

Kimberly Muth

From: PUBCOMMENT-OCC
Sent: Wednesday, August 16, 2023 10:37 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: Sewage Plant Construction in Fabens, Texans
Attachments: TCEQ Request for Public Meeting Permit No. WQ0016296001.pdf

PM

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Tuesday, August 15, 2023 4:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>; Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Subject: FW: Sewage Plant Construction in Fabens, Texans

From: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>
Sent: Tuesday, August 15, 2023 4:04 PM
To: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Brad Patterson <Brad.Patterson@tceq.texas.gov>; Deanna Avalos <Deanna.Avalos@tceq.texas.gov>
Cc: Dennise Braeutigam <Dennise.Braeutigam@tceq.texas.gov>; Ferrell Fields <Ferrell.Fields@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>
Subject: FW: Sewage Plant Construction in Fabens, Texans

Good afternoon,

Please see the attached public meeting request from Senator Blanco's staff.

Best,

Cameron

Cameron Poursoltan

Legislative Liaison, Intergovernmental Relations Division
Texas Commission on Environmental Quality
(o) 512-239-3970 | (c) 512-963-9730

From: Cassandra Urrutia <Cassandra.Urrutia@senate.texas.gov>
Sent: Tuesday, August 15, 2023 12:29 PM
To: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>
Cc: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>; Arely Villalobos <Arely.Villalobos@senate.texas.gov>
Subject: RE: Sewage Plant Construction in Fabens, Texans

Hello Cameron,

I have attached a letter from Senator Blanco requesting a public meeting on behalf of his constituents for the Texas Pollutant Discharge Elimination System in Fabens, Texas (Permit No. WQ0016296001).

Would you please assist us in getting this to the Office of the Chief Clerk?

Thank you for your continued assistance.

Respectfully,

Cassandra Urrutia, MPH | Legislative & District Director

Office of Texas State Senator César J. Blanco- SD 29

Cassandra.Urrutia@senate.texas.gov

From: Cassandra Urrutia

Sent: Monday, August 7, 2023 5:29 PM

To: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>

Cc: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>; Arely Villalobos <Arely.Villalobos@senate.texas.gov>

Subject: RE: Sewage Plant Construction in Fabens, Texans

Hello Cameron,

Thank you, again, for all the information you provided to our office on the Texas Pollutant Discharge Elimination System (TPDES) in Fabens. We met with a group of constituents from the Fabens community today, and they shared with us a copy of their letter requesting a public hearing submitted to TCEQ via certified mail last Friday. Can you please confirm whether your team has received their request?

Respectfully,

Cassandra Urrutia, MPH | Legislative & District Director

Office of Texas State Senator César J. Blanco- SD 29

Cassandra.Urrutia@senate.texas.gov

From: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>

Sent: Friday, August 4, 2023 9:58 AM

To: Cassandra Urrutia <Cassandra.Urrutia@senate.texas.gov>

Cc: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>

Subject: RE: Sewage Plant Construction in Fabens, Texans

Cassandra,

Just to clarify, a public meeting is an opportunity for the applicant to engage with the public and discuss aspects of a permit application. Legislative members can request these by reaching out to the Office of the Chief Clerk, typically in the form of a letter. In contrast, a contested case hearing is a legal proceeding similar to a civil trial in state district court

and they are conducted by the State Office of Administrative Hearings (SOAH). Here is a document for more background. I have information on the timing to request each of these below my signature.

Best,

Cameron

Cameron Poursoltan

Legislative Liaison, Intergovernmental Relations Division
Texas Commission on Environmental Quality
(o) 512-239-3970 | (c) 512-963-9730

The public may request a public meeting, contested case hearing or comment on an application from the Notice of Receipt of Application and Intent to Obtain Permit (NORI) up to the end of the comment period.

Comment period ends at the latter of the two options: (1) 30 days after the Notice of Application and Preliminary Decision (NAPD) is published in the newspaper (if no public meeting) or (2) the end of public meeting (marks end of comment period). Hearing requests may be made from NORI to end of comment period.

After comment period TCEQ will prepare a response to comments (RTC). Commentors on applications will have an additional 30 days to make a hearing request.

The RTC and all hearing requests will be considered at Commission Agenda. The commissioners may take final action on the application or refer to SOAH.

The rules provide elected official requesting a public meeting flexibility (i.e. no specific deadline).

From: Cassandra Urrutia <Cassandra.Urrutia@senate.texas.gov>

Sent: Thursday, August 3, 2023 1:00 PM

To: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>

Cc: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>

Subject: RE: Sewage Plant Construction in Fabens, Texans

Hi Cameron,

Thank you for this information. What is the deadline for hearing requests and the process an interested party would need to follow to submit one?

Is there a deadline elected officials need to meet to request a public hearing for this application?

Sincerely,

Cassandra Urrutia, MPH | Legislative & District Director

Office of Texas State Senator César J. Blanco- SD 29

Cassandra.Urrutia@senate.texas.gov

From: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>
Sent: Monday, July 31, 2023 11:07 AM
To: Cassandra Urrutia <Cassandra.Urrutia@senate.texas.gov>
Cc: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>
Subject: RE: Sewage Plant Construction in Fabens, Texans

Cassandra,

Thank you for contacting us. See the details below. Please let us know if you have any questions.

Lower Valley Water District applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016296001 to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 900,000 gallons per day. The domestic wastewater treatment facility will be located at 616 Northwest Camp Street, Fabens, in El Paso County, Texas 79838. TCEQ received this application on February 13, 2023 and administrative review was completed April 2023.

First public mailed notice occurred April 2023 with published notifications occurring in May and June 2023. These published notification of the water quality application occurred in English and Spanish. The application is available for viewing and copying at Lower Valley Water District Main Office, 1557 Farm-to-Market Road 1110, Clint, Texas. The comment period for this application was initiated in April 2023 with the mailed notice.

Technical review of the application was completed June 22, 2023 and mailed to the applicant for their review (as required by 30 TAC 281.21). The applicant provided comment on the draft permit in July 2023. Those comments are currently being addressed and the draft permit will be filed with the chief clerk as soon as practicable. Once the draft permit is filed a second mailed and published public notice will occur to solicit additional public comment on the draft permit. As of July 25, 2023, Commissioner's Integrated Database indicates 1,287 public comments, no hearing requests and no public meeting requests. Most comments are an opposition petition signed by numerous people and submitted individually. Local concerns are related to proximity to residential areas in the city of Fabens.

Cameron Poursoltan

Legislative Liaison, Intergovernmental Relations Division
Texas Commission on Environmental Quality
(o) 512-239-3970 | (c) 512-963-9730

From: Cassandra Urrutia <Cassandra.Urrutia@senate.texas.gov>
Sent: Monday, July 31, 2023 11:37:51 AM
To: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>
Subject: RE: Sewage Plant Construction in Fabens, Texans

Hi Ferrell,

I hope your week is off to a great start. I wanted to follow up with you on this request to see if you can assist our office in scheduling a briefing on the permitting process for this facility.

I look forward to hearing from you.

Respectfully,

Cassandra Urrutia, MPH | Legislative & District Director
Office of Texas State Senator César J. Blanco- SD 29
Cassandra.Urrutia@senate.texas.gov

From: Cassandra Urrutia
Sent: Thursday, July 27, 2023 3:01 PM
To: Ferrell Fields <Ferrell.Fields@tceq.texas.gov>
Subject: Sewage Plant Construction in Fabens, Texans

Hi Ferrell,

I hope you have been doing well. Our office has received correspondence from constituents in the Fabens, Texas area concerned about a proposed sewage plant being constructed by the Lower Valley Water District. Might TCEQ be able to provide our office with a brief on this project and where the entity is in the permitting process?

I look forward to hearing from you.

Thank you,

Office of Texas State Senator César J. Blanco- SD 29
Cassandra.Urrutia@senate.texas.gov

District Office

O: (915) 577-0029
416 N. Stanton, Ste. 700
El Paso, Texas 79925
F: (915) 577-0031

Capitol Office: GE.7

O: (512) 463-0129
P.O. Box 12068
Austin, Texas 78711

CAPITOL OFFICE:
ROOM GE.7
P.O. Box 12068
Austin, Texas 78711
(512) 463-0129



DISTRICT OFFICE:
416 N. Stanton St.
Suite 700
El Paso, TX 79901
(915) 577-0029

The Senate of Texas

CÉSAR J. BLANCO

TEXAS SENATOR
DISTRICT 29

August 14, 2023

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

Dear Ms. Gharis,

On February 13, 2023, the Lower Valley Water District submitted an application to the Texas Commission on Environmental Quality (TCEQ) for a proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016296001. This would authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 900,000 gallons per day. The domestic wastewater treatment facility would be located at 616 Northwest Camp Street, Fabens, in El Paso County, Texas 79838. Administrative review of this application by TCEQ was completed April 2023. Additionally, the first public mailed notice occurred April 2023 with published notifications occurring in May and June 2023.

There is substantial public concern regarding this application, which would authorize the treatment of wastewater in close proximity to residential areas. Therefore, I am formally requesting a public meeting at the O'Donnell Intermediate School, located at 301 NE Camp St. Fabens, TX 79838, to allow TCEQ and the applicant an opportunity to further explain the application and to allow the local community to be heard and continue to voice their concerns.

Thank you for your attention to my request, and I look forward to your response. If you have any questions, please feel free to contact my office at (915) 577-0029.

Respectfully,

A handwritten signature in black ink, appearing to read "Cesar J. Blanco".

César J. Blanco
State Senator
District 29

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, August 4, 2023 3:13 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: Request for Public Hearing on Permit No: WQ0016296001
Attachments: Lower Valley Water District Public Meeting Request to TCEQ WQ0016296001.pdf

PM

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Friday, August 4, 2023 3:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>; Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>
Subject: FW: Request for Public Hearing on Permit No: WQ0016296001

From: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>
Sent: Friday, August 4, 2023 3:06 PM
To: Dennise Braeutigam <Dennise.Braeutigam@tceq.texas.gov>; Brad Patterson <Brad.Patterson@tceq.texas.gov>; Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Cc: Kelly Keel <Kelly.Keel@tceq.texas.gov>; Dania Grundmann <danial.gundmann@tceq.texas.gov>; Robert Sadlier <Robert.Sadlier@tceq.texas.gov>; Josh Amador <Josh.Amador@Tceq.Texas.Gov>; Ferrell Fields <Ferrell.Fields@tceq.texas.gov>
Subject: FW: Request for Public Hearing on Permit No: WQ0016296001

Good afternoon,

See the attached letter from Rep. Mary Gonzalez requesting a public meeting on permit #WQ0016296001.

Please let me know if you need anything on my end.

Best,

Cameron

Cameron Poursoltan

Legislative Liaison, Intergovernmental Relations Division
Texas Commission on Environmental Quality
(o) 512-239-3970 | (c) 512-963-9730

From: JJ Garza <JJ.Garza@house.texas.gov>
Sent: Friday, August 4, 2023 1:42 PM
To: Kelly Keel <Kelly.Keel@tceq.texas.gov>
Cc: Cameron Poursoltan <Cameron.Poursoltan@tceq.texas.gov>
Subject: Request for Public Hearing on Permit No: WQ0016296001

Please see the attached from Rep. Mary González.

J.J. Garza

Chief of Staff

Office of State Representative Mary E. González, PhD

P.O. Box 2910

Austin, Texas 78768

(512) 463-0613

jj.garza@house.texas.gov



TEXAS HOUSE *of* REPRESENTATIVES

Mary E. González

State Representative, District 75

August 4, 2023

The Honorable Kelly Keel
Interim Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Texas Pollutant Discharge Elimination System No. WQ0016296001 (EPA I.D. No. TX0144134)

Dear Director Keel:

The Lower Valley Water District in Clint, Texas has filed an application for a permit to construct a wastewater treatment facility to discharge treated wastewater at a volume not to exceed a daily average flow of 900,000 gallons per day. The district reports that it has responded to questions the Texas Commission on Environmental Quality (TCEQ) asked in order to complete the proposal's technical review. The district also believes that it will receive a draft permit in the near future. We appreciate the work TCEQ staff has put in to ensure the proposal meets the construction, discharge, operation and safety standards the state has in place.

More than 1,200 local residents have signed a petition opposing the plant, and the petitions have been filed with the TCEQ. Once the draft permit is issued, a public comment period begins. Respectfully, I request that TCEQ arrange and hold a public meeting on the permit in the area of the proposed site during the public comment period.

My office stands ready to assist TCEQ in selecting and arranging a location and date for the public meeting. Thank you for your consideration in this matter. If you have any questions, please feel free to contact my office at your convenience.

Sincerely,

Mary E. González, PhD
State Representative
District 75