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May 22, 2023

Office of the Chief Clerk
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TCEQ
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Response Regarding:
TCEQ Docket No. 2023-0529-SLG
Permit No. WQ0005323000

I am writing in reply to the response filed by the Applicant in the above matter on May 8, 2023. The Applicant asserts that my original timely request as filed on October 21, 2021 does not establish my status as an affected person in this matter. I disagree.

My family's home and our commercial floriculture operation and apiary sit directly south of the the larger eastern parcel of the proposed monofill site and across CR 544 from the smaller western parcel. I write this letter from my home office, which sits less than 50 feet from the property boundary with the eastern parcel. My two-year old son's bedroom is also less than 50 feet from the property boundary. I believe this proximity sufficiently establishes that I and my family may be affected by this proposed monofill in a way not common to the public at large.

The Applicant asserts in their response that I did not provide any specific harm that will be suffered should the project proceed. I am more than willing to expand upon my concerns, which include the potential harm to the health of my family, the impact on the local water supply and environment, and potential damage to my family's floriculture and apiary business. My specific concerns include:

- **Runoff and impact on drainage in the area:** Floriculture is highly sensitive to excess water and runoff and given the predominantly clay soil composition in the area, even a small change in the drainage patterns can have a major detrimental effect on our land's suitability for growing flower crops. I am concerned the proposed mitigation measures may be insufficient to prevent damaging runoff from stormwater and water discharged from the dewatering facility into the local watershed, either of which could be damaging to my property and potentially catastrophic to my family's floriculture business.
- **Potential for toxic substances:** To the best of my knowledge, the Applicant has not provided any information regarding potentially high concentrations of per-and

polyfluoroalkyl substances (PFAS) or heavy metals that, while naturally occurring, when concentrated into waste can result in unacceptable toxicity to human and health and the environment. I have specific concern for both PFAS and the metals on the Resource Conservation and Recovery Act's (RCRA) Target Analyte List and the potential impact to the health of my family should either be present in the disposed biosolids in high concentrations. I also have significant concerns regarding the presence of process chemicals such as ferric sulfate in these biosolids in high concentrations and the potential impacts on the health of my family and the impact on the local water supply.

- **Methane production and the presence of volatile organic compounds:** I have concerns regarding the potential presence and/or generation of both methane and volatile organic compounds in the proposed biosolid waste. Both can travel in the subsurface, migrating horizontally and seeping into adjacent land and buildings causing potential toxicity issues and adverse effects on the health of my family, our floriculture and apiary business, and the environment.
- **Odor:** I expect these biosolids are likely to contain a significant amount of organic matter, which may produce a significant odor as it breaks down. That odor is likely to be a nuisance to neighboring properties, mine included. Prevailing winds in this area are north / south, meaning for a large proportion of the year we will be directly downwind of the larger parcel of the site. I have concerns about the impact that may have on my family's health and quality of life.
- **Dust and airborne toxins:** as these biosolids dry in the sun over many Texas summers, I expect that dust may become a major nuisance for neighboring properties. I have specific concern that should this dust blow onto my property from the Applicant's proposed site it will have the potential to harm both my family and our floriculture and apiary production. I have additional concerns regarding the substances that may be present in this dust including but not limited to the per-and polyfluoroalkyl substances (PFAS) and heavy metals discussed above.

For these reasons I believe I am an affected person under 30 TAC §55.203 and I respectfully request that this matter be referred for a contested case hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Koelsch', with a stylized, cursive flourish at the end.

Peter W. Koelsch

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REPLY TO RESPONSES RE: TCEQ DOCKET NO. 2023-0529-SLG

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