

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 15, 2023

TO: All interested persons.

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

Decision of the Executive Director.

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** This decision will be considered by the commissioners at a regularly scheduled public meeting before any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov. A complete copy of the RTC (including the mailing list), complete application, draft permit and related documents, including public comments, are available for review at the TCEQ Central Office. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Royse City Hall, 305 North Arche Street, Royse City, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. The procedures for the commission's evaluation of hearing requests/requests for reconsideration are located in 30 Texas Administrative Code Chapter 55, Subchapter F. A brief description of the procedures for these two requests follows.

How to Request a Contested Case Hearing.

It is important that your request include all the information that supports your right to a contested case hearing. Your hearing request must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.
- (3) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: “I request a contested case hearing.”
- (4) If the request is made by a group or association, the request must identify:
 - (A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group;
 - (B) the comments on the application submitted by the group that are the basis of the hearing request; and
 - (C) by name and physical address one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization’s purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.

Additionally, your request must demonstrate that you are an **“affected person.”** 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. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities.

Your request must raise disputed issues of fact that are relevant and material to the commission’s decision on this application that were raised **by you** during the public comment period. The request cannot be based solely on issues raised in comments that you have withdrawn.

To facilitate the commission’s determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director’s responses to **your** comments that you dispute; 2) the factual basis of the dispute; and 3) list any disputed issues of law.

How to Request Reconsideration of the Executive Director’s Decision.

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director’s decision. A request for reconsideration should contain your name,

address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

Deadline for Submitting Requests.

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date of this letter. You may submit your request electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html or by mail to the following address:

Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Processing of Requests.

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the TCEQ's Alternative Dispute Resolution Program and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

How to Obtain Additional Information.

If you have any questions or need additional information about the procedures described in this letter, please call the Public Education Program, toll free, at 1-800-687-4040.

Sincerely,



Laurie Gharis
Chief Clerk

LG/erg

Enclosure

**EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT
for
Camden Parc Municipal Utility District of Rockwall County
TPDES Permit No. WQ0016036001**

The Executive Director has made the Response to Public Comment (RTC) for the application by Camden Parc Municipal Utility District of Rockwall County for TPDES Permit No. WQ0016036001 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:

<https://www.tceq.texas.gov/goto/cid>

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0016036001) and click the "Search" button. The search results will display a link to the RTC.

Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov.

Additional Information

For more information on the public participation process, you may contact the Office of the Public Interest Counsel at (512) 239-6363 or call the Public Education Program, toll free, at (800) 687-4040.

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Royse City Hall, 305 North Arche Street, Royse City, Texas.

MAILING LIST
for
Camden Parc Municipal Utility District of Rockwall County
TPDES Permit No. WQ0016036001

FOR THE APPLICANT:

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Kyle Hogue, Water Team Leader
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5810 Tennyson Parkway
Suite 280
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INTERESTED PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

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FOR PUBLIC INTEREST COUNSEL
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FOR THE CHIEF CLERK
via electronic mail:

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ROYSE CITY TX 75189-6423

BOWLES , DALLAS
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ROYSE CITY TX 75189-2430

CAMPBELL , DEBRA
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CARPENTER , ALEXIS
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ROYSE CITY TX 75189-2420

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C & E MFG INC
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CARSON , CRAIG
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LIVINGSTON , CANDY & JAMES S
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ROYSE CITY TX 75189-2421

LYON , WILLIAM
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ROYSE CITY TX 75189-5360

MILAN , DAVID
455 HOLLI DAWN RD
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MILAN , KAREN
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NEW , FRANK
STE 202
101 E RUSK ST
ROCKWALL TX 75087-3783

PHELPS , BRENNAN
576 SABINE CREEK RD
ROYSE CITY TX 75189-5356

PIETERSEN , JACOB & TERESA
3014 TRIBUTARY LN
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PIROZZOLO , JOHN
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SENKEVECH , TARA
19012 FM 986
POETRY TX 75160

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THOMPSON , DANNY
1568 N MUNSON RD
ROYSE CITY TX 75189-5394

TUGGLE , JERRY
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TPDES Permit No. WQ0016036001

APPLICATION FROM CAMDEN PARC	§	BEFORE THE TEXAS
MUNICIPAL UTILITY DISTRICT OF	§	
ROCKWALL COUNTY FOR A NEW	§	COMMISSION ON
TEXAS POLLUTANT DISCHARGE	§	
ELIMINATION SYSTEM PERMIT NO.	§	ENVIRONMENTAL QUALITY
WQ0016036001	§	

EXECUTIVE DIRECTOR’S RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (TCEQ) files this Response to Public Comment on the application by Camden Parc Municipal Utility District of Rockwall County for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016036001 and the Executive Director’s Preliminary Decision. As required by Title 30, § 55.156 of the Texas Administrative Code (TAC), before a permit is issued, the Executive Director prepares a response to all timely, relevant and material, or significant comments. State Representative Justin Holland requested a public meeting on this matter. In addition, The Office of the Chief Clerk received timely comments from Letha Ainley, Dallas Bowles, Alexis Carpenter, Craig Carson, Trevor Colquette, Cynthia Corona, Scott W. Eidman, Representing Camden Parc Municipal Utility District of Rockwall County, Jana Estep, Carolyn Freeman, James H. Freeman, Jared and Katerina Hutchins, Ross S. Martin, Kay McKown, David Milan, Brenan Phelps, Benjamin Stone (Honey Stone Ranch, LLC), Shakina Watts, and Lauren J. Kalisek on behalf of North Texas Municipal Water District.

This response addresses all timely public comments received, whether or not withdrawn. For more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found on the TCEQ’s web site at <http://www.tceq.texas.gov>.

I. BACKGROUND

(A) Facility Description

Camden Parc applied to the TCEQ for a new permit that would authorize the discharge of treated domestic wastewater via Outfall 001 at a daily average flow not to exceed 0.55 million gallons per day. The Camden Parc Wastewater Treatment Facility

will be an activated sludge process plant operated in the conventional mode with nitrification. Treatment units include a bar screen, two aeration basins, two final clarifiers, two aerobic sludge digesters, and one chlorine contact chamber. The facility has not been constructed.

The effluent limitations in the draft permit, based on a 30-day average, are 10 mg/l five-day carbonaceous biochemical oxygen demand (CBOD₅), 15 mg/l total suspended solids (TSS), 3 mg/l ammonia-nitrogen (NH₃-N), 126 CFU or MPN of *E. coli* per 100 ml, and 4.0 mg/l minimum dissolved oxygen (DO). The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes based on peak flow. The pH must be in the range of 6.0 to 9.0 standard units.

The wastewater treatment plant (WWTP) will be located approximately 0.85 miles northeast of the intersection of Farm-to-Market Road 548 and north Munson Road in Rockwall County, Texas, 75891. The treated effluent will be discharged to Parker Creek, thence to South fork of the Sabine River, thence to Lake Tawakoni in Segment No. 507 of the Sabine River Basin. The unclassified receiving water uses are limited aquatic life use for both Parker Creek and South Fork Sabine River. The designated uses for Segment No. 0507 are primary contact recreation, public water supply, and high aquatic life uses.

(B) Procedural Background

The TCEQ received the application on August 24, 2021, and declared it administratively complete on December 14, 2021. The English Notice of Receipt of Application and Intent to Obtain Water Quality Permit (NORI) was published on December 23, 2021, in the *Herald Banner*. The Spanish Notice of Receipt of Application and Intent to Obtain Water Quality Permit (NORI) was published on December 23, 2021, in the *Herald Banner*. The Executive Director completed the technical review of the application on April 21, 2022, and prepared a draft permit. The English Notice of Application and Preliminary Decision (NAPD) was published on May 26, 2022, in the *Herald Banner*. The Spanish Notice of Application and Preliminary Decision (NAPD) was published on May 26, 2022, in the *Herald Banner*. The Public Meeting Notice was published February 17, 2023. The public meeting was held on March 23, 2023. The public comment period ended on March 23, 2023, at the close of the public meeting.

This application was filed on or after September 1, 2015. Therefore, it is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature (1999) and Senate Bill 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55.

(C) Access to Rules, Statutes, and Records

Please consult the following websites to access the rules and regulations applicable to this permit:

- Secretary of State website for all Texas administrative rules: <http://www.sos.state.tx.us/texreg/index.shtml>;
- TCEQ rules in title 30 of the Texas Administrative Code: <http://www.sos.state.tx.us/tac/index.shtml> (select “View the current *Texas Administrative Code*,” then “Title 30 Environmental Quality”);
- Texas statutes: <https://statutes.capitol.texas.gov/>;
- TCEQ website: <http://www.tceq.texas.gov> (for downloadable rules in portable document format, select “Rules and Rulemaking,” then “Download TCEQ Rules”);
- Federal rules in Title 40 of the Code of Federal Regulations: <http://www.ecfr.gov>; and
- Federal environmental laws: <https://www.epa.gov/laws-regulations>.

TCEQ records for this application are available at the TCEQ’s Office of the Chief Clerk until the TCEQ takes final action on the application. Some documents located at the Office of the Chief Clerk may also be located in the Commissioners’ Integrated Database at <https://www14.tceq.texas.gov/epic/eCID/>. The application, draft permit, and Statement of Basis/Technical Summary and Executive Director’s Preliminary Decision are also available for viewing and copying at Royse City Hall, 305 North Arche Street, Royse City, Texas.

II. COMMENTS AND RESPONSES

Comment 1.

Letha Ainley, Dallas Bowles, Alexis Carpenter, Craig Carson, Trevor Colquette, Cynthia Corona, Carolyn Freeman, James Freeman, Jared and Katerina Hutchins, Kay McKown, David Milan, and Brennan Phelps expressed a general objection to the proposed wastewater treatment facility.

Response 1.

The Executive Director acknowledges the comments.

Comment 2.

Dallas Bowles and David Milan expressed concern that the odors from the WWTP will reduce property values.

Response 2.

All wastewater treatment facilities have the potential to generate odors. To control and abate odors the TCEQ rules require domestic WWTPs to meet buffer zone requirements for the abatement and control of nuisance odor according to 30 TAC § 309.13(e), which provides three options for applicants to satisfy the nuisance odor abatement and control requirements. Camden Parc Utility District of Rockwall County can comply with the rule by: 1) ownership of the buffer zone area; 2) restrictive easement from the adjacent property owners for any part of the buffer zone not owned by the applicant; or 3) providing nuisance odor control.

According to its application, the applicant intends to comply with the requirement to abate and control nuisance of odor by locating the treatment units at least 150 feet from the nearest property line. This requirement is incorporated in the draft permit. Therefore, nuisance odor is not expected to occur as a result of the permitted activities at the facility if the permittee operates the facility in compliance with TCEQ's rules and the terms and conditions of the draft permit.

The TCEQ does not have jurisdiction to review the effect, if any, the discharge might have on property values of downstream landowners in reviewing a domestic wastewater discharge permit application. 30 TAC § 305.122(d) states that the issuance of the permit does not authorize any injuries to persons or property, an invasion of other property rights, or any infringement of state or local statutes or regulations. Also, 30 TAC § 305.122(d) and 30 TAC § 305.125(16) states that the issuance of a permit does not convey any property right or exclusive privilege. The draft permit incorporates those rules in the draft permit.

Moreover, the permit does not limit the ability of an individual to seek legal remedies against Camden Parc regarding any potential trespass, nuisance, or other causes of action in response to activities that may result in injury to human health or property or that may interfere with the normal use and enjoyment of property.

Comment 3.

Martin Ross, on behalf of Camden Parc Municipal Utility district of Rockwall County, requested a Public Meeting be held in March 2023.

Response 3.

A Public Meeting was held on March 23, 2023.

Comment 4.

Alexis Carpenter, Jared and Katerina Hutchins, and Shakina Watts expressed concern that the WWTP will decrease the value of their properties.

Response 4.

The TCEQ does not have jurisdiction to review the effect the discharge or WWTF might have on property values of downstream landowners in reviewing a domestic wastewater discharge permit application. 30 TAC § 305.122(d) provides that the issuance of the permit does not authorize any injuries to persons or property, an invasion of other property rights, or any infringement of state or local statutes or regulations. Additionally, 30 TAC § 305.122(d) and 30 TAC § 305.125(16) provide that the issuance of a permit does not convey any property right or exclusive privilege. The draft permit incorporates those rules in the draft permit.

Moreover, the draft permit does not limit the ability of an individual to seek legal remedies against the applicant regarding any potential trespass, nuisance, or other causes of action in response to activities that may result in injury to human health or property or that may interfere with the normal use and enjoyment of property.

Comment 5.

Letha Ainley expressed concern over the health hazards from cockroaches, mosquitoes, rats, and other pests.

Response 5.

The plans and specifications of the plant design must be in compliance with 30 TAC Chapter 217, relating to “Design Criteria for Domestic Wastewater Systems.” The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Consequently, a health hazard as a result of pests should not occur.

The permit does not limit the ability of an individual to seek legal remedies against the applicant regarding any potential trespass, nuisance, or other causes of action in response to activities that may result in injury to human health or property or that may interfere with the normal use and enjoyment of property.

Comment 6.

Shakina Watts expressed concern over the impact odors from the WWTP will have on her health. Similarly, Alexis Carpenter and Jana Estep expressed concern from odors from the WWTP.

Response 6.

All wastewater treatment facilities have the potential to generate odors. To control and abate odors the TCEQ rules require domestic WWTPs to meet buffer zone requirements for the abatement and control of nuisance odor according to 30 TAC § 309.13(e), which provides three options for applicants to satisfy the nuisance odor abatement and control requirements. Camden Parc Utility District of Rockwall County can comply with the rule by: 1) ownership of the buffer zone area; 2) restrictive easement from the adjacent property owners for any part of the buffer zone not owned by the applicant; or 3) providing nuisance odor control.

According to its application, the applicant intends to comply with the requirement to abate and control nuisance of odor by locating the treatment units at least 150 feet from the nearest property line. This requirement is incorporated in the draft permit. Therefore, nuisance odor is not expected to occur as a result of the permitted activities at the facility if the permittee operates the facility in compliance with TCEQ's rules and the terms and conditions of the draft permit.

If anyone experiences nuisance odor conditions or any other suspected incidents of noncompliance with the permit or TCEQ rules, they may be reported to TCEQ by calling toll-free 1-888-777-3186. Citizen complaints may also be filed on-line at [What If Your Complaint Is About an Odor? - Texas Commission on Environmental Quality - www.tceq.texas.gov](http://www.tceq.texas.gov).

Comment 7.

Dallas Bowles, David Milan, and Carolyn Freeman expressed concern that the chemicals released by the WWTP could be hazardous to children and the ecosystem. Similarly, Alexis Carpenter expressed concern over the impact of the WWFT on the

proposed elementary school. Jared and Katerina Hutchins expressed concern over the health effects of the pollutants and toxins produced by WWTPs.

Response 7.

The only chemical addition to the treatment process is chlorine for disinfection purposes. Chlorination may be via gaseous, liquid, or tablet forms. Whichever form is used, the design criteria for chemical disinfection by chlorine, including safety requirements, in 30 TAC Chapter 217, Subchapter K shall be observed. The rules in 30 TAC § 309.3(g)(1) require that disinfection of domestic wastewater must be protective of both public health and aquatic life.

The Water Quality Division has determined that the draft permit is in accordance with the Texas Surface Water Quality Standards, which ensures that the effluent discharge is protective of aquatic life, human health, and the environment. Therefore, the permit limits given in the draft permit intended to maintain the existing uses of the surface waters and preclude degradation also include the residual chlorine concentration in the treated effluent. The permit limitation for maximum total chlorine residual is 1.0 mg/l after chlorination and shall be monitored daily by grab sample. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l total chlorine residual and shall monitor total chlorine residual daily by grab sample after the dechlorination process.

Additionally, as specified in the Texas Surface Water Quality Standards (TSWQS), water in the state must be maintained to preclude adverse toxic effects on aquatic life, terrestrial life, livestock, and domestic animals resulting from contact, consumption of aquatic organisms, consumption of water, or any combination of the three. Water in the state must also be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water, or any combination of the three.

The draft permit includes provisions to ensure that these surface water quality standards will be maintained. Conventional domestic sewage does not typically contain toxic compounds in measurable quantities that might result in toxic effects in the receiving waterbodies, unless there are significant industrial users contributing to the waste stream. The Executive Director conducted a review to determine if there were any industrial contributors to the Rockwall County WWTP, none were found.

Comment 8.

Benjamin Stone, David Milan, and Brenan Phelps expressed concerns over the safety of the discharge to people and animals, including cattle and wildlife. Similarly, Kay McKown, David Milan, and Brenan Phelps expressed concern over that the facility will negatively impact cattle operations in the area.

Response 8.

The draft permit was drafted in accordance with 30 TAC § 307.5 and the TCEQ *Procedures for the Implementation of the Texas Surface Water Quality Standards* (IPs; June 2010). The Texas Surface Water Quality Standards (TSWQS) provide that surface waters cannot be toxic to aquatic or terrestrial organisms. While the TSWQS and the IPs do not specifically designate criteria for the protection of cattle or livestock, they do designate criteria for the protection of aquatic life that should preclude negative impacts to the health and performance of cattle or wildlife.

The Executive Director has determined that the proposed draft permit for the facility meets the requirements of the TSWQS, which are established to protect human health, terrestrial, and aquatic life. Aquatic organisms are more sensitive to water quality components than terrestrial organisms.

Comment 9.

David Milan expressed concern over the impact of the discharge on aquatic life.

Response 9.

The Texas Surface Water Quality Standards (TSWQS) in 30 TAC Chapter 307 require that discharges may not degrade the receiving waters and may not result in situations that impair existing, attainable or designated uses, and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock, or domestic animals. The effluent limits in the draft permit are set to maintain and protect the existing instream uses.

In this case, the designated uses for Segment No. 0507 are primary contact recreation, public water supply, and high aquatic life use. The Executive Director determined that these uses should be protected if the facility is operated and maintained as required by the proposed permit and regulations. Additionally, the treated effluent will be disinfected prior to discharge to protect human health.

The Executive Director has made a preliminary determination that the draft permit, if issued, meets all statutory and regulatory requirements.

Comment 10.

David Milan expressed concern about the impact of pharmaceuticals on the receiving water.

Response 10.

Neither TCEQ nor the Environmental Protection Agency (EPA) has promulgated rules or criteria limiting emerging contaminants in wastewater. The EPA is investigating emerging contaminants and has stated that scientists have not found evidence of adverse human health effects from emerging contaminants in the environment. Removal of some emerging contaminants has been documented during municipal wastewater treatment; however, standard removal efficiencies have not been established. In addition, there are currently no federal or state effluent limits for emerging contaminants. The science on emerging contaminants is currently evolving, and while the EPA and other agencies continue to study the presence of emerging contaminants, there is currently no clear regulatory regime available to address the treatment of emerging contaminants in domestic wastewater.

Comment 11.

Letha Ainley, Alexis Carpenter, Jana Estep, Carolyn Freeman, James Freeman, Kay McKown, David Milan, Brenan Phelps, and Benjamin Stone expressed concern over flooding.

Response 11.

TPDES permits establish terms and conditions that are intended to provide water quality pollution control; therefore, the Executive Director's review of an application for a TPDES permit focuses on controlling the discharge of pollutants into water in the state. The TCEQ does not have jurisdiction to address flooding, the impact of an increase in water in the receiving waterbody, or dredging in the wastewater permitting process, unless there is an associated water quality concern.

Camden Parc's draft permit includes effluent limits and other requirements that it must meet even during rainfall events and periods of flooding. Additionally, the draft permit does not authorize any invasion of personal rights nor any violation of

federal, state, or local laws or regulations. For information on flooding, please contact your local floodplain administrator.

Comment 12.

David Milan and James Freeman stated that the proposed development should be required to tie into the Royse City Fate Water Treatment Plant. Similarly, North Texas Municipal Water District (NTMWD) commented that the Camden Parc WWTP is not necessary because NTMWD has a facility within three miles that has capacity to serve the proposed development.

Response 12.

According to the application, the applicant did not consider connecting to the Royse City WWTP because of the lack of collector systems between the Camden Parc WWTP and the Royse City WWTP. According to the information provided in the application, there are no other wastewater treatment facilities in the area with capacity that are willing to serve Camden Parc. Additionally, according to the application, Camden Parc is not able to connect to the Sabine Creek wastewater treatment plant (operated by NTMWD) because Camden Parc is not a member of NTMWD, and neither Royse City nor the City of Fate were willing to sponsor the new Municipal Utility District (which will be served by the Camden Parc wastewater treatment plant) so that it could tie into the NTMUD collection system.

Comment 13.

Kay McKown and David Milan expressed concern that the proposed discharge will cause erosion.

Response 13.

Concerns regarding erosion are outside of TCEQ's jurisdiction. For erosion concerns please see the Rockwall County floodplain administrator.

Comment 14.

Benjamin Stone commented that the aeration tanks should be enclosed.

Response 14.

Enclosing aeration tanks is a form of a nuisance odor prevention plan. A nuisance odor prevention plan would be required by the permittee if they do not have ownership of the buffer zone area. However, the applicant has shown to meet this

requirement by locating the treatment units at least 150 feet from the nearest property line and is not required to implement a nuisance odor prevention plan.

Furthermore, according to the application, the WWTP will be an activated sludge process plant operated in the conventional mode with nitrification. The activated sludge process is the most frequently used biological wastewater treatment process for treating domestic wastewater, and the use of the extended aeration variation has been known to produce highly treated effluent with low biosolids production. When properly treated by the proposed wastewater treatment process, the effluent is not expected to have an offensive odor.

Comment 15.

Shakina Watts stated that the WWTF should be located elsewhere. Similarly, Jana Estep and Jared and Katerina Hutchins stated that the WWTF should be in a remote location away from residential areas.

Response 15.

TCEQ does not have the authority to mandate a different WWTF location if an applicant's proposed location complies with TWC Chapter 26 and 30 TAC Chapter 309, relating to "Domestic Wastewater Effluent Limitations and Plant Siting." The proposed WWTF complies with all location related rules.

Comment 16.

Brenan Phelps commented there is a lack of responsibility because the different agencies have "compartmentalized functions."

Response 16.

The Executive Director acknowledges the comment. The TCEQ's authority is limited by its governing statutes and the rules adopted pursuant to the statutes.

Comment 17.

James Freeman asked who will be responsible for maintaining and operating the WWTF.

Response 17.

The permittee may operate the facility itself or contract with an individual operator, company, and other entity to operate the facility. Other Requirement No. 1 in the permit requires that this Category C facility be operated by a chief operator or an

operator holding a Class C license or higher.

The TCEQ issues permits that describe the conditions under which the wastewater facility must operate. All facilities must be designed, operated, and maintained consistent with applicable TCEQ rules. These provisions require that a facility is properly operated and maintained at all times.

The TCEQ's Office of Compliance and Enforcement ensures compliance with applicable state and federal regulations. The Region 4 office is required to conduct a mandatory comprehensive compliance investigation (CCI) at minor facilities (facilities with permitted flow less than 1 million gpd) once every five fiscal years. Additional mandatory investigations can be required if the facility is categorized as significant noncompliance (SNC). SNC is determined by the Compliance Monitoring Section of the TCEQ and is based on self-reported effluent violations.

If the facility is found to be out of compliance with the terms or conditions of the permit, Camden Parc may be subject to enforcement. If anyone observes any suspected incidents of noncompliance with the permit or TCEQ rules, they may report these to the TCEQ by calling the toll-free number, 1-888-777-3186, or the TCEQ Region 4 Office in Fort Worth at 817-588-5800. Citizen complaints may also be filed on-line at https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaint_s.html. If Applicant fails to comply with all requirements of the permit, it may be subject to enforcement action.

Comment 18.

Alexis Carpenter expressed concern over noise and light pollution. Alexis Carpenter concern over the impact of the proposed WWTF on resident safety.

Response 18.

The TCEQ does not have the authority to address these types of issues as part of the wastewater permitting process. While the Texas Legislature has given the TCEQ the responsibility to protect water quality, the water quality permitting process is limited to controlling the discharge of pollutants into or adjacent to water in the state and protecting the water quality of the state's rivers, lakes, and coastal waters. The TCEQ cannot consider issues such as noise, lights, or neighborhood safety.

Comment 19.

Scott W. Eidman, representing Camden Parc Municipal Utility District of Rockwall County, commented that there is a need for the proposed facility because the City of Fate and Royse City declined service.

Response 19.

The Executive Director acknowledges the comment.

CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT

The Executive Director did not make any changes to the draft permit in response to public comment.

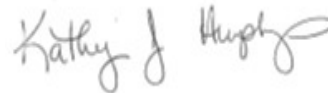
Respectfully submitted,

Texas Commission on Environmental
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