proposed facilities will be located above the 100-year frequency flood level. The Applicant

answered "Yes" and cited to FEMA's floodplain map (FIRM Panel 48041C0250E) as the source used to make this determination regarding the 100-year frequency flood level.

6. This particular FEMA floodplain map depicts the outline of the 100-year floodplain for Brushy Creek in the vicinity of, adjacent to, and within the proposed site of the WWTP. The portion of this 100-year floodplain in the vicinity of, adjacent to, and within the proposed WWTP is designated as "Zone A". This means that there has not been a detailed study to determine 100-year flood levels along this part of the creek, and as such, the delineation of the 100-year floodplain in this area was roughly estimated and is very approximate. Thus, if this is the source upon which the Applicant has represented that all of its WWTP facilities will be above the 100-year flood level, it is not possible to make such a representation based on this map, since there is no 100-year flood level that has been calculated for this portion of Brushy Creek.

7. Exhibit B to this declaration is a map site layout and its facilities overlayed with this FEMA floodplain map, along with topographic contour lines across the area. The City of Bryan provided the map in Exhibit B to the Hydens. Exhibit B depicts the WWTP facilities being located outside of the FEMA mapped "Zone A" floodplain. However, the FEMA "Zone A" floodplain does not follow the topographic contour lines shown on Exhibit B in any logical manner whatsoever, which is understandable as it was drawn as an approximate floodplain boundary without the benefit of detailed topography nor detailed flood level information. I redrew the floodplain boundary by logically following the topographic contour lines in the vicinity of the WWTP site and its facilities (as depicted with the dark black line), which revealed that some of the WWTP facilities would be located within the FEMA "Zone A" 100-year floodplain if it were to logically follow the topography.

8. Thus, it is clear that the representation by the Applicant that its proposed facilities will be located above the 100-year frequency flood level, as required by TCEQ, cannot be determined if that is true or not based on the FEMA "Zone A" floodplain map. It is also clear that there has not been a 100-year frequency flood level determined by FEMA for this part of Brushy Creek that can be relied upon by the Applicant, nor can the Applicant reasonably rely upon the FEMA floodplain delineation as shown on this FIRM Panel to make this representation since such delineation does not logically follow the topography.

My name is Lawrence G. Dunbar, my date of birth is November 24, 1953, and my office address is 6342 Dew Bridge Drive, Sugar Land, Texas 77479 in the United States of America. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Fort Bend County, State of Texas on the 30th day of September, 2021.

Lawrence G. Dunbar

Lawrence G. Dunbar

EXHIBIT A - RESUME

LAWRENCE G. DUNBAR, P.E.
Water Resources/Environmental Engineer/Consultant
6342 Dew Bridge Drive
Sugar Land, TX 77479
281-980-2225
713-782-5544 (fax)

EDUCATION

B.S. - University of Notre Dame
1975 - Civil Engineering

M.S. - Illinois Institute of Technology
1981 - Environmental Engineering

J.D. - University of Houston
1989 - Law

WORK HISTORY

1988 to Present - Lawrence G. Dunbar, P.E. (Houston, TX)
Water Resources/Environmental Engineering Consultant

1986 to 1988 - Espey Huston & Associates (Houston, TX)
Water Resources Group Leader

1984 to 1985 - State of Indiana (Indianapolis, IN)
Section Head of Dam Inspection and Lake Permitting

1983 to 1984 - Espey Huston & Associates (Austin, TX)
Water Resources Engineer

1981 to 1982 - Keifer Engineer, Inc. (Chicago, IL)
Water Resources Engineer

1975 to 1981 - U.S. Army Corps of Engineers (Chicago, IL)
Flood Control Section Chief, Hydrology and Hydraulics Branch

EXHIBIT A - RESUME

FIELDS OF EXPERIENCE

Flood Control

Drainage

Stormwater Management

Floodplain Analysis/Management

Reservoir Regulation

Stream Hydrology/Hydraulics

Watershed Modeling

Flood Forecasting

Water Quality

Wetlands

Landfills

Land Development

Coastal Engineering

Unsteady Flow Modeling

Water/wastewater systems

PROFESSIONAL ACTIVITIES

Licensed Professional Engineer in Texas since 1983 (previously in Illinois and Indiana)

TECHNICAL PUBLICATIONS

"Hydrologic and Hydraulic Analyses for a Major Urban Flood Control Study"
Proceedings of the International Symposium on Urban Hydrology, Hydraulics and Sediment Control, Lexington, Kentucky, July 1982

"Hydrologic Methodology for Evaluating Urban Development"
National Water Conference, Univ. of Delaware, July 1989

EXHIBIT A - RESUME

EXPERIENCE EXAMPLES

Technical expert for Corps of Engineers on Lake Michigan Diversion lawsuit between Illinois and Wisconsin before the U.S. Supreme Court

Consulting expert for the State of Georgia in a water rights dispute between Georgia and Florida before the U.S. Supreme Court

Expert witness in numerous judicial and administrative proceedings on behalf of cities, counties, developers, engineers, and land owners regarding water resource/environmental engineering issues

Project manager of Corps of Engineers' review and permitting of Chicago's $2B Deep Tunnel Project to control storm water/waste water discharges

Project manager for flood control project in Manila, Philippines

Project manager for land development projects in Austin, Texas

Project manager for development of Master Drainage Plans and the Drainage Criteria Manual for Fort Bend County

Project manager for the SSPEED Center at Rice University studying coastal surge protection systems and riverine flooding issues

Frequent seminar speaker throughout Texas on current issues involving storm water regulations

Consultant to various water, utility and drainage districts

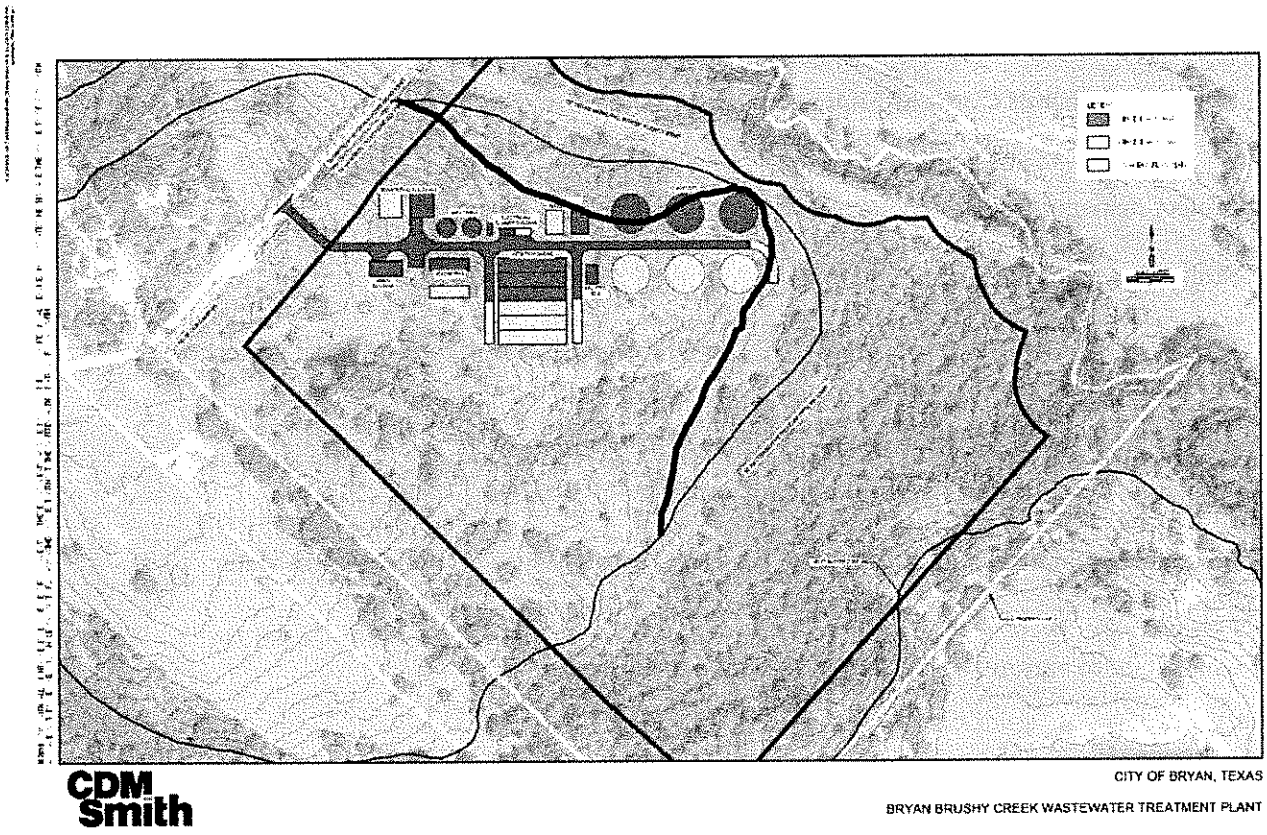


Exhibit B. Proposed WWTP Outline with its Facilities and FEMA "Zone A" Floodplain Map (with redrawn floodplain in black to follow topographic contours)

ATTACHMENT C

APPLICATION OF THE CITY OF BRYAN FOR TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0015930001	§	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALLITY**

AFFIDAVIT OF BRUCE L. WILAND, P.E.

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned notary public, upon this day personally appeared Bruce L. Wiland, P.E. a person whose identity has been verified by me, who, upon the administration of an oath, stated and deposed as follows:

1. My name is Bruce Wiland. I am over the age of 21, of a sound mind, and competent in all respects to make this affidavit. I am a registered professional engineer in the State of Texas with over 46 years of experience in the field of environmental engineering and in evaluating water quality impacts. I have a Bachelor of Engineering Science from The University of Texas at Austin, which I received in January 1974. I have a Master of Science in Environmental Health Engineering from The University of Texas at Austin, which I received in December 1975.I worked for the State environmental agency, which went through a number of name changes and is now the Texas Commission on Environmental Quality, from 1976 to 1986 where I was responsible for performing work in water resource analysis and mathematical modeling of water quality. I worked for the consulting engineering firm Jones & Neuse from 1986 to 1991 where I directed a staff of engineers and biologists responsible for water quality projects, environmental site assessments, environmental audits, and evaluation of regulatory impacts. I have been an independent engineering consultant since 1991, conducting engineering and environmental studies and evaluations for water quality, air quality, and hazardous and solid waste projects. I have developed water quality models for the State of Texas and State of Louisiana environmental agencies, and I have reviewed numerous TPDES permit applications. A true and correct copy of my resume is attached as Exhibit A.

2. I have been engaged by the Hydens to provide support during the City of Bryan's application process before the Texas Commission on Environmental Quality ("TCEQ") Texas

Pollutant Discharge Elimination System Permit No. WQ0015930001. I have personal knowledge of all of the facts stated herein, and all of such facts are true and correct.

3. I have extensively reviewed the Fact Sheet and Draft Permit issued by the TCEQ for the City of Bryan's proposed discharge, as well as the associated TCEQ Interoffice Memorandum from the Water Quality Assessment Section dated February 10, 2021 and the TCEQ Modeling Memorandum dated April 7, 2021.

4. I have seen no information from TCEQ that indicates how the Standards Implementation Team determined aquatic life uses for Brushy Creek or Wickson Creek, or that TCEQ conducted a site visit of Brushy Creek or Wickson Creek. TCEQ relied on an uncalibrated model with general default values to evaluate the proposed discharge. For a final proposed discharge of 12 MGD, TCEQ should rely on site-specific data to ensure protection of water quality.

5. I replicated TCEQ's modeling of the proposed discharge's impact on the receiving waters, using a copy of the QUAL-TX modeling input provided by the TCEQ and the appropriate software. The TCEQ did not model the entire distance below the discharge for dissolved oxygen impacts as estimated by Table 2 in the Implementation Procedures. TCEQ modeled Brushy Creek for 3.7 kilometers below the discharge and Wickson Creek from the confluence of Brushy Creek to a point 3.0 kilometers downstream for a total of 6.7 kilometers below the discharge. Wickson Creek actually extends 5.5 kilometers from Brushy Creek to the Navasota River. The TCEQ either chose not to model Wickson Creek in its entirety or perhaps relied on the U.S. Census Bureau Tiger/line file for the path of Wickson Creek, which is incorrect. In either case, Table 2 in the Implementation Procedures estimates the impact from a 12 MGD discharge will extend 7.7 miles (12.4 kilometers), and the TCEQ did not model the impacts for this distance. In accordance with the estimate in the Implementation Procedures, the discharge impacts should have modeled Wickson Creek in its entirety below Brushy Creek and for 5.7 kilometers in the Navasota River below Wickson Creek.

6. The model of the proposed discharge's impact shows that at the final permit limitations, a minimum dissolved oxygen concentration of 4.84 mg/L is predicted in Wickson Creek. This is below the required 5.0 mg/L dissolved oxygen criteria established in the TCEQ's Water Quality Standards Memo. Although TCEQ guidance allows a 0.20 mg/L variance below the criteria, without a site visit to determine the actual hydraulics of the receiving waters and the predicted decrease in the dissolved oxygen criteria based on the actual hydraulics, it is unknown whether the proposed discharge would satisfy TCEQ's Tier 1 Antidegradation review.

7. TCEQ's Fact Sheet attached to the Draft Permit states that "a Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Wickson Creek." However, the TCEQ provides no information in support of this conclusion. Based on my review, the dissolved oxygen concentration in Wickson Creek decreases by over 1 mg/L for its entire length downstream from Brushy Creek (the amount of the decrease ranges from 1.11 mg/L to 1.53 mg/L). TCEQ's Procedures to Implement the Texas Surface Water Quality Standards ("Implementation Procedures") provides examples where degradation is unlikely to occur and

states that degradation is unlikely to occur where the dissolved oxygen concentration is lowered by less than 0.5 mg/L. Here, where the decrease exceeds 1.0 mg/L, it follows from the TCEQ's own procedures that degradation could occur in Wickson Creek, which does not satisfy TCEQ's Tier 2 antidegradation review.

8. The Draft Permit does not include a phosphorous limit in the proposed discharge. There will likely be an increase in algal growth in the receiving waters in pooled areas. The Implementation Procedures instruct that nutrient screening procedures are applicable for downstream reaches that are within 15.7 miles if the discharge is greater than 1 MGD. Here, the proposed discharge is 12 MGD, and all of Wickson Creek below Brushy Creek is within this 15.7 kilometer range of the discharge, as is 6.1 kilometers of the Navasota River. Therefore, a nutrient screening process is necessary to determine whether the Draft Permit needs a phosphorous limit or monitoring requirement. No information from TCEQ indicates that a nutrient screening procedure was performed for the proposed discharge. Aerial photos indicate that impoundments exist along Brushy Creek and Wickson Creek, which are susceptible to algal growth. The Implementation Procedures related to Tier 2 antidegradation list examples of conditions where degradation is not likely to occur and imply that increased loading of phosphorous will lead to detrimental increases in algae and aquatic vegetation, unless affirmatively demonstrated otherwise. Here, TCEQ has not made an affirmative demonstration that such negative growth will not occur.

Further affiant sayeth not.

Bruce L. Wiland, P.E.

Subscribed and sworn to by Bruce L. Wiland, P.E. on this 28th day of September, 2021, to certify which witness my hand and official seal of office.

NANCY FOWLER
Notary Public, State of Texas
Notary ID# 316994-8
My Commission Expires
JUNE 10, 2022

Notary Public, State of Texas

EXHIBIT A - RESUME

BRUCE L. WILAND, P.E.

Education

Master of Science in Environmental Health Engineering; The University of Texas at Austin, Austin, Texas; December, 1975.

Bachelor of Engineering Science with Highest Honors; The University of Texas at Austin, Austin, Texas; January, 1974.

Continuing Education

CE-QUAL-W2 Workshop; Portland State University, Portland, Oregon; June 17-21, 2013.

Dairy Outreach Program Area Environmental Training, Texas Cooperative Extension, Sulphur Springs, Texas, October 2007.

Nutrient Management Short Course, Texas Cooperative Extension/Natural Resources Conservation Service, College Station, Texas, October 2005.

Design Criteria for Sewerage Systems, Central Texas Section of the Water Environment Association of Texas in cooperation with TNRCC, Austin, Texas, March 2000.

Innovations and New Horizons in Livestock and Poultry Manure Management; Texas Agricultural Extension Service, Austin, Texas, September 1995.

Urban Storm Water Quality Management; American Society of Civil Engineers, Austin, Texas; May 1991.

Industrial Wastewater Pretreatment Short Course; The University of Toledo, San Antonio, Texas; September 1989.

USCE-EPA CAPDET Workshop; USAE Waterways Experiment Station, Dallas, Texas; June 1978.

Water Quality Management Short Course; Vanderbilt University, Nashville, Tennessee; June 1978.

Institute of Mathematical Modeling of Natural Water Systems; Manhattan College, New York, New York; May 1977.

Experience

President, Wiland Consulting, Inc., Austin, Texas; October, 1991 - present.

Division Director/Chief Engineer; Jones and Neuse, Inc., Austin, Texas; September, 1988 -October, 1991.

Project Manager/Project Engineer; Jones and Neuse, Inc., Austin, Texas; February, 1986 - October, 1988.

Engineer/Hydrologist/Engineering Technician; Texas Water Commission/Texas Department of Water Resources/Texas Water Quality Board, Austin, Texas; September, 1976 - February, 1986.

Associate Research Scientist; Environmental Health Engineering Department, The University of Texas at Austin; April, 1975- August, 1976.

Registration

Licensed Professional Engineer, State of Texas; No. 45700.
Licensed Professional Engineer, State of Louisiana; No. 31981 (inactive).
Passed Texas Certified Nutrient Management Specialist Examination; October, 2005.
Passed Principles and Practices Examination; April, 1978.
Passed Engineer-in-Training Examination; November, 1973.

Affiliations

Water Environment Federation
Water Environment Association of Texas, Past President of the Central Texas Section

Honors

Tau Beta Pi, National Engineering Honor Society

Detailed Experience Record

As an Independent Consultant, Mr. Wiland conducts engineering and environmental studies and evaluations for water quality, air quality, and hazardous and solid waste projects. Projects have included the following:

- Updating of the Houston Ship Channel system water quality model for the TCEQ.

- Review of a wastewater permit application for the discharge of reverse osmosis reject water from the Port of Corpus Christi's proposed Harbor Island Desalination Plant into Corpus Christi Bay. Provided technical assistance to the Port Aransas Conservancy and expert witness testimony related to the permit application.

- Assistance to the TCEQ in setting up, calibrating, and running alternatives for a LA-QUAL model of the Rio Grande between Falcon Reservoir and the Gulf of Mexico for a joint project between the United States and Mexico

- Review of a proposed wastewater permit for the discharge of reverse osmosis reject water by the City of Abilene into Possum Kingdom Lake

- Application of the two-dimensional dynamic model CE-QUAL-W2 to a discharge into the Corpus Christi Inner Harbor.

- Development and programming of the revised and updated water quality model QUAL-TX for the Texas Commission on Environmental Quality.

- Development of the water quality model LA-QUAL for the Louisiana Department of Environmental Quality including initial programming and subsequent multiple contracts to include additional sensistivity parameters, dams and dam reaeration, long-term BOD, organic phosphorus, and revised temperature and algae/macrophyte kinetics.

- Preparation of several short-courses and instruction in the use of LA-QUAL.for the Louisiana Department of Environmental Quality

- Technical assistance to the City of Waco in evaluating the potential water quality impacts from confined animal feeding operations in the Lake Waco watershed (Erath County, Hamilton County, Bosque County) including soil sampling, evaluation of hydrology and nutrient management plans, review and comment on proposed dairy permits, preparation of affidavits, and expert witness testimony.

- Participation in TCEQ's North Bosque River TMDL Project Advisory Group, a committee established to provide advice to the TMDL Program regarding the refinement of models for the completed TMDLs for phosphorus in the North Bosque River (Segments 1226 and 1255).

- Participation in TCEQ's Surface Water Quality Standards Advisory Work Group which provides guidance on options available for revising the 2000 Texas Surface Water Quality Standards (30 TAC Chapter 307) and the Procedures to Implement the Texas Surface Water Quality Standards, RG-94 (Procedures to Implement the Standards).

- Technical assistance in evaluating the potential water quality impacts from proposed permits for land disposal of municipal biosolids and industrial wastewater (Bell County, Colorado County, Franklin County, Wharton County, Williamson County, Moore County) including evaluation of the nutrient management plans and expert witness testimony.

- Evaluation of potential air and water quality impacts from numerous dairies, feedlot operations, swine facilities, and other confined animal feeding operations in Erath County, the Texas Panhandle, and other counties in Texas. Preparation of affidavits and expert witness testimony in State permit hearings.

- Preparation of industrial permit applications and permit application assistance for various industries including several power plants, a reverse osmosis system for the City of Electra, and a hazardous waste incinerator operated by Rollins Environmental

- Evaluation of a proposed wastewater permits and permit renewals to determine adherence with normal permitting procedures and water quality standards including the Longhorn Army Depot on Caddo Lake, a uranium mill reclamation site, and limestone quarries (Limestone County, Burnet County) .

- Preparation of comments to the TNRCC on proposed composting regulations. Evaluation of various proposed composting facilities (Tarrant County, Travis County, Erath County) and expert witness testimony in a State permit hearing.

- Evaluation of discharge alternatives for proposed power plants in Panola County, Henderson County, Upshur County, and Johnson County.

- Dissolved oxygen modeling of various water bodies using LA-QUAL and QUAL-TX and evaluation of wastewater discharges including the following:
  Arroyo Colorado canal system (Pelican Pointe Development).
  Bear Creek (Hays County WCID #1)
  Blanco River

Brushy Creek (City of Hutto)
Cowleech Fork of Lake Tawokoni (Cobisa)
Eckert Bayou (Galveston County MUD #1)
Flat Creek (City of Bullard)
Guadalupe River (New Braunfels Utility)
Hackberry Creek/Aquilla Reservoir (City of Hillsboro)
Lake Conroe (Far Hills UD)
Lake Conroe (UA Holdings)
Lake Conroe (Point Aquarius MUD)
Lake Grapevine (City of Grapevine)
Little Cleveland Creek (City of Jacksboro WWTP)
Medina River (City of Castroville)
Nueces Bay (Valero)
Onion Creek (City of Dripping Springs)
Padera Lake/Newton Branch (City of Midlothian)
Rio Grande (City of Brownsville)
San Marcos River (City of San Marcos)
South San Gabriel River (private developer)
Still Creek/Thompson Creek (City of Bryan)
Taylor Bayou (Motiva)
Texas Ship Channel tributary (Marathon Oil)

- Temperature modeling of a tributary to the Calcasieu River in Louisiana to determine impacts of a low temperature discharge (Trunkline LNG) and of the Comal River to determine the effects of reduced flows from Comal Springs (City of San Antonio).

- Preparation and implementation of water quality surveys and hydraulic/dye studies to determine impacts from wastewater discharges including the following:
  Bear Creek (Hays County WCID #1)
  Flat Creek (City of Bullard)
  Guadalupe River (New Braunfels Utilities)
  Little Cleveland Creek (City of Jacksboro WWTP)
  Nine Mile Creek (City of Mineola WWTP)
  Onion Creek (City of Dripping Springs)
  Post Oak Creek/Choctaw Creek (City of Sherman)
  Rio Grande (City of Brownsville)
  San Marcos River (City of San Marcos WWTP).
  Still Creek and Thompson Creek (City of Bryan WWTP)
  Texas Ship Channel tributary (Marathon Oil)

- Investigation, sampling, and evaluation of various wastewater/permit issues including a raw sewage discharge from a lift station upstream of a horse breeding operation in Bowie County (included expert witness testimony in State District Court) and contaminated wastewater from a sewer line that was part of the wastewater system at an abandoned Air Force Base in Maverick County.

- Outfall diffuser design and modeling using Cormix.

- Evaluation of air emissions from a proposed cement batch plant and expert witness testimony in a TNRCC permit hearing.

- Evaluation of a 9.7 MGD industrial wastewater discharge to Lavaca Bay. The work included review of the water quality impacts, wastewater treatment system design, and compliance with State and Federal water quality standards and effluent limitations. Expert witness testimony was provided in a TWC permit hearing.

- Preliminary engineering design of a lift station and force main to serve a maintenance facility at a county club.

- Evaluation of the City of Austin's South Austin Outfall (Phase II) Project to determine if feasible alternatives existed. The work included review of existing wastewater lines and lift stations, existing and projected wastewater flows, and the proposed 48-inch wastewater line including a three-barrel siphon under Barton Creek. The work was performed for the Save Barton Creek Association and included deposition testimony.

- Participation as the quality control/quality assurance officer in a trial burn at a cement kiln incinerating hazardous wastes. The trial burn for Texas Industries, Inc. (TXI) was required as part of the new boiler and industrial furnace (BIF) permitting regulations.

As Division Director of the Water Quality and Environmental Impacts Division for Jones and Neuse, Inc. (JN), Mr. Wiland directed a staff of engineers and biologists responsible for water quality projects, environmental site assessments, environmental audits, evaluation of regulatory impacts, and preliminary engineering assistance in industrial wastewater design. Mr. Wiland was also Director of the Air and Water Quality Division during the initial development of JN's air program. Due to the success of this program, a separate Air Quality Division was eventually created. Specific projects and areas of responsibility and engineering application

included the following:

- Development of procedures, execution, and review of environmental site assessments and audits for over 100 sites and facilities in numerous states, Mexico, and Central America. Investigations involved solid and hazardous waste, water quality, and air quality issues. Types of properties and facilities including office buildings, apartments, hospitals, oil field service facilities, pipeline terminals, refineries, electroplaters, manufacturing facilities, iron and steel smelters, and numerous other industrial properties.

- Preparation of environmental impact documents involving issues related to air quality, water quality, solid and hazardous waste, and other natural resources (wetlands and endangered species). Clients included AES Corporation, American General Insurance Corporation, and the Port of Corpus Christi.

- Review of Federal and State environmental regulations and preparation of recommendations to various industrial clients with particular attention to the RCRA toxicity characteristic, RCRA primary sludge issues, SARA Title III requirements, and the State of Texas Water Quality Standards. Clients included Fina Oil and Chemical, La Gloria Oil and Gas, Mobil Oil, and Texaco.

- Wastewater system evaluations of industrial treatment facilities for Fina Oil and Chemical, Alcoa, and RTF Industries. Types of facilities have included electroplaters, petroleum refiners, and chemical manufacturers.

- Performance of industrial wastewater treatability studies for Alcoa in Point Comfort, Texas.

- Preliminary engineering and design of wastewater collection and treatment facilities for several petroleum refineries, including Fina Oil and Chemical Company in Big Spring, Texas, Howell Hydrocarbon in San Antonio, Texas, and Trifinery in Corpus Christi, Texas. Processes have included caustic and acid neutralization, oil/water separation, and biological treatment.

- Development of procedures and review of dye dispersion studies for Alcoa, Koppers Industries, Empak, Inc., Champion International Corporation, and Gulf Coast Waste Disposal Authority.

- Development of NPDES stormwater permitting strategies for Pride Refining, Quantum Chemical, and Central Tractor.

- Preparation of NPDES and TWC industrial wastewater permit applications and supporting information for industries, including Carrier Corporation, Alcoa, Tex-Trac, Inc., Hoechst-Celanese, Fina Oil and Chemical Company, and Howell Hydrocarbon. Types of facilities have included refineries, bulk handling terminals, and manufacturing plants.

- Preparation of NPDES and TWC municipal wastewater permit applications, technical representation before the TWC, and expert witness testimony at public hearings for several cities and private developers.

- Development of procedures and review of benzene NESHAP studies for Fina Oil and Chemical Company, Shell Oil Company, and Howell Hydrocarbons.

- Preparation of TACB air permit applications and supporting technical information for industries including Tex-Trac, Inc., Kenaf International, H. B. Zachary, Great Lakes Carbon, and Fina Oil and Chemical Company. Types of facilities have included bulk handling terminals, petroleum coke storage facilities, asphalt plants, kilns, cogeneration units, landfills, and wastewater treatment units.

- Preparation of responses to TACB Notices of Violation (NOVs) and assistance in enforcement negotiations.

- Evaluation of computer programs and mathematical models used to predict water quality for the Lower Colorado River Authority.

- Development of permit applications for water appropriation, including irrigation and off-channel reservoirs for the City of Robinson, Texas.

- Water and wastewater rate studies and evaluations, including expert witness testimony for the City of Mission, City of Copperas Cove, Williamson County MUD #3, and Hidalgo County Irrigation District #7.

In addition to his duties as Division Director, Mr. Wiland served as Chief Engineer for Jones and Neuse, Inc. In this position, Mr. Wiland was responsible for non-project related administrative and technical duties including the following:

- Preparation and presentation of technical seminars on such subjects as environmental site assessments, the RCRA Toxicity Characteristic rule, the RCRA primary sludge rule for refineries, the benzene NESHAP rule, and the NPDES industrial stormwater regulations.

- Development of JN's professional services agreement and contract procedures and review of all contracts.

- Development of JN's project accounting and billing system.

- Development of standard proposal procedures/formats and preparation of major project proposals.

As an Engineer for the Texas Water Commission and predecessor agencies, Mr. Wiland was responsible for performing work in water resource analysis and mathematical modeling of water quality. His responsibilities included the following:

- Analysis of existing water quality data, design and execution of water quality surveys, and assessment of the impact of wastewater discharges upon the receiving waters.

- Design, development, and modification of various computer programs used to predict the water quality of natural and man-made systems including the steady-state stream model, QUAL-TX, used by the State of Texas to evaluate all discharge permits and determine all wasteload allocations.

- Development of a detailed methodology manual describing data requirements and modeling techniques for the evaluation and performance of wasteload allocations.

- Performance of wasteload evaluations and AST/AWT justifications including performance of economic analyses and cost-benefit justifications.

- Review of wasteload evaluations performed by the Modeling Unit for technical accuracy and consistency.

- Review and evaluation of the technical aspects of the Houston Ship Channel instream aeration studies and nonpoint source studies.

- Participation in a major hydrodynamic study of Laguna Madre involving measurement of currents and tidal dispersion.

- Participation as representative to the TDWR Executive Review Committee, which entailed reviewing and evaluating all injection well, solid waste, municipal and industrial discharge permits to be certain they were in compliance with wasteload evaluations and would not seriously degrade water quality in the receiving water.

- Coordination between the Construction Grants and Water Quality Management Division and the Permits Division to ensure consistency between grant projects and discharge permits. Participation as a member of the Innovative Alternative Technology Ad Hoc Support Group to resolve issues pertaining to specific Construction Grants projects proposed for funding as IA technology.

- Performance of wasteload evaluations including data collection and computer modeling for the Houston Ship Channel, West Fork San Jacinto River, Spring Creek, Cypress Creek, Clear Creek, and the San Jacinto River Tidal.

- Development of a methodology and nomograph for evaluating discharges into undesignated stream segments and tributaries.

- Assistance in the development of the water quality ranking system for the State of Texas.

- Design of water quality surveys and evaluation of results to determine the necessity of nutrient limitations in the Clear Lake watershed to prevent eutrophication.

- Administration of a contract for the development of an apparatus and methodology to measure benthal demand in stream sediments.

- Development of steady-state and stormwater models for the State's "208" Designated and Non-Designated Area Planning activities as required by PL 92-500.

- Analysis of hydrologic data and performance of a comprehensive hydraulic balance on the Edwards Aquifer to support water quality regulations over the Edwards Aquifer.

- Review of the EPA policy on land application and determination of its effects on Texas

While employed as an Associate Research Scientist for the Environmental Health Engineering Department at The University of Texas, Mr. Wiland conducted laboratory analyses and evaluations including the following:

- Determination of quantities of certain contaminants in stormwater runoff from highways using analytical techniques of infrared spectrophotometry and atomic absorption, and assessment of the impact of highway stormwater runoff on the environment.

- Characterization of various wastewaters for typical pollution parameters, such as COD, BOD, TOC, suspended solids, TKN, phosphates, TDS, and MPN.

- Performance of wastewater treatability studies for Texas Eastman and Kerr-McGee utilizing bench-scale biological treatment processes, including oxidation ponds, activated sludge, aerated lagoons, and anaerobic columns and physical-chemical processes such as lime coagulation, carbon absorption, and ozonation.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 1, 2021 2:14 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001
Attachments: 2021-10-01 Hyden Comments Ltr. and Hearing Request.pdf

PM
H

From: lbanse@msmtx.com <lbanse@msmtx.com>
Sent: Friday, October 1, 2021 1:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Lee Banse

E-MAIL: lbanse@msmtx.com

COMPANY: McElroy Sullivan

ADDRESS: 1201 SPYGLASS DR Suite 200
AUSTIN TX 78746-6925

PHONE: 5123278111

FAX:

COMMENTS: Please see the attached comment letter and hearing request filed on behalf of David and Margaret Gail Hyden.

MSMW | McElroy, Sullivan, Miller & Weber, LLP

1201 Spyglass Drive, Suite 200, Austin, TX 78746 | www.msmtx.com

MAILING ADDRESS: P.O. Box 12127, Austin, TX 78711 | **T.** 512.327.8111 **F.** 512.327.6566

October 1, 2021

VIA ELECTRONIC COMMENT:
Laurie Gharis, MC-105
Office of the Chief Clerk, Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087
https://www14.tceq.texas.gov/epic/eComment/

Re: Request for Hearing Regarding the Application of the City of Bryan for Texas Pollutant Discharge Elimination System Permit No. WQ0015930001

Dear Ms. Gharis:

I represent David and Margaret Gail Hyden (the "Hydens") regarding the City of Bryan's (the "City") pending application (the "Application") for Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015930001 (the "Permit"), to authorize the discharge of treated domestic wastewater from a proposed wastewater treatment facility in Brazos County, Texas. By this letter, the Hydens submit comments to the Application, request a public meeting and a contested case hearing. The Hydens can be reached by calling my office at 512-327-8111, and their address is 6300 Cole Lane, College Station, Texas 77845.

I. The Hydens are affected persons entitled to a contested case hearing.

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. An interest common to members of the general public does not qualify as a personal justiciable interest." 30 TEX. ADMIN. CODE §55.256(a). The City's proposed discharge will have a clear impact on the Hyden's legal rights, duties, power, and economic interests. The Hydens own property adjacent to and downstream of the City's proposed discharge point. The Application's Map of Affected Landowners identifies multiple tracts owned by the Hydens with the Number 1, all of which are directly adjacent to the City's proposed wastewater facility tract.[1] The Hydens' tract to the east of the proposed plant is immediately downstream from the Application's proposed discharge location. Brushy Creek, the Application's proposed receiving water body, is the boundary between the Hyden's property directly north to the City's tract. As seen from the Map of Adjacent Landowners, the Hyden's property surrounds the City's tract on three sides and is located on both sides and downstream of Brushy Creek. The Hydens use their property on either side of Brushy Creek for a commercial cattle operation.

1 *See* Attachment A: Map of Affected Landowners.

Brushy Creek abuts the Hyden's property at the Application's discharge point where the City seeks to ultimately discharge ***12 million gallons per day*** ("MGD") of treated water. TCEQ has previously granted affected person status to a TPDES permit protestant due to the protestant's owning property "in the immediate vicinity of the [Applicant's] proposed discharge" and general concerns regarding adverse effects to surface water quality and enjoyment of the protestant's property.[2] The Hydens' property is adjacent and downstream to the City's discharge point and the proposed discharge will have negative impacts on surface water quality, groundwater, result in the loss of enjoyment of the Hyden's property, and negatively impact the Hydens' cattle operation.

II. The Application fails to demonstrate that the City's proposed facilities satisfy TCEQ's requirements for unsuitable site characteristics.

TCEQ regulations do not allow wastewater treatment facilities to be located within a 100-year floodplain. 30 TEX. ADMIN. CODE §309.13. On the Application, to show compliance with TCEQ's requirements, the City represented that none of its proposed facilities would fall within Brushy Creek's 100 year floodplain. To support this assertion, the City relied on FEMA FIRM Panel 48041C0250E (the "FEMA Map"). The FEMA Map in the area of the proposed discharge and related facilities is designated as "Zone A."[3]

FEMA defines Zone A locations as "areas subject to inundation by the 1-percent-annual flood event generally determined using approximate methodologies. Because detailed analyses have not performed, no Base Flood Elevations (BFEs) or flood depths are shown."[4] The FEMA Map, therefore, is only an approximation of the 100-year floodplains for Brushy Creek and its tributaries. Following the contour lines on the FEMA Map shows that some of the City's facilities fall within Brushy Creeks' 100-year-floodplain, which contradicts the City's representation on the Application and violates TCEQ requirements regarding unsuitable site characteristics.[5]

Locating facilities within the 100-year floodplain pose a significant threat to the Hydens' Property, as a flooding event could result in the discharge of untreated wastewater on to the Hydens' property.

Additionally, the City's site and facilities are located near a potential wetland. TCEQ does not allow the construction of wastewater treatment facilities in a wetland. 30 TEX. ADMIN. CODE §309.13.

III. The Application failed to show the proposed discharge satisfies TCEQ's antidegradation policy.

The Standard Implementation Team's Interoffice Memorandum related to the Application classifies Brushy Creek as limited aquatic life use and Wickson Creek as presumed high aquatic life use. Nothing in TCEQ's materials indicate that TCEQ conducted a site visit to Brushy Creek to determine whether Brushy Creek has been appropriately classified. Also, no information from TCEQ shows a site visit to Brushy Creek or Wickson Creek to confirm the actual conditions, such

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[2] TCEQ Docket No. 2021-0055-TWD: Adam Adams' Hearing Request.
[3] *See* Attachment B: Declaration of Lawrence Dunbar at ¶¶5-6.
[4] https://www.fema.gov/glossary/zone
[5] *See* Attachment B: Declaration of Lawrence Dunbar at ¶¶6-8.

as the hydraulics, of these receiving waters to determine what the impact of the proposed discharge will be.

Therefore, TCEQ's analysis of the discharge relied on an uncalibrated model based on default values that do not reflect the actual conditions of Brushy Creek or Wickson Creek. Due to the large volume of the proposed discharge—12 MGD—and its resulting impact on the receiving waters, the use of site-specific data of the receiving waters is necessary to ensure the proper anti-degradation analysis is conducted and that improper degradation of water quality is avoided.

Further, even relying on the uncalibrated model shows the proposed discharge fails to meet the standards of an antidegradation review. TCEQ's model shows that the proposed discharge will cause the dissolved oxygen concentration in Wickson Creek to fall to 4.84 mg/L.[6] This figure is below the 5.0 mg/L dissolved oxygen criteria and fails to satisfy the Tier 1 antidegradation review for Wickson Creek.

The proposed discharge will also cause the dissolved oxygen concentration in Wickson Creek to decrease by more than 1.0 mg/L along its entire length downstream of Brushy Creek.[7] TCEQ's Implementation Procedures instruct that degradation is unlikely to occur if dissolved oxygen is not reduced by less than 0.5 mg/L, here where the decrease will be more than 1 mg/L indicates that degradation is likely to occur in violation of Tier 2 antidegradation.[8]

Additionally, TCEQ's model depicts Wickson Creek from the confluence of Brushy Creek to 3.9 kilometers downstream to the Navasota River. In actuality, Wickson Creek extends 5.5 kilometers from Brushy Creek to the Navasota River.[9] TCEQ elected to either model only a portion of Wickson Creek or relied on an incorrect line of Wickson Creek.[10] The failure to model the entirety of Wickson Creek for a 12 MGD discharge is counter to TCEQ's Texas Surface Water Quality Standards.[11]

Finally, the draft permit does not include a phosphorous limitation or monitoring requirement. The phosphorous in the proposed discharge will result in algal growth in the receiving waters.[12] Due to the proximity of Brushy Creek and Wickson Creek to the Navasota River and the size of the proposed discharge, TCEQ should have conducted nutrient screening to determine whether the draft permit needs a phosphorous limitation.[13] TCEQ did not conduct any screening, has not shown the draft permit is protective from harmful algal growth, and has not shown that the draft permit satisfies Tier 2 antidegradation review.

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[6] Attachment C: Affidavit of Bruce Wiland at ¶6.
[7] *Id.* at ¶7.
[8] *Id.*
[9] *Id.* at ¶5.
10 *Id.*
11 *Id.*
[12] *Id.* at ¶8.
[13] *Id.*

IV. The proposed discharge fails to minimize possible contamination of Brushy Creek, Wickson Creek and underlying groundwater.

The Application seeks to discharge 6 MGD in its initial phase and 12 MGD in its final phase. This is an exceptionally large amount of wastewater that has the potential to accelerate or change the erosion patterns in Brushy Creek and the discharge's other receiving waters. Erosion is an "active geologic process" that TCEQ may consider to determine whether a proposed facility is appropriately sited to "minimize possible contamination of water in the state." 30 TEX. ADMIN. CODE §309.12. The Application and draft permit do not adequately address erosion, how the proposed discharge will alter Brushy Creek erosion patterns and be protective of Brushy Creek, Wickson Creek and groundwater.

V. Relevant and Material Disputed Issues of Fact for Contested Case Hearing

The Hydens respectfully request the following issues be referred to SOAH for a contested hearing:

1. Whether the proposed wastewater treatment plant is within a 100-year flood plain. 30 TEX. ADMIN. CODE 309.13(a).

2. Whether the proposed wastewater treatment plant is located on or will have a negative impact on wetlands. 30 TEX. ADMIN. CODE 309.13(a).

3. Whether the proposed wastewater treatment plant meets the requirement to abate and control a nuisance of odor. 30 TEX. ADMIN. CODE 309.13(e).

4. Whether the Application violates the TCEQ's Tier 1 and Tier 2 antidegradation requirements. 30 TEX. ADMIN. CODE § 307.5(b).

5. Whether the proposed wastewater treatment plant is designed to minimize possible contamination of water in the state. 30 TEX. ADMIN. CODE § 309.12

6. Whether the proposed discharge will adversely impact water quality and/or aquatic life.

7. Whether the wastewater treatment plant or the requested discharge volume should be denied or altered in consideration of the need for the facility. TEX. WATER CODE § 26.0282.

VI. Request for a Public Meeting

The Application has caused significant concern within the community about the impacts of the proposed discharge will have on the receiving waters. The Hydens believe a public meeting to discuss the Application within the community is necessary to allow the community full participation in this process.

VII. Conclusion

Based on the foregoing, the Hydens respectfully request a public meeting be held and that the Hydens be found as affected persons entitled to a contested case hearing on the identified issues to ensure their property and the receiving waters are protected from the City's proposed discharge.

Thank you,

/s/ Adam Friedman

Adam M. Friedman
McElroy, Sullivan, Miller & Weber
1201 Spyglass, Suite 200
Austin, Texas 78746
afriedman@msmtx.com
Attorney for the Hydens

ATTACHMENT A

FIGURE G-1
Affected Landowner Map

N
W E
S

0 0.25 0.5 Miles

Legend

- Discharge Route
- Point of Discharge
- City of Bryan WWTP Boundary
- City of Bryan Property Boundary
- 150 ft. Buffer Zone
- Surrounding Land Owner

See Figure G-2 For Addresses

CDM Smith

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ATTACHMENT B

APPLICATION OF THE CITY OF BRYAN FOR TEXAS POLLUTANT DISCHARGE ELIIMNATION SYSTEM PERMIT NO. WQ0015930001	§	**BEFORE THE**
	§	
	§	**TEXAS COMMISSION ON**
	§	
	§	**ENIVRONMENTAL QUALILTY**
	§	
	§	
	§	
	§	
	§	
	§	
	§	

DECLARATION OF LAWRENCE G. DUNBAR, P.E.

1. I am over the age of 21 and am competent in all respects to make this declaration. This declaration is true and correct and based on my personal knowledge.

2. I am a water resources and environmental engineer/consultant with about 40 years of engineering experience, primarily in the area of flooding and drainage. I am a registered professional engineer in Texas with my P.E. license No. 54506. I have extensive experience in preparing and reviewing FEMA floodplain maps. For example, while I worked at the Corps of Engineers in Chicago, I oversaw the preparation of the FEMA floodplain mapping for portions of the states of Wisconsin, Illinois and Indiana. I also was responsible for the development of the FEMA floodplain mapping for the Brazos River in Fort Bend County, Texas, as well as most of the floodplains in the county. I have been a consultant to the Fort Bend County Drainage District for years and currently am reviewing the development of updated floodplain mapping for all of the watersheds in the county. A true and correct copy of a summary of my experience is presented in my resume that is attached to this declaration as Exhibit A.

3. I have been engaged by David and Margaret Gail Hyden (the "Hydens") to review the Application filed by the City of Bryan for Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ001593001 to operate a wastewater treatment plant ("WWTP"). I reviewed this Application to determine if the WWTP or its proposed discharge would have an impact on the Hyden's property.

4. The City of Bryan has applied to the TCEQ for a TPDES permit to construct and operate a wastewater treatment plant adjacent to Brushy Creek and to discharge treated wastewater at a volume not to exceed an average daily flow of 12 MGD, with a peak 2-hour flow of 48 MGD. The WWTP Site Layout of its facilities is shown in Figure D-1 from the Application.

5. In reviewing this Application, I noticed that Section 5.A. of the Application asks if the proposed facilities will be located above the 100-year frequency flood level. The Applicant

answered "Yes" and cited to FEMA's floodplain map (FIRM Panel 48041C0250E) as the source used to make this determination regarding the 100-year frequency flood level.

6. This particular FEMA floodplain map depicts the outline of the 100-year floodplain for Brushy Creek in the vicinity of, adjacent to, and within the proposed site of the WWTP. The portion of this 100-year floodplain in the vicinity of, adjacent to, and within the proposed WWTP is designated as "Zone A". This means that there has not been a detailed study to determine 100-year flood levels along this part of the creek, and as such, the delineation of the 100-year floodplain in this area was roughly estimated and is very approximate. Thus, if this is the source upon which the Applicant has represented that all of its WWTP facilities will be above the 100-year flood level, it is not possible to make such a representation based on this map, since there is no 100-year flood level that has been calculated for this portion of Brushy Creek.

7. Exhibit B to this declaration is a map site layout and its facilities overlayed with this FEMA floodplain map, along with topographic contour lines across the area. The City of Bryan provided the map in Exhibit B to the Hydens. Exhibit B depicts the WWTP facilities being located outside of the FEMA mapped "Zone A" floodplain. However, the FEMA "Zone A" floodplain does not follow the topographic contour lines shown on Exhibit B in any logical manner whatsoever, which is understandable as it was drawn as an approximate floodplain boundary without the benefit of detailed topography nor detailed flood level information. I redrew the floodplain boundary by logically following the topographic contour lines in the vicinity of the WWTP site and its facilities (as depicted with the dark black line), which revealed that some of the WWTP facilities would be located within the FEMA "Zone A" 100-year floodplain if it were to logically follow the topography.

8. Thus, it is clear that the representation by the Applicant that its proposed facilities will be located above the 100-year frequency flood level, as required by TCEQ, cannot be determined if that is true or not based on the FEMA "Zone A" floodplain map. It is also clear that there has not been a 100-year frequency flood level determined by FEMA for this part of Brushy Creek that can be relied upon by the Applicant, nor can the Applicant reasonably rely upon the FEMA floodplain delineation as shown on this FIRM Panel to make this representation since such delineation does not logically follow the topography.

My name is Lawrence G. Dunbar, my date of birth is November 24, 1953, and my office address is 6342 Dew Bridge Drive, Sugar Land, Texas 77479 in the United States of America. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Fort Bend County, State of Texas on the 30th day of September, 2021.

Lawrence G. Dunbar

Lawrence G. Dunbar

EXHIBIT A - RESUME

LAWRENCE G. DUNBAR, P.E.
Water Resources/Environmental Engineer/Consultant
6342 Dew Bridge Drive
Sugar Land, TX 77479
281-980-2225
713-782-5544 (fax)

EDUCATION

B.S. - University of Notre Dame
1975 - Civil Engineering

M.S. - Illinois Institute of Technology
1981 - Environmental Engineering

J.D. - University of Houston
1989 - Law

WORK HISTORY

1988 to Present - Lawrence G. Dunbar, P.E. (Houston, TX)
Water Resources/Environmental Engineering Consultant

1986 to 1988 - Espey Huston & Associates (Houston, TX)
Water Resources Group Leader

1984 to 1985 - State of Indiana (Indianapolis, IN)
Section Head of Dam Inspection and Lake Permitting

1983 to 1984 - Espey Huston & Associates (Austin, TX)
Water Resources Engineer

1981 to 1982 - Keifer Engineer, Inc. (Chicago, IL)
Water Resources Engineer

1975 to 1981 - U.S. Army Corps of Engineers (Chicago, IL)
Flood Control Section Chief, Hydrology and Hydraulics Branch

EXHIBIT A - RESUME

FIELDS OF EXPERIENCE

Flood Control

Drainage

Stormwater Management

Floodplain Analysis/Management

Reservoir Regulation

Stream Hydrology/Hydraulics

Watershed Modeling

Flood Forecasting

Water Quality

Wetlands

Landfills

Land Development

Coastal Engineering

Unsteady Flow Modeling

Water/wastewater systems

PROFESSIONAL ACTIVITIES

Licensed Professional Engineer in Texas since 1983 (previously in Illinois and Indiana)

TECHNICAL PUBLICATIONS

"Hydrologic and Hydraulic Analyses for a Major Urban Flood Control Study"
Proceedings of the International Symposium on Urban Hydrology, Hydraulics and Sediment Control, Lexington, Kentucky, July 1982

"Hydrologic Methodology for Evaluating Urban Development"
National Water Conference, Univ. of Delaware, July 1989

EXHIBIT A - RESUME

EXPERIENCE EXAMPLES

Technical expert for Corps of Engineers on Lake Michigan Diversion lawsuit between Illinois and Wisconsin before the U.S. Supreme Court

Consulting expert for the State of Georgia in a water rights dispute between Georgia and Florida before the U.S. Supreme Court

Expert witness in numerous judicial and administrative proceedings on behalf of cities, counties, developers, engineers, and land owners regarding water resource/environmental engineering issues

Project manager of Corps of Engineers' review and permitting of Chicago's $2B Deep Tunnel Project to control storm water/waste water discharges

Project manager for flood control project in Manila, Philippines

Project manager for land development projects in Austin, Texas

Project manager for development of Master Drainage Plans and the Drainage Criteria Manual for Fort Bend County

Project manager for the SSPEED Center at Rice University studying coastal surge protection systems and riverine flooding issues

Frequent seminar speaker throughout Texas on current issues involving storm water regulations

Consultant to various water, utility and drainage districts

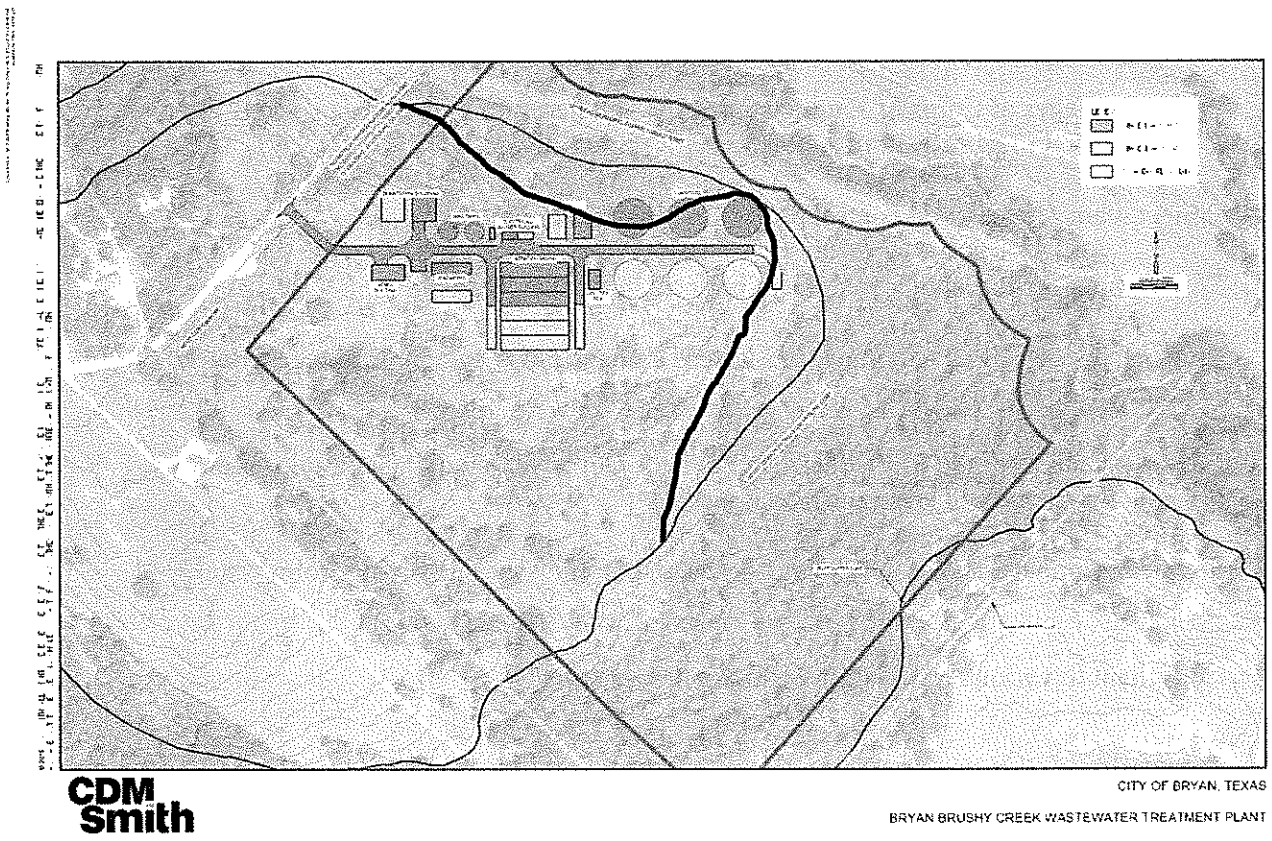

Exhibit B. Proposed WWTP Outline with its Facilities and FEMA "Zone A" Floodplain Map (with redrawn floodplain in black to follow topographic contours)

ATTACHMENT C

APPLICATION OF THE CITY OF BRYAN FOR TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. WQ0015930001	§	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALLITY

AFFIDAVIT OF BRUCE L. WILAND, P.E.

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned notary public, upon this day personally appeared Bruce L. Wiland, P.E. a person whose identity has been verified by me, who, upon the administration of an oath, stated and deposed as follows:

1. My name is Bruce Wiland. I am over the age of 21, of a sound mind, and competent in all respects to make this affidavit. I am a registered professional engineer in the State of Texas with over 46 years of experience in the field of environmental engineering and in evaluating water quality impacts. I have a Bachelor of Engineering Science from The University of Texas at Austin, which I received in January 1974. I have a Master of Science in Environmental Health Engineering from The University of Texas at Austin, which I received in December 1975.I worked for the State environmental agency, which went through a number of name changes and is now the Texas Commission on Environmental Quality, from 1976 to 1986 where I was responsible for performing work in water resource analysis and mathematical modeling of water quality. I worked for the consulting engineering firm Jones & Neuse from 1986 to 1991 where I directed a staff of engineers and biologists responsible for water quality projects, environmental site assessments, environmental audits, and evaluation of regulatory impacts. I have been an independent engineering consultant since 1991, conducting engineering and environmental studies and evaluations for water quality, air quality, and hazardous and solid waste projects. I have developed water quality models for the State of Texas and State of Louisiana environmental agencies, and I have reviewed numerous TPDES permit applications. A true and correct copy of my resume is attached as Exhibit A.

2. I have been engaged by the Hydens to provide support during the City of Bryan's application process before the Texas Commission on Environmental Quality ("TCEQ") Texas

Pollutant Discharge Elimination System Permit No. WQ0015930001. I have personal knowledge of all of the facts stated herein, and all of such facts are true and correct.

3. I have extensively reviewed the Fact Sheet and Draft Permit issued by the TCEQ for the City of Bryan's proposed discharge, as well as the associated TCEQ Interoffice Memorandum from the Water Quality Assessment Section dated February 10, 2021 and the TCEQ Modeling Memorandum dated April 7, 2021.

4. I have seen no information from TCEQ that indicates how the Standards Implementation Team determined aquatic life uses for Brushy Creek or Wickson Creek, or that TCEQ conducted a site visit of Brushy Creek or Wickson Creek. TCEQ relied on an uncalibrated model with general default values to evaluate the proposed discharge. For a final proposed discharge of 12 MGD, TCEQ should rely on site-specific data to ensure protection of water quality.

5. I replicated TCEQ's modeling of the proposed discharge's impact on the receiving waters, using a copy of the QUAL-TX modeling input provided by the TCEQ and the appropriate software. The TCEQ did not model the entire distance below the discharge for dissolved oxygen impacts as estimated by Table 2 in the Implementation Procedures. TCEQ modeled Brushy Creek for 3.7 kilometers below the discharge and Wickson Creek from the confluence of Brushy Creek to a point 3.0 kilometers downstream for a total of 6.7 kilometers below the discharge. Wickson Creek actually extends 5.5 kilometers from Brushy Creek to the Navasota River. The TCEQ either chose not to model Wickson Creek in its entirety or perhaps relied on the U.S. Census Bureau Tiger/line file for the path of Wickson Creek, which is incorrect. In either case, Table 2 in the Implementation Procedures estimates the impact from a 12 MGD discharge will extend 7.7 miles (12.4 kilometers), and the TCEQ did not model the impacts for this distance. In accordance with the estimate in the Implementation Procedures, the discharge impacts should have modeled Wickson Creek in its entirety below Brushy Creek and for 5.7 kilometers in the Navasota River below Wickson Creek.

6. The model of the proposed discharge's impact shows that at the final permit limitations, a minimum dissolved oxygen concentration of 4.84 mg/L is predicted in Wickson Creek. This is below the required 5.0 mg/L dissolved oxygen criteria established in the TCEQ's Water Quality Standards Memo. Although TCEQ guidance allows a 0.20 mg/L variance below the criteria, without a site visit to determine the actual hydraulics of the receiving waters and the predicted decrease in the dissolved oxygen criteria based on the actual hydraulics, it is unknown whether the proposed discharge would satisfy TCEQ's Tier 1 Antidegradation review.

7. TCEQ's Fact Sheet attached to the Draft Permit states that "a Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Wickson Creek." However, the TCEQ provides no information in support of this conclusion. Based on my review, the dissolved oxygen concentration in Wickson Creek decreases by over 1 mg/L for its entire length downstream from Brushy Creek (the amount of the decrease ranges from 1.11 mg/L to 1.53 mg/L). TCEQ's Procedures to Implement the Texas Surface Water Quality Standards ("Implementation Procedures") provides examples where degradation is unlikely to occur and

states that degradation is unlikely to occur where the dissolved oxygen concentration is lowered by less than 0.5 mg/L. Here, where the decrease exceeds 1.0 mg/L, it follows from the TCEQ's own procedures that degradation could occur in Wickson Creek, which does not satisfy TCEQ's Tier 2 antidegradation review.

8. The Draft Permit does not include a phosphorous limit in the proposed discharge. There will likely be an increase in algal growth in the receiving waters in pooled areas. The Implementation Procedures instruct that nutrient screening procedures are applicable for downstream reaches that are within 15.7 miles if the discharge is greater than 1 MGD. Here, the proposed discharge is 12 MGD, and all of Wickson Creek below Brushy Creek is within this 15.7 kilometer range of the discharge, as is 6.1 kilometers of the Navasota River. Therefore, a nutrient screening process is necessary to determine whether the Draft Permit needs a phosphorous limit or monitoring requirement. No information from TCEQ indicates that a nutrient screening procedure was performed for the proposed discharge. Aerial photos indicate that impoundments exist along Brushy Creek and Wickson Creek, which are susceptible to algal growth. The Implementation Procedures related to Tier 2 antidegradation list examples of conditions where degradation is not likely to occur and imply that increased loading of phosphorous will lead to detrimental increases in algae and aquatic vegetation, unless affirmatively demonstrated otherwise. Here, TCEQ has not made an affirmative demonstration that such negative growth will not occur.

Further affiant sayeth not.

Bruce L. Wiland, P.E.

Subscribed and sworn to by Bruce L. Wiland, P.E. on this 28th day of September, 2021, to certify which witness my hand and official seal of office.

NANCY FOWLER
Notary Public, State of Texas
Notary ID# 316994-8
My Commission Expires
JUNE 10, 2022

Notary Public, State of Texas

EXHIBIT A - RESUME

BRUCE L. WILAND, P.E.

Education

Master of Science in Environmental Health Engineering; The University of Texas at Austin, Austin, Texas; December, 1975.

Bachelor of Engineering Science with Highest Honors; The University of Texas at Austin, Austin, Texas; January, 1974.

Continuing Education

CE-QUAL-W2 Workshop; Portland State University, Portland, Oregon; June 17-21, 2013.

Dairy Outreach Program Area Environmental Training, Texas Cooperative Extension, Sulphur Springs, Texas, October 2007.

Nutrient Management Short Course, Texas Cooperative Extension/Natural Resources Conservation Service, College Station, Texas, October 2005.

Design Criteria for Sewerage Systems, Central Texas Section of the Water Environment Association of Texas in cooperation with TNRCC, Austin, Texas, March 2000.

Innovations and New Horizons in Livestock and Poultry Manure Management; Texas Agricultural Extension Service, Austin, Texas, September 1995.

Urban Storm Water Quality Management; American Society of Civil Engineers, Austin, Texas; May 1991.

Industrial Wastewater Pretreatment Short Course; The University of Toledo, San Antonio, Texas; September 1989.

USCE-EPA CAPDET Workshop; USAE Waterways Experiment Station, Dallas, Texas; June 1978.

Water Quality Management Short Course; Vanderbilt University, Nashville, Tennessee; June 1978.

Institute of Mathematical Modeling of Natural Water Systems; Manhattan College, New York, New York; May 1977.

Experience

President, Wiland Consulting, Inc., Austin, Texas; October, 1991 - present.

Division Director/Chief Engineer; Jones and Neuse, Inc., Austin, Texas; September, 1988 -October, 1991.

Project Manager/Project Engineer; Jones and Neuse, Inc., Austin, Texas; February, 1986 - October, 1988.

Engineer/Hydrologist/Engineering Technician; Texas Water Commission/Texas Department of Water Resources/Texas Water Quality Board, Austin, Texas; September, 1976 - February, 1986.

Associate Research Scientist; Environmental Health Engineering Department, The University of Texas at Austin; April, 1975- August, 1976.

Registration

Licensed Professional Engineer, State of Texas; No. 45700.
Licensed Professional Engineer, State of Louisiana; No. 31981 (inactive).
Passed Texas Certified Nutrient Management Specialist Examination; October, 2005.
Passed Principles and Practices Examination; April, 1978.
Passed Engineer-in-Training Examination; November, 1973.

Affiliations

Water Environment Federation
Water Environment Association of Texas, Past President of the Central Texas Section

Honors

Tau Beta Pi, National Engineering Honor Society

EXHIBIT A - RESUME

Detailed Experience Record

As an Independent Consultant, Mr. Wiland conducts engineering and environmental studies and evaluations for water quality, air quality, and hazardous and solid waste projects. Projects have included the following:

- Updating of the Houston Ship Channel system water quality model for the TCEQ.

- Review of a wastewater permit application for the discharge of reverse osmosis reject water from the Port of Corpus Christi's proposed Harbor Island Desalination Plant into Corpus Christi Bay. Provided technical assistance to the Port Aransas Conservancy and expert witness testimony related to the permit application.

- Assistance to the TCEQ in setting up, calibrating, and running alternatives for a LA-QUAL model of the Rio Grande between Falcon Reservoir and the Gulf of Mexico for a joint project between the United States and Mexico

- Review of a proposed wastewater permit for the discharge of reverse osmosis reject water by the City of Abilene into Possum Kingdom Lake

- Application of the two-dimensional dynamic model CE-QUAL-W2 to a discharge into the Corpus Christi Inner Harbor.

- Development and programming of the revised and updated water quality model QUAL-TX for the Texas Commission on Environmental Quality.

- Development of the water quality model LA-QUAL for the Louisiana Department of Environmental Quality including initial programming and subsequent multiple contracts to include additional sensistivity parameters, dams and dam reaeration, long-term BOD, organic phosphorus, and revised temperature and algae/macrophyte kinetics.

- Preparation of several short-courses and instruction in the use of LA-QUAL.for the Louisiana Department of Environmental Quality

- Technical assistance to the City of Waco in evaluating the potential water quality impacts from confined animal feeding operations in the Lake Waco watershed (Erath County, Hamilton County, Bosque County) including soil sampling, evaluation of hydrology and nutrient management plans, review and comment on proposed dairy permits, preparation of affidavits, and expert witness testimony.

- Participation in TCEQ's North Bosque River TMDL Project Advisory Group, a committee established to provide advice to the TMDL Program regarding the refinement of models for the completed TMDLs for phosphorus in the North Bosque River (Segments 1226 and 1255).

- Participation in TCEQ's Surface Water Quality Standards Advisory Work Group which provides guidance on options available for revising the 2000 Texas Surface Water Quality Standards (30 TAC Chapter 307) and the Procedures to Implement the Texas Surface Water Quality Standards, RG-94 (Procedures to Implement the Standards).

- Technical assistance in evaluating the potential water quality impacts from proposed permits for land disposal of municipal biosolids and industrial wastewater (Bell County, Colorado County, Franklin County, Wharton County, Williamson County, Moore County) including evaluation of the nutrient management plans and expert witness testimony.

- Evaluation of potential air and water quality impacts from numerous dairies, feedlot operations, swine facilities, and other confined animal feeding operations in Erath County, the Texas Panhandle, and other counties in Texas. Preparation of affidavits and expert witness testimony in State permit hearings.

- Preparation of industrial permit applications and permit application assistance for various industries including several power plants, a reverse osmosis system for the City of Electra, and a hazardous waste incinerator operated by Rollins Environmental

- Evaluation of a proposed wastewater permits and permit renewals to determine adherence with normal permitting procedures and water quality standards including the Longhorn Army Depot on Caddo Lake, a uranium mill reclamation site, and limestone quarries (Limestone County, Burnet County) .

- Preparation of comments to the TNRCC on proposed composting regulations. Evaluation of various proposed composting facilities (Tarrant County, Travis County, Erath County) and expert witness testimony in a State permit hearing.

- Evaluation of discharge alternatives for proposed power plants in Panola County, Henderson County, Upshur County, and Johnson County.

- Dissolved oxygen modeling of various water bodies using LA-QUAL and QUAL-TX and evaluation of wastewater discharges including the following:
  Arroyo Colorado canal system (Pelican Pointe Development).
  Bear Creek (Hays County WCID #1)
  Blanco River

Brushy Creek (City of Hutto)
Cowleech Fork of Lake Tawokoni (Cobisa)
Eckert Bayou (Galveston County MUD #1)
Flat Creek (City of Bullard)
Guadalupe River (New Braunfels Utility)
Hackberry Creek/Aquilla Reservoir (City of Hillsboro)
Lake Conroe (Far Hills UD)
Lake Conroe (UA Holdings)
Lake Conroe (Point Aquarius MUD)
Lake Grapevine (City of Grapevine)
Little Cleveland Creek (City of Jacksboro WWTP)
Medina River (City of Castroville)
Nueces Bay (Valero)
Onion Creek (City of Dripping Springs)
Padera Lake/Newton Branch (City of Midlothian)
Rio Grande (City of Brownsville)
San Marcos River (City of San Marcos)
South San Gabriel River (private developer)
Still Creek/Thompson Creek (City of Bryan)
Taylor Bayou (Motiva)
Texas Ship Channel tributary (Marathon Oil)

- Temperature modeling of a tributary to the Calcasieu River in Louisiana to determine impacts of a low temperature discharge (Trunkline LNG) and of the Comal River to determine the effects of reduced flows from Comal Springs (City of San Antonio).

- Preparation and implementation of water quality surveys and hydraulic/dye studies to determine impacts from wastewater discharges including the following:
  Bear Creek (Hays County WCID #1)
  Flat Creek (City of Bullard)
  Guadalupe River (New Braunfels Utilities)
  Little Cleveland Creek (City of Jacksboro WWTP)
  Nine Mile Creek (City of Mineola WWTP)
  Onion Creek (City of Dripping Springs)
  Post Oak Creek/Choctaw Creek (City of Sherman)
  Rio Grande (City of Brownsville)
  San Marcos River (City of San Marcos WWTP).
  Still Creek and Thompson Creek (City of Bryan WWTP)
  Texas Ship Channel tributary (Marathon Oil)

- Investigation, sampling, and evaluation of various wastewater/permit issues including a raw sewage discharge from a lift station upstream of a horse breeding operation in Bowie County (included expert witness testimony in State District Court) and contaminated wastewater from a sewer line that was part of the wastewater system at an abandoned Air Force Base in Maverick County.

- Outfall diffuser design and modeling using Cormix.

- Evaluation of air emissions from a proposed cement batch plant and expert witness testimony in a TNRCC permit hearing.

- Evaluation of a 9.7 MGD industrial wastewater discharge to Lavaca Bay. The work included review of the water quality impacts, wastewater treatment system design, and compliance with State and Federal water quality standards and effluent limitations. Expert witness testimony was provided in a TWC permit hearing.

- Preliminary engineering design of a lift station and force main to serve a maintenance facility at a county club.

- Evaluation of the City of Austin's South Austin Outfall (Phase II) Project to determine if feasible alternatives existed. The work included review of existing wastewater lines and lift stations, existing and projected wastewater flows, and the proposed 48-inch wastewater line including a three-barrel siphon under Barton Creek. The work was performed for the Save Barton Creek Association and included deposition testimony.

- Participation as the quality control/quality assurance officer in a trial burn at a cement kiln incinerating hazardous wastes. The trial burn for Texas Industries, Inc. (TXI) was required as part of the new boiler and industrial furnace (BIF) permitting regulations.

As Division Director of the Water Quality and Environmental Impacts Division for Jones and Neuse, Inc. (JN), Mr. Wiland directed a staff of engineers and biologists responsible for water quality projects, environmental site assessments, environmental audits, evaluation of regulatory impacts, and preliminary engineering assistance in industrial wastewater design. Mr. Wiland was also Director of the Air and Water Quality Division during the initial development of JN's air program. Due to the success of this program, a separate Air Quality Division was eventually created. Specific projects and areas of responsibility and engineering application

included the following:

- Development of procedures, execution, and review of environmental site assessments and audits for over 100 sites and facilities in numerous states, Mexico, and Central America. Investigations involved solid and hazardous waste, water quality, and air quality issues. Types of properties and facilities including office buildings, apartments, hospitals, oil field service facilities, pipeline terminals, refineries, electroplaters, manufacturing facilities, iron and steel smelters, and numerous other industrial properties.

- Preparation of environmental impact documents involving issues related to air quality, water quality, solid and hazardous waste, and other natural resources (wetlands and endangered species). Clients included AES Corporation, American General Insurance Corporation, and the Port of Corpus Christi.

- Review of Federal and State environmental regulations and preparation of recommendations to various industrial clients with particular attention to the RCRA toxicity characteristic, RCRA primary sludge issues, SARA Title III requirements, and the State of Texas Water Quality Standards. Clients included Fina Oil and Chemical, La Gloria Oil and Gas, Mobil Oil, and Texaco.

- Wastewater system evaluations of industrial treatment facilities for Fina Oil and Chemical, Alcoa, and RTF Industries. Types of facilities have included electroplaters, petroleum refiners, and chemical manufacturers.

- Performance of industrial wastewater treatability studies for Alcoa in Point Comfort, Texas.

- Preliminary engineering and design of wastewater collection and treatment facilities for several petroleum refineries, including Fina Oil and Chemical Company in Big Spring, Texas, Howell Hydrocarbon in San Antonio, Texas, and Trifinery in Corpus Christi, Texas. Processes have included caustic and acid neutralization, oil/water separation, and biological treatment.

- Development of procedures and review of dye dispersion studies for Alcoa, Koppers Industries, Empak, Inc., Champion International Corporation, and Gulf Coast Waste Disposal Authority.

- Development of NPDES stormwater permitting strategies for Pride Refining, Quantum Chemical, and Central Tractor.

- Preparation of NPDES and TWC industrial wastewater permit applications and supporting information for industries, including Carrier Corporation, Alcoa, Tex-Trac, Inc., Hoechst-Celanese, Fina Oil and Chemical Company, and Howell Hydrocarbon. Types of facilities have included refineries, bulk handling terminals, and manufacturing plants.

- Preparation of NPDES and TWC municipal wastewater permit applications, technical representation before the TWC, and expert witness testimony at public hearings for several cities and private developers.

- Development of procedures and review of benzene NESHAP studies for Fina Oil and Chemical Company, Shell Oil Company, and Howell Hydrocarbons.

- Preparation of TACB air permit applications and supporting technical information for industries including Tex-Trac, Inc., Kenaf International, H. B. Zachary, Great Lakes Carbon, and Fina Oil and Chemical Company. Types of facilities have included bulk handling terminals, petroleum coke storage facilities, asphalt plants, kilns, cogeneration units, landfills, and wastewater treatment units.

- Preparation of responses to TACB Notices of Violation (NOVs) and assistance in enforcement negotiations.

- Evaluation of computer programs and mathematical models used to predict water quality for the Lower Colorado River Authority.

- Development of permit applications for water appropriation, including irrigation and off-channel reservoirs for the City of Robinson, Texas.

- Water and wastewater rate studies and evaluations, including expert witness testimony for the City of Mission, City of Copperas Cove, Williamson County MUD #3, and Hidalgo County Irrigation District #7.

In addition to his duties as Division Director, Mr. Wiland served as Chief Engineer for Jones and Neuse, Inc. In this position, Mr. Wiland was responsible for non-project related administrative and technical duties including the following:

- Preparation and presentation of technical seminars on such subjects as environmental site assessments, the RCRA Toxicity Characteristic rule, the RCRA primary sludge rule for refineries, the benzene NESHAP rule, and the NPDES industrial stormwater regulations.

- Development of JN's professional services agreement and contract procedures and review of all contracts.

- Development of JN's project accounting and billing system.

- Development of standard proposal procedures/formats and preparation of major project proposals.

As an Engineer for the Texas Water Commission and predecessor agencies, Mr. Wiland was responsible for performing work in water resource analysis and mathematical modeling of water quality. His responsibilities included the following:

- Analysis of existing water quality data, design and execution of water quality surveys, and assessment of the impact of wastewater discharges upon the receiving waters.

- Design, development, and modification of various computer programs used to predict the water quality of natural and man-made systems including the steady-state stream model, QUAL-TX, used by the State of Texas to evaluate all discharge permits and determine all wasteload allocations.

- Development of a detailed methodology manual describing data requirements and modeling techniques for the evaluation and performance of wasteload allocations.

- Performance of wasteload evaluations and AST/AWT justifications including performance of economic analyses and cost-benefit justifications.

- Review of wasteload evaluations performed by the Modeling Unit for technical accuracy and consistency.

- Review and evaluation of the technical aspects of the Houston Ship Channel instream aeration studies and nonpoint source studies.

- Participation in a major hydrodynamic study of Laguna Madre involving measurement of currents and tidal dispersion.

- Participation as representative to the TDWR Executive Review Committee, which entailed reviewing and evaluating all injection well, solid waste, municipal and industrial discharge permits to be certain they were in compliance with wasteload evaluations and would not seriously degrade water quality in the receiving water.

- Coordination between the Construction Grants and Water Quality Management Division and the Permits Division to ensure consistency between grant projects and discharge permits. Participation as a member of the Innovative Alternative Technology Ad Hoc Support Group to resolve issues pertaining to specific Construction Grants projects proposed for funding as IA technology.

- Performance of wasteload evaluations including data collection and computer modeling for the Houston Ship Channel, West Fork San Jacinto River, Spring Creek, Cypress Creek, Clear Creek, and the San Jacinto River Tidal.

- Development of a methodology and nomograph for evaluating discharges into undesignated stream segments and tributaries.

- Assistance in the development of the water quality ranking system for the State of Texas.

- Design of water quality surveys and evaluation of results to determine the necessity of nutrient limitations in the Clear Lake watershed to prevent eutrophication.

- Administration of a contract for the development of an apparatus and methodology to measure benthal demand in stream sediments.

- Development of steady-state and stormwater models for the State's "208" Designated and Non-Designated Area Planning activities as required by PL 92-500.

- Analysis of hydrologic data and performance of a comprehensive hydraulic balance on the Edwards Aquifer to support water quality regulations over the Edwards Aquifer.

- Review of the EPA policy on land application and determination of its effects on Texas

While employed as an Associate Research Scientist for the Environmental Health Engineering Department at The University of Texas, Mr. Wiland conducted laboratory analyses and evaluations including the following:

- Determination of quantities of certain contaminants in stormwater runoff from highways using analytical techniques of infrared spectrophotometry and atomic absorption, and assessment of the impact of highway stormwater runoff on the environment.

- Characterization of various wastewaters for typical pollution parameters, such as COD, BOD, TOC, suspended solids, TKN, phosphates, TDS, and MPN.

- Performance of wastewater treatability studies for Texas Eastman and Kerr-McGee utilizing bench-scale biological treatment processes, including oxidation ponds, activated sludge, aerated lagoons, and anaerobic columns and physical-chemical processes such as lime coagulation, carbon absorption, and ozonation.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, October 12, 2021 2:04 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: Mommyg78@yahoo.com <Mommyg78@yahoo.com>
Sent: Tuesday, October 12, 2021 1:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Jenny Gallagher

E-MAIL: Mommyg78@yahoo.com

COMPANY:

ADDRESS: 5663 COLE LN
COLLEGE STATION TX 77845-7612

PHONE: 9794505774

FAX:

COMMENTS: Our family lives directly across the street from the proposed sewage treatment plant. There are MANY environmental health hazards that this sewage plant could present to our family and community. My husband and I have five children and are extremely concerned about the potential airborne hazards that are caused by fumes/gases/bacteria that are emitted by sewage treatments plants. These fumes/gases/bacteria can cause cancer, Hepatitis A, Hydrogen Sulfide poisoning, respiratory and nervous system diseases, human allergies, and other

viruses/illnesses. Our youngest child was put in the NICU at birth because of respiratory issues. I am very concerned that living across the street from this sewage plant could cause her to develop more respiratory issues/illness for the remainder of her childhood and adult life. We are concerned about airborne pests such as mosquitoes and the possible spread of the West Nile virus. There are health hazards to people, pets, wildlife, and livestock anytime there is stagnant water. Flooding is a possible threat to our community due to pipes bursting or backwashing. I request a public hearing to properly let people have a voice in this matter. Thank you, Jenny Gallagher

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, September 27, 2021 10:16 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: Mommyg78@yahoo.com <Mommyg78@yahoo.com>
Sent: Friday, September 24, 2021 2:02 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Jenny Gallagher

E-MAIL: Mommyg78@yahoo.com

COMPANY:

ADDRESS: 5663 COLE LN
COLLEGE STATION TX 77845-7612

PHONE: 9794505774

FAX:

COMMENTS: Our family lives directly across the street from the proposed sewage treatment plant. There are MANY environmental health hazards that this sewage plant could present to our family and community. My husband and I have five children and are extremely concerned about the potential airborne hazards that are caused by fumes/gases/bacteria that are emitted by sewage treatments plants. These fumes/gases/bacteria can cause cancer, Hepatitis A, Hydrogen Sulfide poisoning, respiratory and nervous system diseases, human allergies, and other

viruses/illnesses. Our youngest child was put in the NICU at birth because of respiratory issues. I am very concerned that living across the street from this sewage plant could cause her to develop more respiratory issues/illness for the remainder of her childhood and adult life. We are concerned about airborne pests such as mosquitoes and the possible spread of the West Nile virus. There are health hazards to people, pets, wildlife, and livestock anytime there is stagnant water. Flooding is a possible threat to our community due to pipes bursting or backwashing. I request a public hearing to properly let people have a voice in this matter. Thank you, Jenny Gallagher

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 10:26 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: Neilg78@yahoo.com <Neilg78@yahoo.com>
Sent: Friday, September 24, 2021 10:18 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Neil Ryan Gallagher

E-MAIL: Neilg78@yahoo.com

COMPANY:

ADDRESS: 5663 COLE LN
COLLEGE STATION TX 77845-7612

PHONE: 9792133872

FAX:

COMMENTS: My family lives directly across from the location of the proposed treatment plant. We have five children and my wife and I are very concerned at the possible health issues this plant could present our family. We are concerned about the potential airborne hazards that can be present especially in humid conditions. Another concern is contaminates being spread by pests. With our home being in a rural area we have a number of flying pest in the area. We need to have a public hearing so the people who live in the area can have a voice is this process.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, April 5, 2022 8:11 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: georgianne.sims@gmail.com <georgianne.sims@gmail.com>
Sent: Monday, April 4, 2022 5:44 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Georgianne Sims Ku

EMAIL: georgianne.sims@gmail.com

COMPANY:

ADDRESS: 14040 168TH AVE NE
WOODINVILLE WA 98072-9027

PHONE: 5044955542

FAX:

COMMENTS: I request a contested case hearing. It is imperative th request a public hearing. It is imperative that the disastrous effects on the health and livelihoods of residents living near the proposed facility be given the highest consideration. A great number of residents have families who have lived in the affected neighborhoods for generations, and built homes there to enjoy the pollutant-free lifestyle that country living offers. Recognizing the likelihood and detrimental effects of wastewater flooding on groundwater, surface water, and plant life in the surrounding area during

rain events should be the prime con. .n of the Commission. The proposed facili., .ust be relocated to another site in the interest pf public health and in accordance with the TCEQ mission statement and philosophy, "protecting Texas by reducing and preventing pollution... Our goal is clean air, clean water, and the safe management of waste." at the disastrous effects on the health and livelihoods of residents living near the proposed facility be given the highest consideration. A great number of "affected person" residents have families who have lived in the neighborhoods for generations, and built homes here to enjoy the pollutant-free lifestyle that country living offers. Recognizing the likelihood and detrimental effects of wastewater flooding on groundwater, surface water, and plant life in the surrounding area during rain events should be the prime concern of the Commission. The proposed facility must be relocated to another site in the interest of public health and in accordance with the TCEQ mission statement and philosophy, "protecting Texas by reducing and preventing pollution... Our goal is clean air, clean water, and the safe management of waste."

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 11:10 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

MWD
122441

H

From: georgianne.sims@gmail.com <georgianne.sims@gmail.com>
Sent: Sunday, October 10, 2021 5:41 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Georgianne Ku

E-MAIL: georgianne.sims@gmail.com

COMPANY:

ADDRESS: 14040 168TH AVE NE
WOODINVILLE WA 98072-9027

PHONE: 5044955542

FAX:

COMMENTS: I request a public hearing. It is imperative that the disastrous effects on the health and livelihoods of residents living near the proposed facility be given the highest consideration. A great number of residents have families who have lived in the affected neighborhoods for generations, and built homes there to enjoy the pollutant-free lifestyle that country living offers. Recognizing the likelihood and detrimental effects of wastewater flooding on groundwater, surface water, and plant life in the surrounding area during rain events should be the prime concern of the Commission.

The proposed facility must be relocated to another site in the interest pf public health and in accordance with the TCEQ mission statement and philosophy, "protecting Texas by reducing and preventing pollution... Our goal is clean air, clean water, and the safe management of waste."

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 16, 2021 2:51 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: Bjsmeyer@msn.com <Bjsmeyer@msn.com>
Sent: Thursday, September 16, 2021 8:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: MRS Bobbie Meyer

E-MAIL: Bjsmeyer@msn.com

COMPANY:

ADDRESS: 5445 COLE LN
COLLEGE STATION TX 77845-7614

PHONE: 9792193811

FAX:

COMMENTS: This area of Brazos County is primarily residential and agricultural with many families in the area. We purchased a home in the area to enjoy the outdoors daily, our way of life will be profoundly changed if the people of this area are subject to sewer treatment facility odors. I am requesting a public hearing. Any odor escaping the plant will diminish everyone's way of life.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

RFR

From: zjrp0311@gmail.com <zjrp0311@gmail.com>
Sent: Monday, September 20, 2021 8:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Jamie Overton

E-MAIL: zjrp0311@gmail.com

COMPANY:

ADDRESS: 4711 ENCHANTED OAKS DR
COLLEGE STATION TX 77845-4831

PHONE: 8326771142

FAX:

COMMENTS: We are extremely concerned with the adverse environmental effects of this facility. Not only will a sewage facility be possibly discharging wastewater into water systems deemed to have "high aquatic life use" but there are several plants, fish, mammals, reptiles, amphibians and even mollusks on the rare and endangered species list that are endemic to this area; some are globally ranked as critically imperiled. Please reconsider the location of a new Texas

Pollutant Discharge Elimination System for the City of Bryan to an area that does not have as many adverse effects to our environment and endangered species. Thank you.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, April 4, 2022 7:39 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

MWD
122441

RFR

From: mlsims@tamu.edu <mlsims@tamu.edu>
Sent: Friday, April 1, 2022 1:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Mary Louise Sims

EMAIL: mlsims@tamu.edu

COMPANY:

ADDRESS: 5565 COLE LN
COLLEGE STATION TX 77845-7613

PHONE: 9792044227

FAX:

COMMENTS: As an affected person, I request reconsideration of the executive director's decision. My name is Mary Louise Sims and I live at 5565 Cole Ln., College Station, TX 77845, my phone number is 979-204-4227. From the end of my driveway to the City of Bryan's property there is approximately 50 feet. I do not understand the bolded statement "this decision does not authorize construction or operation of any proposed facilities." Is there another phase since it is stated that the City of Bryan's permit WQ0015930001 meets the requirements of applicable law? I believe the executive

director should reconsider this decision because the information submitted by the City of Bryan was not properly vetted by TCEQ since no site visit was performed. Errors which have been identified and certified by engineers in Mr. Friedman's report are relevant enough to have your agency survey this proposed site. Two main concerns are the drinking wells and erosion/flooding which TCEQ responses to in #'s 17 and 20 defer this problem to our local county floodplain administration. This is politics. Do you honestly believe a local entity is going to go against the city? You are setting the residents up for possible health problems years down the road with the slow seepage of waste into the many shallow wells residents use for their drinking water. Over the years the continual discharge into Brushy Creek, which is a very narrow/small meandering stream, will eventually erode the banks and then where will the discharge go? Your approval of this plant will create a future situation that will have a major impact on homes around Brushy Creek. Are we to be sacrificed for Bryan's growth? There are many other less populated areas for this discharge which would not affect so many residents. The TCEQ states many times in their responses that citizens can seek legal remedies against the city. We are average citizens who do not have deep pockets for legal recourse; the situation you are putting us in is very unfair. It is also stated that the City of Bryan will monitor itself. Do you really think the city would call out a problem so it could be fined? The neighborhood residents have no training in this field. How would be know when there is a problem save a major catastrophe that has an odor or is visible? It may take years but the constant flow of wastewater will eventually turn many areas of our neighborhood into a swamp. I realize the TCEQ has limited resources and cannot visit every site but this is a large neighborhood that is very concerned about the long-term repercussions of this decision. My final comment is regarding the zoom presentation, which I feel was fairly useless. The feedback I got was no one felt their concerns were adequately addressed and the presentation by the City of Bryan amounted to nothing more than a dog and pony show.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, October 6, 2021 2:54 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: mlsims@tamu.edu <mlsims@tamu.edu>
Sent: Wednesday, October 6, 2021 12:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Mary Louise Sims

E-MAIL: mlsims@tamu.edu

COMPANY:

ADDRESS: 5565 COLE LN
COLLEGE STATION TX 77845-7613

PHONE: 9792044227

FAX:

COMMENTS: I request a public hearing. There is a major concern about erosion of the creek beds feeding into the Navasota River, they are normally dry and fill up when we have rain and on occasion will top out causing flooding in the surrounding areas, if the treated water from the sewage plant is constantly flowing through these creeks eventually the surrounding soil will erode and cause the land to be in a constant state of being flooded, this is a very unhealthy

situation for humans, cattle, wildlife and any other living thing that does not thrive in water! We are established neighborhoods with these creeks meandering throughout our property often between our homes.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 28, 2021 1:27 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

H

From: mlsims@tamu.edu <mlsims@tamu.edu>
Sent: Tuesday, September 28, 2021 12:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Mary Louise Sims

E-MAIL: mlsims@tamu.edu

COMPANY:

ADDRESS: 5565 COLE LN
COLLEGE STATION TX 77845-7613

PHONE: 9792044227

FAX:

COMMENTS: I request a public hearing since this proposal affects a large number of people in the surrounding neighborhoods. In the FAQs by the City of Bryan, there is a statement that a potential wetland on the site will remain undisturbed during construction of the plant...what about after it is complete and whey would a project like this be proposed near a wetland when there are vast areas that are dry and have access to streams that eventually run into rivers?

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, January 20, 2022 1:25 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

From: mlsims@tamu.edu <mlsims@tamu.edu>
Sent: Thursday, January 20, 2022 11:47 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Mary Louise Sims

E-MAIL: mlsims@tamu.edu

COMPANY:

ADDRESS: 5565 COLE LN
COLLEGE STATION TX 77845-7613

PHONE: 9792044227

FAX:

COMMENTS: This proposed facility is situated in a densely populated area with wildlife everywhere, there have been publications regarding white tail deer, among other animals, testing positive for covid. Why is the TCEQ allowing a possible animal to human transmission if the permit is approved? The unknown damage from these interactions could be identified years down the road and it will be too late to reverse the problem, much like Flint Michigan (authorities knew it was ok to drink the water). A resent KBTX story focused on the concern of city residents about the possible

contamination of their drinking water with covid, the city ensured the city dwellers that the sewage system was far from the wells that supplied drinking water and they were safe...we have numerous wells in our neighborhoods used for drinking, the discharge of treated water which, as stated above can affect wildlife with covid, can infiltrate wells when flooding occurs (most of us are in a flood plain). Are we dispensable when it comes to health concerns whereas city folks are protected? During the public meeting it was stated by the city that this area was chosen because of gravity, there must be other sites that are closer to the Navasota River that have gravity in their favor and are less populated. The city can use this piece of land for other cleaner and safer ventures which will result in protecting us from current and future health issues; we have no representation on the city council and at this point we've had very little support from our county commissioner and judge. I want to know, if this permit is approved, why the city will be allowed to discharge their treated water into a flood plain? When I wanted to install an aerobic septic system on five acres which had less than 25% of one acre in the flood plain, an engineer and surveyors had to certify that the system would not have any drainage/discharge into the flood plain. Please don't tell me that this is under Brazos County jurisdiction and they have their own rules! The flooding issue is very real and once the damage is done it will be too late to mitigate. Please take your responsibility in this matter very seriously, we want and deserve a healthy environment!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 11:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

PM

From: mlsims@tamu.edu <mlsims@tamu.edu>
Sent: Monday, October 11, 2021 11:34 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Mary Louise Sims

E-MAIL: mlsims@tamu.edu

COMPANY:

ADDRESS: 5565 COLE LN
COLLEGE STATION TX 77845-7613

PHONE: 9792044227

FAX:

COMMENTS: Mr. Baker, I request an in person public meeting on this matter. There are elderly residents that may not have a computer for a zoom meeting.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 21, 2021 8:22 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0015930001

From: mlsims@tamu.edu <mlsims@tamu.edu>
Sent: Monday, September 20, 2021 1:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0015930001

REGULATED ENTY NAME BRUSHY CREEK WWTP

RN NUMBER: RN111276044

PERMIT NUMBER: WQ0015930001

DOCKET NUMBER:

COUNTY: BRAZOS

PRINCIPAL NAME: CITY OF BRYAN

CN NUMBER: CN600373310

FROM

NAME: Mary Louise Sims

E-MAIL: mlsims@tamu.edu

COMPANY:

ADDRESS: 5565 COLE LN
COLLEGE STATION TX 77845-7613

PHONE: 9792044227

FAX:

COMMENTS: Zone A which is a flood zone borders almost the total 75 acres of intended use by City of Bryan, the plant discharge will increase with time and the land around the discharge area, Brushy Creek and Wickson Creek will flood creating an unhealthy misquote swamp. West Nile among other diseases associated with mosquitoes will infiltrate the surrounding established neighborhoods.