

To: TECQ Commissioners

02/08/2023

From: Stephen Luman, Rhonda Luman (Gass)

Ref: SIMMONS VALLEY WWTF
WWPERMIT-WQ0016052001
2023-0120-MWD
Principal Name:
CIELENCKI, MARY JANE, CN605941608
SJWTX INC, CN602969396

My name is Stephen Luman and my wife's name is Rhonda Luman. My wife is the one of the owners of the property directly adjacent to the proposed waste water treatment plant named in this application. The other owners, Annette Gass and Rita Acker are all part of the Gass family and owners of the 200 plus acres adjacent to the proposed treatment plant. I have their permission to speak on their behalf.

My first request would be denying this permit based on the Applicant's failure to notify all parties that would be affected. My wife and I were never notified of this permit request and she is one of the owners of the property. We were not aware of any of this until after filing date deadlines had passed and public meetings were held. Notices in the paper were not adequate communication. Not only because we do not receive that paper, but when was the last time you read a newspaper. It seems to me that the applicant made every attempt to keep this quiet until the last minute.

I also have to the question the actual applicant's knowledge of this application. All the documentation I have seen has Mary Jane Cielencki's name on it. To my knowledge, Mary Jane Cielencki is a 93 year old lady currently living in a nursing home. I would be curious to hear her testimony requesting this permit request. If the applicant is working off the power of attorney, why aren't the names of the people who have that authority listed?

I'm also writing in response to a couple of Briefs that have been submitted by the Applicants Attorney and APIO Attorney, Sheldon Wayne. It has been expressed that Annette Gass is not an affected party but only because of procedural items that were not followed in a timely manner. But honestly, the State's procedures are not easy to follow by the lay person. Mrs. Gass is an affected party. She lives on the property and the Cypress Creek runs within 50 yards of her back door. Pumping waste water sewage down that creek has a huge impact on not only the land but also the quality of living for Mrs. Gass. Mrs. Gass raises cattle on this property and there are 3 ponds used to water the cattle during the rainy months. If waste water is pumped down this creek and these ponds are filled with contaminated water, they will no longer be able to drink it without adverse effects. Not only that but the smell would be unbearable.

There is also a question, in the brief from the applicant's attorney, on the standing of the "Neighbors of Spring Branch Association" and if they can be a recognized group. This association was established back in 2013 or 2015 when Tex-Mix filed an application with TECQ to build a Cement plant on the property across the roadway from the Gass property. Again, the Gass family was determined to be the only affected party to that permit. So, this association has been around for a while and is very much established and should be a recognized group.

This wastewater plant dumping sewer water into the Cypress creek will affect many people along the way. This creek runs through residential neighborhoods. It also runs through a very large sporting complex that is used by kids for football, baseball, soccer and may affect other sporting activities year-round. So that leaves this question. Where do you live? How would you feel about 260,000 gallons of sewer water running through your backyard where your family lives and your kids play.

We are not against the development of this property. There are other ways to develop this property without a wastewater treatment facility. It would require larger lots and septic tanks, but it can be done. So, we are asking you to deny this permit or at least grant us the ability to have a contested hearing at a later date.

Thank you for your time.

Stephen Luman

DocuSigned by:

Stephen Luman

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2/8/2023

Rhonda Luman (Gass)

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Rhonda Luman

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2/8/2023

Rita Acker (Gass)

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Rita Acker

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Annette Gass

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Annette Gass

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2/9/2023