

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, March 20, 2023 4:40 PM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016036001

RFR

From: janakbrumley@gmail.com <janakbrumley@gmail.com>
Sent: Monday, March 20, 2023 4:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016036001

REGULATED ENTY NAME ROCKWALL COUNTY

RN NUMBER: RN111321964

PERMIT NUMBER: WQ0016036001

DOCKET NUMBER:

COUNTY: ROCKWALL

PRINCIPAL NAME: CAMDEN PARC MUNICIPAL UTILITY DISTRICT OF ROCKWALL COUNTY

CN NUMBER: CN605737097

FROM

NAME: Jana Estep

EMAIL: janakbrumley@gmail.com

COMPANY:

ADDRESS: 3034 CONCOURSE DR
ROYSE CITY TX 75189-3119

PHONE: 4699103384

FAX:

COMMENTS: To whom it may concern: I am a resident of the Waterscape Community in Royse City. I have lived there for 4 years and have enjoyed it greatly. One particular enjoyment I have is going for evening walks with my husband and 2 sons. We are able to stroll the whole neighborhood, breathe fresh air, and play at the park. Having this water treatment facility installed directly beside our neighborhood with no knowledge of how it will effect the flood plains and smell is concerning. I want to be able to enjoy our time outdoors and have had past experiences of not being able to do

so when I lived in Rowlett. I would frequently pass the water treatment facility in Rowlett and smell the fumes from the plant miles from its actual location. For the sake of me and my family, I do not want to have to smell that odor every time we go outside. Please reconsider the location of this facility to a more remote locale, away from residential areas. Thank you for your time.

Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Monday, July 17, 2023 10:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016036001

RFR
PM

From: jared.hutchins@gmail.com <jared.hutchins@gmail.com>
Sent: Saturday, July 15, 2023 4:15 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016036001

REGULATED ENTY NAME ROCKWALL COUNTY

RN NUMBER: RN111321964

PERMIT NUMBER: WQ0016036001

DOCKET NUMBER:

COUNTY: ROCKWALL

PRINCIPAL NAME: CAMDEN PARC MUNICIPAL UTILITY DISTRICT OF ROCKWALL COUNTY

CN NUMBER: CN605737097

NAME: Jared Hutchins

EMAIL: jared.hutchins@gmail.com

COMPANY:

ADDRESS: 2118 MOSSBROOK DR
ROYSE CITY TX 75189-6219

PHONE: 9728779565

FAX:

COMMENTS: To whom it may concern, I am writing to express my concerns and protest regarding the proposed location of the water treatment plant near the residential neighborhood – Waterscape in Royse City TX. While I understand the necessity of such a facility for the community's water treatment needs, I firmly believe that the current proximity to our neighborhood raises valid concerns, including potential adverse impacts on physical health, quality of life, and property values. This combination of factors could lead to an unpleasant living experience for the residents. 1. Physical Health Concerns: The proposed location of the water treatment plant in close proximity to our neighborhood raises significant

concerns about potential risks to our physical health. Water treatment plants often release pollutants, emissions, and hazardous chemicals during their operation, which can have adverse health effects on nearby residents. These pollutants may include airborne contaminants and harmful substances that could contaminate the surrounding environment and water sources. Proximity to the water treatment plant increases the likelihood of exposure to these pollutants, putting residents at risk of respiratory issues, allergic reactions, and other health complications. Prolonged exposure to such contaminants may also have long-term health implications for vulnerable individuals, such as children, the elderly, and those with pre-existing respiratory or immune system conditions. It is essential to conduct a comprehensive health impact assessment that examines potential risks associated with the proposed location of the water treatment plant. This assessment should include a thorough analysis of air quality, water contamination, and potential health risks posed by the emissions and chemicals released during the plant's operation.

2. Quality of Life: In addition to the physical health concerns, the proposed location of the water treatment plant near our neighborhood has the potential to negatively impact our quality of life. The operational activities of the plant, such as noise, odor emissions, and increased traffic, could significantly disrupt the tranquility of our residential area, leading to stress, discomfort, and a diminished sense of well-being. The constant exposure to unpleasant odors, noise pollution, and increased traffic may impede our ability to enjoy outdoor activities and socialize within our community. It is crucial to prioritize the overall well-being and satisfaction of the residents, ensuring that the proposed location of the water treatment plant does not compromise our quality of life.

3. Property Values: Another concern associated with the proposed location is the potential impact on property values. The presence of a water treatment plant near our neighborhood could result in decreased demand for housing, leading to a depreciation of property values. Prospective buyers or renters may be hesitant to invest in properties situated near industrial facilities, which could lead to financial losses for homeowners and hinder future economic growth in our community. Lower property values can also have broader consequences, such as reduced tax revenues for local services and infrastructure improvements, which are vital for maintaining the overall well-being and development of our neighborhood. In light of these concerns, I respectfully request that you reconsider the current location of the water treatment plant and explore alternative sites that are farther away from densely populated residential areas. By choosing a location that strikes a balance between meeting the community's water treatment needs and minimizing the impact on the neighborhood, we can ensure a more harmonious coexistence between the plant and its surrounding residents. I urge the initiation of a comprehensive evaluation that includes a thorough examination of alternative locations. This evaluation should consider factors such as distance from residential areas, environmental impact, transportation logistics, and long-term sustainability. Furthermore, a transparent and inclusive decision-making process that engages the affected residents through public meetings and forums should be facilitated. Thank you for your attention to these matters. I trust that you will take our concerns into account and make a decision that prioritizes the well-being and satisfaction of the community while fulfilling the essential water treatment needs. These are serious concerns and as leaders, please consider, would you build a plant like this next to your home? If not, please understand where we are coming from. I look forward to your prompt response. Sincerely, Jared

Elie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, March 21, 2023 4:46 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016036001
Attachments: letter to TCEQ.docx

RFR

From: jared.hutchins@gmail.com <jared.hutchins@gmail.com>
Sent: Tuesday, March 21, 2023 4:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016036001

REGULATED ENTY NAME ROCKWALL COUNTY

RN NUMBER: RN111321964

PERMIT NUMBER: WQ0016036001

DOCKET NUMBER:

COUNTY: ROCKWALL

PRINCIPAL NAME: CAMDEN PARC MUNICIPAL UTILITY DISTRICT OF ROCKWALL COUNTY

CN NUMBER: CN605737097

FROM

NAME: Jared Hutchins

EMAIL: jared.hutchins@gmail.com

COMPANY:

ADDRESS: 2118 MOSSBROOK DR
ROYSE CITY TX 75189-6219

PHONE: 9728779565

FAX:

COMMENTS: To whom it may concern, We (Hutchins Residence) strongly oppose the idea of building such a facility in direct proximity of the Waterscape neighborhood. First and foremost, the plant would have significant negative impacts on our health and wellbeing. Water treatment plants produce a wide range of pollutants and toxins, including chemicals like chlorine and fluorine, as well as heavy metals like lead and mercury. These pollutants can pose serious risks to our

health, particularly for vulnerable populations like children, the elderly, and those with preexisting health conditions. Here is a list of potential health risks the community could be exposed to at any time:

- Respiratory problems: Exposure to emissions from water treatment plants, such as chlorine gas or other chemicals used in the treatment process, can cause respiratory problems such as coughing, wheezing, and shortness of breath.
- Skin irritation: Contact with contaminated water or exposure to airborne contaminants can cause skin irritation and rashes.
- Gastrointestinal problems: Drinking or consuming contaminated water can cause gastrointestinal problems such as diarrhea, nausea, and vomiting.
- Cancer: Exposure to certain chemicals, such as disinfection byproducts (DBPs) formed during the water treatment process, has been linked to an increased risk of cancer.
- Reproductive and developmental problems: Exposure to certain chemicals can also affect reproductive and developmental health, potentially leading to infertility, birth defects, or developmental delays.

Secondly, the construction of a water treatment plant near our neighborhood would negatively impact our property values. No one wants to live near a facility that produces pollutants and toxins, and as a result, the value of our homes would likely decrease significantly. This would be terrible for the entire community, Royse City, and the County of Rockwall as decreased home values will directly impact tax revenue from the county as well as home sales in the general area. Not only that it will significantly decrease the value of homes that are already on the upper limit of their true value. This will negatively impact many innocent families. Considering these concerns, I urge you to reconsider the proposed construction of a water treatment plant near our neighborhood. I believe that it would be in the best interests of our community to locate this facility elsewhere, where it would have less of an impact on public health, property values, and surrounding the environment. Regardless of if these plants are safe, accidents happen. If one should happen, it would be a disaster to the local area potentially impacting thousands of residents. There is no need to take the risk. Move this plant further away from developed land to minimize all risk and impact. None of this makes sense on any level. If cost is the consideration with location, then you are putting money over the lives of innocent children as well as their parents. All anyone wants in life is a happy, healthy home. Disrupting that for thousands is unacceptable. Thank you for your attention to this matter. Jared and Katerina Hutchins – 2118 Mossbrook Drive

To whom it may concern,

We (Hutchins Residence) strongly oppose the idea of building such a facility in direct proximity of the Waterscape neighborhood.

First and foremost, the plant would have significant negative impacts on our health and wellbeing. Water treatment plants produce a wide range of pollutants and toxins, including chemicals like chlorine and fluorine, as well as heavy metals like lead and mercury. These pollutants can pose serious risks to our health, particularly for vulnerable populations like children, the elderly, and those with preexisting health conditions. Here is a list of potential health risks the community could be exposed to at any time:

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- Gastrointestinal problems: Drinking or consuming contaminated water can cause gastrointestinal problems such as diarrhea, nausea, and vomiting.
- Cancer: Exposure to certain chemicals, such as disinfection byproducts (DBPs) formed during the water treatment process, has been linked to an increased risk of cancer.
- Reproductive and developmental problems: Exposure to certain chemicals can also affect reproductive and developmental health, potentially leading to infertility, birth defects, or developmental delays.

Secondly, the construction of a water treatment plant near our neighborhood would negatively impact our property values. No one wants to live near a facility that produces pollutants and toxins, and as a result, the value of our homes would likely decrease significantly. This would be terrible for the entire community, Royse City, and the County of Rockwall as decreased home values will directly impact tax revenue from the county as well as home sales in the general area. Not only that it will significantly decrease the value of homes that are already on the upper limit of their true value. This will negatively impact many innocent families.

Considering these concerns, I urge you to reconsider the proposed construction of a water treatment plant near our neighborhood. I believe that it would be in the best interests of our community to locate this facility elsewhere, where it would have less of an impact on public health, property values, and surrounding the environment. Regardless of if these plants are safe, accidents happen. If one should happen, it would be a disaster to the local area potentially impacting thousands of residents. There is no need to take the risk. Move this plant further away from developed land to minimize all risk and impact. None of this makes sense on any level. If cost is the consideration with location, then you are putting money over the lives of innocent children as well as their parents. All anyone wants in life is a happy, healthy home. Disrupting that for thousands is unacceptable.

Thank you for your attention to this matter.

Jared and Katerina Hutchins – 2118 Mossbrook Drive

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, May 26, 2022 11:12 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016040001
Attachments: 2022.05.24 Hunt County MUD No. 4 CCH WQ0016040001.pdf

MWD
125964

H

From: dgalvan@lglawfirm.com <dgalvan@lglawfirm.com>
Sent: Tuesday, May 24, 2022 1:40 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016040001

REGULATED ENTY NAME HUNT COUNTY MUD NO 4 WWTP

RN NUMBER: RN111334819

PERMIT NUMBER: WQ0016040001

DOCKET NUMBER:

COUNTY: HUNT

PRINCIPAL NAME: HUNT COUNTY MUNICIPAL UTILITY DISTRICT 4

CN NUMBER: CN605788421

FROM

NAME: Dubelza Galvan

EMAIL: dgalvan@lglawfirm.com

COMPANY: Lloyd Gosselink

ADDRESS: 816 CONGRESS AVE Ste 1900
AUSTIN TX 78701-2442

PHONE: 5123225824

FAX: 5124720532

COMMENTS: NTMWD Hearing Request



Ms. Kalisek's Direct Line: (512) 322-5847
Email: lkaliseck@lglawfirm.com

816 Congress Avenue, Suite 1900
Austin, Texas 78701
512.322.5800 p
512.472.0532 f
lglawfirm.com

May 24, 2022

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

VIA FIRST CLASS MAIL
AND ELECTRONIC FILING

RE: Hunt County Municipal Utility District No. 4; Comment Letter and Request
for Contested Case Hearing for Texas Pollutant Discharge Elimination System
Permit No. WQ0016040001 (446-13/-69)

Dear Ms. Gharis:

On behalf of North Texas Municipal Water District ("NTMWD"), please consider this letter as providing comments on and a formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Hunt County Municipal Utility District No. 4 ("Applicant") and the associated draft permit ("Draft Permit").

TCEQ received this application on September 13, 2021. The Application is for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 220,000 gallons per day. The proposed Wastewater Treatment Plant ("WWTP") will be located in Hunt County, Texas, and the wastewater will be discharged from the proposed WWTP to Payne Creek, thence to Brushy Creek, thence to West Caddo Creek, thence to Caddo Creek, thence to Lake Tawakoni in Segment No. 0507 of the Sabin River Basin. The Application states the proposed WWTP will provide wastewater service to Hunt County Municipal District No. 4.

I. REQUEST FOR CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fourteen (14) NTMWD-owned or operated WWTPs. Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity

River and Sabine River Basin.¹ Flows from the Royse City WWTP and collection lines feed into NTMWD's Sabine Creek WWTP.

NTMWD requests a contested case hearing on the application and the associated Draft Permit, as NTMWD is an "affected person" within the meaning of 30 Tex. Admin. Code §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.² All relevant factors must be considered by the TCEQ in determining affected persons status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*³ Additionally, the TCEQ may consider: (1) the merits of the Application, including whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁴

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 Tex. Admin. Code §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued. The Applicant's proposed WWTP seeks to collect, transport, treat, and discharge wastewater within three miles of an existing collection system served by NTMWD. NTMWD is an affected person because the proposed action would interfere with its existing system that collects, transports, treats, and discharges wastewater

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek RWWT, TPDES Permit No. WQ0010221001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP TPDES Permit No. WQ0014469001.

² 30 Tex. Admin. Code § 55.103.

³ *Id.* § 55.203(c) (emphasis added).

⁴ *Id.* § 55.203(d).

within three miles of Applicant's proposed WWTP. The proximity of the proposed WWTP to NTMWD's existing regional system calls into question the need for the permit and/or whether the permit conditions should be changed or altered given the availability of NTMWD's nearby regional system pursuant to TEX. WATER CODE § 26.0282.

Specifically, as shown in **Attachment A**, the development to be served by the proposed WWTP is 1.12 miles away from existing wastewater collection lines that are a part of the NTMWD regional system. In addition, future Royse City wastewater collection lines will run through the proposed development. NTMWD has expended significant time, effort, and resources over many years in planning, financing, and constructing infrastructure to serve the area through the NTMWD Sabine Creek WWTP. This effort would be undermined if the TCEQ issues the Draft Permit without regard to the availability of service from the NTMWD system.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because the of the proximity of the proposed WWTP and proposed development to NTMWD's nearby regional system. In accordance with 30 Tex. Admin. Code § 55.201(d)(4)(B), NTMWD requests that the following issues be referred to a contested case hearing:

1. Whether there is a need for the Draft Permit given the proximity of NTMWD's regional system.
2. Whether the application should be denied or the Draft Permit terms and conditions altered given the availability of NTMWD's regional system.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when wastewater services are available within 3 miles of the proposed WWTP.

IV. CONCLUSION

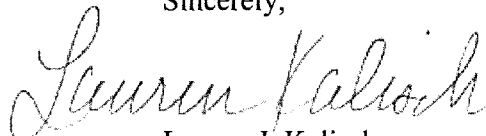
For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 Tex. Admin. Code § 55.201, NTMWD files these comments on and requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. All official communication may be directed to my attention at:

May 24, 2022
Page 4

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5847
Email: lkalisek@lglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

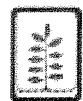
Sincerely,



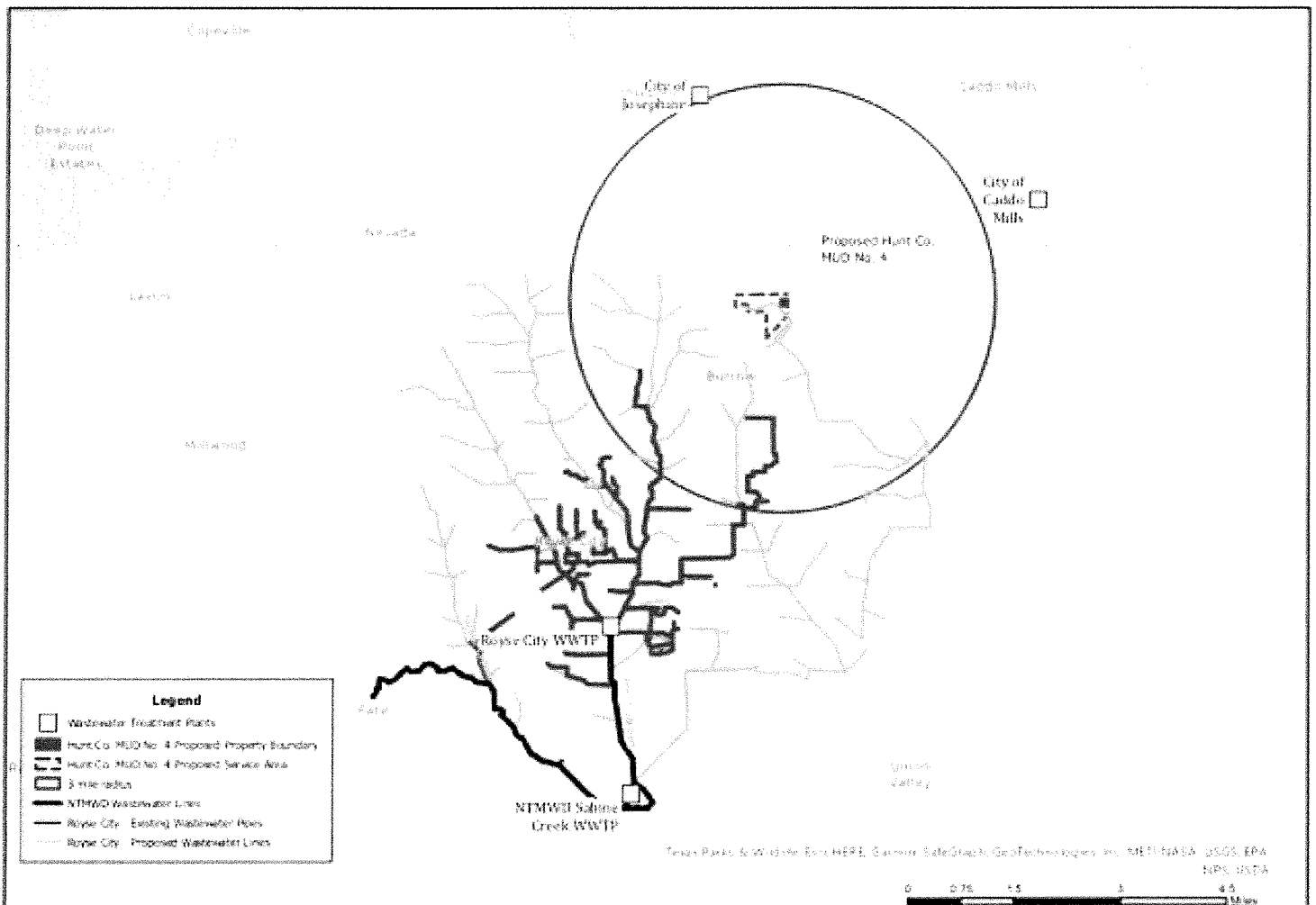
Lauren J. Kalisek

LJK/slw

Attachment A



**Hunt County MUD No. 4
Nearby Wastewater Treatment Plants and Collection Systems**



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, May 26, 2022 11:11 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016036001
Attachments: 2022.05.24 Camden Parc CCH WQ0016036001.pdf

MWD
126154

H

From: dgalvan@lglawfirm.com <dgalvan@lglawfirm.com>
Sent: Tuesday, May 24, 2022 1:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016036001

REGULATED ENTY NAME ROCKWALL COUNTY

RN NUMBER: RN111321964

PERMIT NUMBER: WQ0016036001

DOCKET NUMBER:

COUNTY: ROCKWALL

PRINCIPAL NAME: CAMDEN PARC MUNICIPAL UTILITY DISTRICT OF ROCKWALL COUNTY

CN NUMBER: CN605737097

FROM

NAME: Dubelza Galvan

EMAIL: dgalvan@lglawfirm.com

COMPANY: Lloyd Gosselink

ADDRESS: 816 CONGRESS AVE Suite 1900
AUSTIN TX 78701-2442

PHONE: 5123225824

FAX: 5124720532

COMMENTS: NTMWD Hearing Request



Ms. Kalisek's Direct Line: (512) 322-5847
Email: lkaliseck@lglawfirm.com

816 Congress Avenue, Suite 1900
Austin, Texas 78701
512.322.5800 p
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lglawfirm.com

May 24, 2022

Ms. Laurie Gharis
Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

VIA FIRST CLASS MAIL
AND ELECTRONIC FILING

RE: Camden Parc Municipal Utility District of Rockwall County; Comment Letter
and Request for Contested Case Hearing for Texas Pollutant Discharge Elimination
System Permit No. WQ0016036001 (446-13/-69)

Dear Ms. Gharis:

On behalf of North Texas Municipal Water District ("NTMWD"), please consider this letter as providing comments on and a formal request for a contested case hearing on the above-referenced Texas Pollutant Discharge Elimination System ("TPDES") permit application ("Application") filed with the Texas Commission on Environmental Quality ("TCEQ") by Camden Parc Municipal Utility District of Rockwall County ("Applicant") and the associated draft permit ("Draft Permit").

I. REQUEST FOR CONTESTED CASE HEARING

NTMWD is a conservation and reclamation district under Article XVI, Section 59 of the Texas Constitution that was created by the Texas Legislature in 1951 to serve regional water and wastewater needs in the area north and east of Dallas. Today, NTMWD provides wastewater service to this area from fourteen (14) NTMWD-owned or operated wastewater treatment plants ("WWTP"). Many of these WWTPs operate in and discharge to tributaries of the Trinity River, including the East Fork Trinity River and Sabine River Basin.¹ Flows from the Royse City WWTP and collection lines feed into NTMWD's Sabine Creek WWTP.

¹ Sister Grove Regional Waste Resource Recovery Facility Phase I Facilities, TPDES Permit No. 15693001; Wilson Creek WWTP, TPDES Permit No. WQ0012446001; Rowlett Creek WWTP, TPDES Permit No. WQ0010363001; Floyd Branch WWTP, TPDES Permit No. WQ0010257001; South Mesquite Creek RWWTP, TPDES Permit No. WQ0010221001; Seis Lagos WWTP, TPDES Permit No. WQ0011451001; Squabble Creek WWTP, TPDES Permit No. WQ0010262001; Buffalo Creek WWTP, TPDES Permit No. WQ00102047001; Frisco Cottonwood Creek WWTP, TPDES Permit No. WQ0010172002; Stewart Creek West WWTP, TPDES Permit No. WQ0014008001; Farmersville No. 1 WWTP, TPDES Permit No. WQ0010442001; Bear Creek WWTP, TPDES Permit No. WQ0014577001; Panther Creek WWTP, TPDES Permit No. WQ0014245001; Sabine Creek WWTP TPDES Permit No. WQ0014469001.

TCEQ received this application on August 24, 2021. The Application is for a new TPDES permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 550,000 gallons per day. Although the Application's TPDES discharge information is unclear, NTMWD can discern that the proposed WWTP will be located in Rockwall County, Texas and the wastewater will be discharged from the proposed WWTP site to Parker Creek, thence to the South fork of the Sabine River, thence to Lake Tawakoni. The Applicant asserts that the proposed WWTP will provide wastewater service to a proposed development located east of FM 548 between Greenshaw Road on the north side and north Munson Road on the south side in Royse City in Rockwall County, Texas. There is no Greenshaw road in this region, but there is a "Crenshaw Road."

NTMWD requests a contested case hearing, as NTMWD is an "affected person" within the meaning of 30 Tex. Admin. Code §§ 55.103 and 55.203. An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by issuance of the Draft Permit.² All relevant factors must be considered by the TCEQ in determining affected persons status, including: (1) whether the interest claimed is one protected by the law under which the Application will be considered; (2) distance restrictions or other limitations imposed by law on the affected interest; (3) whether a reasonable relationship exists between the interest claimed and the activity regulated; (4) the likely impact of the regulated activity on the health, safety, and use of property of the person; (5) the likely impact of the regulated activity on use of the impacted natural resource by the person; (6) whether the requestor submitted comments on the Application that were not withdrawn; and, (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the Application.*³ Additionally, the TCEQ may consider: (1) the merits of the Application, including whether the Application meets the requirements for permit issuance; (2) the Executive Director's ("ED's") analysis and opinions; and (3) other expert reports, affidavits, opinions, and data.⁴

II. NTMWD HAS A PERSONAL JUSTICIABLE INTEREST AFFECTED BY THE APPLICATION AND DRAFT PERMIT

For the reasons set forth herein, NTMWD is an affected person, as defined by 30 Tex. Admin. Code §§ 55.103 and 55.203. NTMWD has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest that is not common to the general public and that would be adversely affected should the Draft Permit be issued. The Applicant's proposed WWTP seeks to collect, transport, treat, and discharge wastewater within three miles of an existing collection system served by NTMWD. The proximity of the proposed WWTP to NTMWD's

² 30 Tex. Admin. Code § 55.103.

³ *Id.* § 55.203(c) (emphasis added).

⁴ *Id.* § 55.203(d).

existing regional system calls into question the need for the permit and/or whether the permit conditions should be changed or altered given the availability of NTMWD's nearby regional system pursuant to TEXAS WATER CODE § 26.0282.

NTMWD is an affected person because the proposed action would interfere with its existing system that collects, transports, treats, and discharges wastewater within three miles of Applicant's proposed WWTP. Specifically, the Application indicates that the proposed WWTP will allow the Applicant to collect, transport, and treat wastewater from the City of Rockwall, Texas' extraterritorial jurisdiction ("ETJ"), within three miles of the Royse City collection system that transports flows to NTMWD's Sabine Creek WWTP (as indicated in **Attachment A**). The proposed WWTP boundary is 0.4 miles from NTMWD's Sabine Creek WWTP boundary. In addition, the development is 0.12 miles from existing City of Fate wastewater collection lines, and it is NTMWD's understanding that a proposed City of Fate collection line will run along the northeast boundary of the development property. NTMWD has expended significant time, effort, and resources over many years in planning, financing, and constructing infrastructure, including the Royse City lines that flow into the NTMWD Sabine Creek WWTP. NTMWD's efforts would be undermined if the TCEQ issues the Draft Permit without regard to the availability of service from the NTMWD system.

III. DISPUTED FACTS AND LAW TO BE REFERRED FOR A CONTESTED CASE HEARING.

In addition to the foregoing bases to grant NTMWD's hearing request, NTMWD reasserts that it is an affected person and thus entitled to a hearing, because of the proximity of the proposed WWTP and proposed development to NTMWD's nearby regional system. In accordance with 30 Tex. Admin. Code § 55.201(d)(4)(B), NTMWD requests that the following issues be referred to a contested case hearing:

1. Whether there is a need for the Draft Permit given the proximity of NTMWD's regional system.
2. Whether the application should be denied or the Draft Permit terms and conditions altered given the availability of NTMWD's regional system.

In short, an additional treatment and disposal facility within this area is not necessary. It is not in the public interest for TCEQ to issue a new discharge authorization when wastewater services are available within three miles of the proposed WWTP.

IV. CONCLUSION

For the foregoing reasons and because this request substantially complies with the requirements of a contested case hearing request per 30 Tex. Admin. Code § 55.201, NTMWD

May 24, 2022

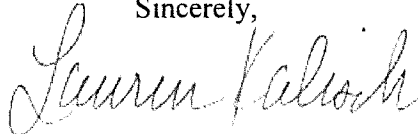
Page 4

files these comments on and requests a contested case hearing in this matter regarding the above-listed issues. NTMWD reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing. All official communication may be directed to my attention at:

Ms. Lauren J. Kalisek
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5847
Email: lkalisek@lglawfirm.com

I appreciate your attention to this request. Please do not hesitate to contact me if you have questions.

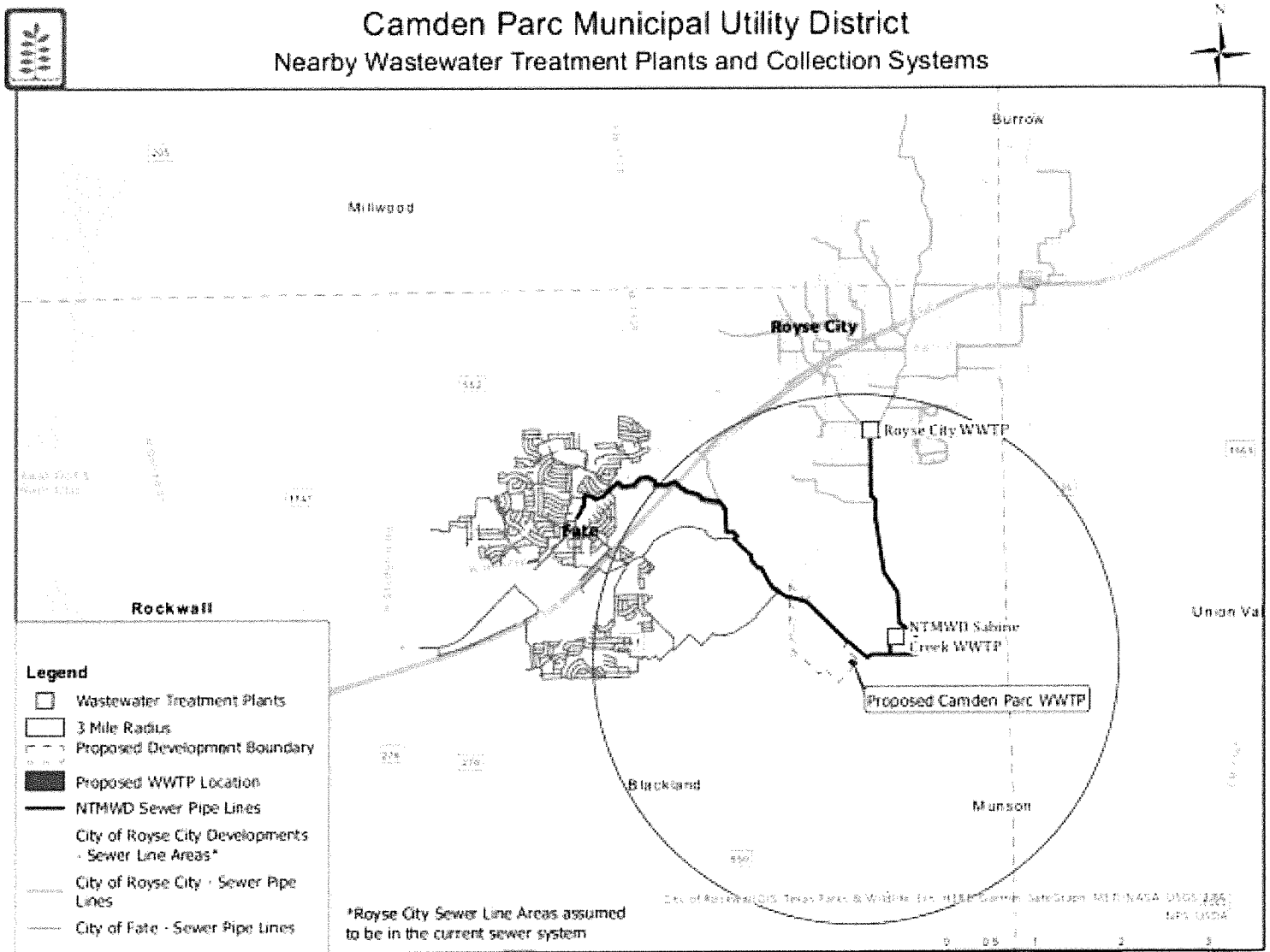
Sincerely,

A handwritten signature in cursive script that reads "Lauren Kalisek".

Lauren J. Kalisek

LJK/slw

Attachment A



Marielle Bascon

From: PUBCOMMENT-OCC
Sent: Monday, July 17, 2023 10:38 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016036001
Attachments: National Flood Hazard Layer-Parker Creek_Labled.pdf

H

From: dmilan@cmi-tax.com <dmilan@cmi-tax.com>
Sent: Saturday, July 15, 2023 9:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016036001

REGULATED ENTY NAME ROCKWALL COUNTY

RN NUMBER: RN111321964

PERMIT NUMBER: WQ0016036001

DOCKET NUMBER:

COUNTY: ROCKWALL

PRINCIPAL NAME: CAMDEN PARC MUNICIPAL UTILITY DISTRICT OF ROCKWALL COUNTY

CN NUMBER: CN605737097

NAME: MR David Milan

EMAIL: dmilan@cmi-tax.com

COMPANY:

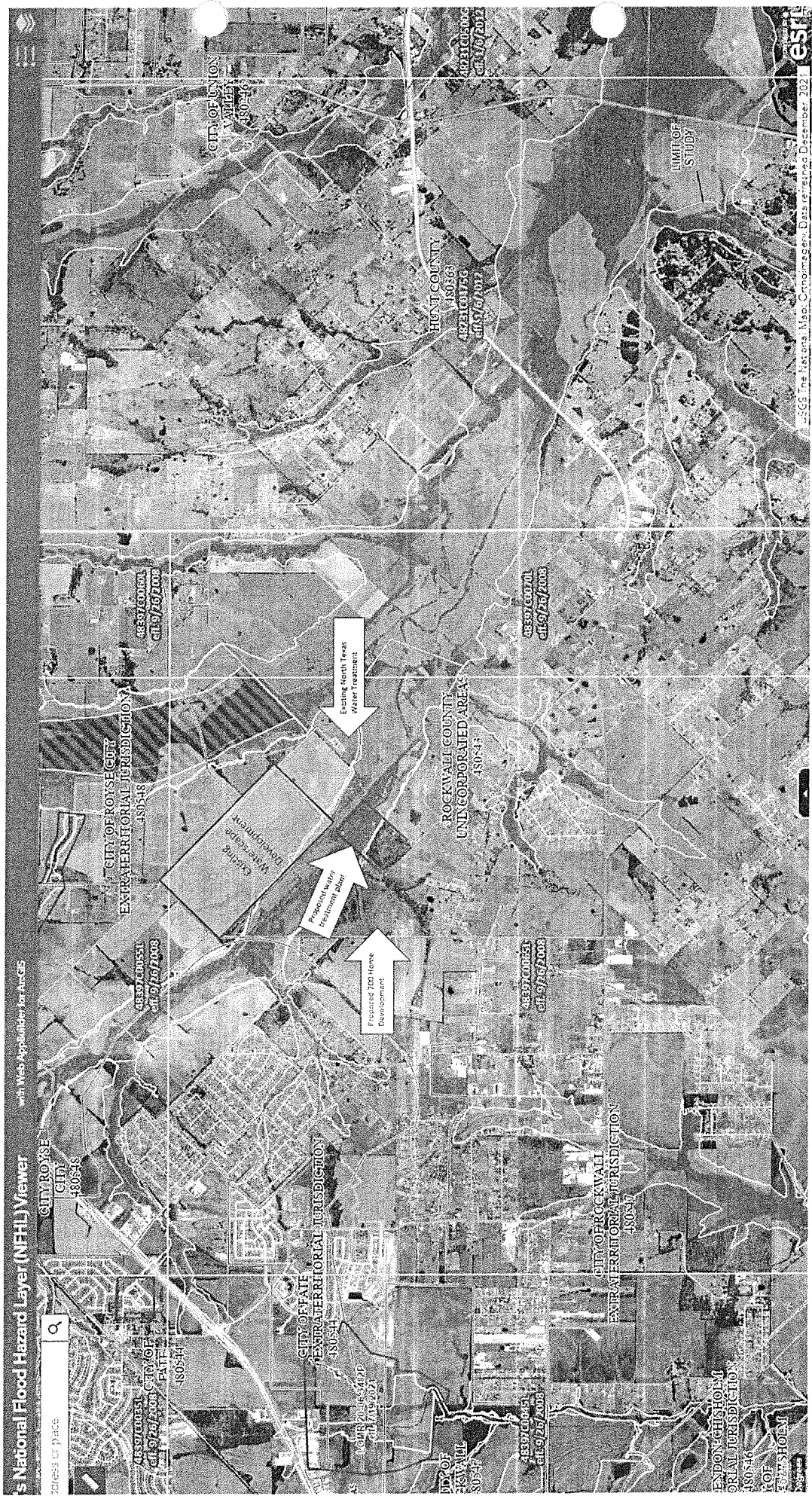
ADDRESS: 455 HOLLI DAWN
ROYSE CITY TX 75189-5328

PHONE: 2149571746

FAX:

COMMENTS: Our names are David and Karen Milan and our address is 455 Holli Rd., Royse City, TX, Rockwall County. We request a contested case hearing. We are affected persons in that we are approximately 900 feet from the proposed wastewater treatment facility. Sabine creek flows thru our property and is partially affected by the flood plain of Sabine creek. Our concerns are the loss of additional land to the flood zone diminishing the value of our property, the odors regardless of the buffer zones will be carried by the prevailing winds over our property. There is an existing North Texas Water district plant that is expanding their capacity to outflow 3 million gallons a day into the creek and the Camden

Parc facility is out flowing 550,000 gallons a day then you add the density of the development with removal ground water saturation being replaced by concrete and roof tops can do nothing but increase the flood zones of the area. The outflowed contaminated wastewater will have will impact the soil and the animal forage that will be consumed by my cattle and others along the creek. If the mission of the TCEQ is to "protect our state's public health and natural resources" the ramifications of this plant does seem consistent with that mission. The permitting of this facility is not reasonable when the property is within 1,200 feet of an existing treatment facility that they could tie into. It appears the developer is using this to circumvent the county requirements for housing density. This also impacts the property owners of the county by placing undue burden on infrastructure of roads, police, fire and public safety. Experiences with other facilities like this that are privately owned are not maintained to the same standards of publicly owned operations, impacting the residents around them.



David

TCEQ Registration Form

March 23, 2023

Camden Parc Municipal Utility District of Rockwall County Proposed TPDES Permit No. WQ0016036001

PLEASE PRINT

Name: David & Karen Milan

Mailing Address: 455 Hollis Dawn Rd, Royse City, TX 75189

Physical Address (if different): _____

City/State: Royse City, TX Zip: 75189

This information is subject to public disclosure under the Texas Public Information Act

Email: dmilan@cmi-tex.com

Phone Number: (214) 957-1746

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

If yes, which one? _____

☒ Please add me to the mailing list.

☒ I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.

☐ I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, March 21, 2023 11:27 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016036001

RFR

From: brebrekin@gmail.com <brebrekin@gmail.com>
Sent: Monday, March 20, 2023 10:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016036001

REGULATED ENTY NAME ROCKWALL COUNTY

RN NUMBER: RN111321964

PERMIT NUMBER: WQ0016036001

DOCKET NUMBER:

COUNTY: ROCKWALL

PRINCIPAL NAME: CAMDEN PARC MUNICIPAL UTILITY DISTRICT OF ROCKWALL COUNTY

CN NUMBER: CN605737097

FROM

NAME: Shakina Watts

EMAIL: brebrekin@gmail.com

COMPANY:

ADDRESS: 3022 DEW DROP DR
ROYSE CITY TX 75189-3142

PHONE: 9727484192

FAX:

COMMENTS: Good Afternoon, I hope that your week is going well. I am writing this email regarding a new wastewater plant that is to be built literally right next to the neighborhood of Waterscape. This absolutely will drop property values for residents not to mention the effect that the smell may have on our health. I had no idea that this was even a possibility or I would have never purchased a home in this neighborhood. I beg you to please re consider and place the plant elsewhere. There is so much empty land in Royse City why does the plant have to literally be next door? We

already have to deal with one plant; we should not be made to now deal with two. I have children who will attend the school and the plant will be near that as well. I for the life of me cannot understand why there has to be two plants.
Signed a concerned citizen. Shakina Watts