

February 14, 2025

Ms. Kelly Keel, Executive Director
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

RECEIVED
FEB 21 2025
EXECUTIVE OFFICE

Dear Ms. Keel,

Request for Supplemental Hearing:

Back in November, members of my family and I received letters from your office informing us of your "preliminary decision" to approve a Texas Pollutant Discharge Elimination System (TPDES) Permit no. WQ0016436001, EPA ID no. TX0145297. Your letter explained that the applicant has applied to TCEQ for a new permit to discharge treated domestic wastewater at a daily average not to exceed 50,000 gallons per day to support the applicant's development of 250 homesites, known as The Oasis, in Polk County, Texas.

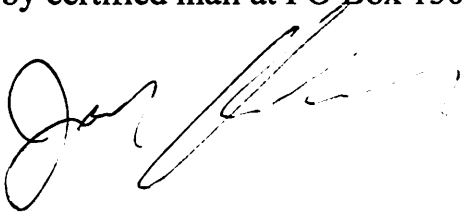
I am an owner of property immediately adjacent to that of my cousin, Robert H. Miller, which makes me the second owner "downstream" from The Oasis' planned wastewater discharge point. My father purchased this land more than 75 years ago, and now I own it and run cattle in the adjacent pastures, just as he did. I own the land on both sides of Sand Creek where it crosses Old Highway 35. The plans for The Oasis, as I understand them, are to release 50,000 gallons of effluent water per day into the shallow creek that runs across my property, yet I have not been contacted by the developer, their engineer, or attorney. I will not give my consent for that wastewater and the pollutants it will carry to cross my property.

What is the performance history of this developer? He is making the application, but he already has another company contracted to own and operate the treatment plant. Who are they and what is their performance history? He says the effluent will be "treated" before it can be released, but my cattle (and even my grandkids) will be exposed to that water which, as I now understand, is not completely rid of human pharmaceuticals, and other

harmful pollutants that beef cattle should not ingest. TCEQ is not required to inspect the treatment facility more than once per five years, and I am expected to trust that they will operate it lawfully? I cannot rely on this unknown operator to take care of my land, my cattle, my family, and my livelihood. Are you willing to guarantee me that this discharge will not negatively impact the quality of water on my property and all that depends on it?

I look forward hearing back from you or your office regarding this matter. Per the Section 6 in the developer's application titled Adjacent Landowner List, I can be reached by certified mail at PO Box 150706, Lufkin, Texas 75915.

Signed,

A handwritten signature in black ink, appearing to read "Jerry C. Clarke", written over a horizontal line.

Jerry C. Clarke

cc: Senator Robert Nichols
Attn: Jake Ellis
PO Box 12068
Capitol Station
Austin, Texas 78711

Representative Trent Ashby
Attn. Linda Parker
Room E2.806, Capitol Extension
PO Box 2910
Austin, Texas 78768

Ms. Erin Banks
WWD Engineering
9217 W. Highway 290, Suite 110
Austin, Texas 78736

Mr. John Hearn, Municipal Permits Team
Wastewater Permitting Section (MC148)
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

January 9, 2025

RECEIVED
JAN 13 2025
EXECUTIVE OFFICE

Ms. Kelly Keel, Executive Director
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

Dear Ms. Keel,

Back in November, members of my family received letters from your office informing them of your "preliminary decision" to approve a Texas Pollutant Discharge Elimination System (TPDES) Permit no. WQ0016436001, EPA ID no. TX0145297. Although I am an affected landowner of this proposed development, I did not receive any such letter from TCEQ. My cousin, and adjacent landowner Robert H. Miller, shared with me and explained that the applicant has applied to TCEQ for a new permit to discharge treated domestic wastewater at a daily average not to exceed 50,000 gallons per day to support the applicant's development of 250 homesites, known as The Oasis, in Polk County, Texas.

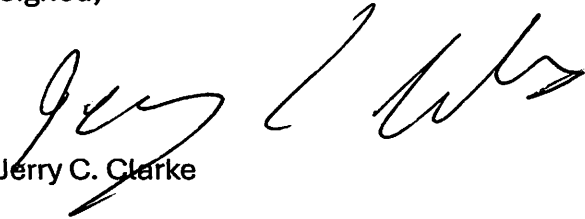
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What is the performance history of this developer? He is making the application, but he already has another company contracted to own and operate the treatment plant. Who are they and what is their performance history? He says the effluent will be "treated" before it can be released, but my cattle (and even my grandkids) are exposed to that water which, as I now understand, is not completely rid of human pharmaceuticals, and other harmful constituents that beef cattle should not ingest. TCEQ is not required to inspect the treatment facility more than once per five years, and I am expected to trust that they will operate it lawfully? I cannot rely on this unknown operator to take care of my land, my

cattle, my family, and my livelihood. Therefore, please accept this letter as my official demand for a public meeting and/or a contested case hearing.

I look forward hearing back from you or your office regarding this matter. Per the Section 6 in the developer's application titled Adjacent Landowner List, I can be reached by certified mail at PO Box 150706, Lufkin, Texas 75915.

Signed,



Jerry C. Clarke

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