

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, April 28, 2021 9:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: susanmuck@aol.com <susanmuck@aol.com>
Sent: Tuesday, April 27, 2021 8:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Susan Muck

E-MAIL: susanmuck@aol.com

COMPANY:

ADDRESS: 11640 WARD RD
CLEVELAND TX 77328-7463

PHONE: 2817340762

FAX:

COMMENTS: Public hearings should be held.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 7:53 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H

From: dmulcihy@comcast.net <dmulcihy@comcast.net>
Sent: Thursday, September 9, 2021 7:34 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Mulcihy

E-MAIL: dmulcihy@comcast.net

COMPANY:

ADDRESS: 18506 CAPETOWN DR
HOUSTON TX 77058-4011

PHONE: 2813332929

FAX:

COMMENTS: Chief Clerk, I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. (if you have visited SHNF tell TCEQ this, why you visit, and what it means to you; if you have bought WDF produce state why you did so and what this means to you; if you live near the PCML site, tell TCEQ and describe how close you

are). I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. (expand on these environmental concerns or add other issues that you are concerned about). Because of these problems I oppose Permit #2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 9:19 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: lmundwiller@hotmail.com <lmundwiller@hotmail.com>
Sent: Tuesday, September 28, 2021 4:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MRS Linda A Mundwiller

E-MAIL: lmundwiller@hotmail.com

COMPANY:

ADDRESS: 11711 MEMORIAL DR Unit #675
HOUSTON TX 77024-7255

PHONE: 7139524366

FAX: 7139524366

COMMENTS: I request that the permit be amended amended to include the access road. I support a contested by case hearing. concerned about unacceptable environmental impacts that PCML may have on SHNF and WDF. I'm concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other impacts PCML may have. Because of these problems I oppose Permit #2406.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, October 27, 2020 7:58 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Monday, October 26, 2020 11:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
CLEVELAND TX 77328-4508

PHONE: 2815926699

FAX:

COMMENTS: I request a hearing on the permit.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, October 11, 2021 10:19 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

MSW
117709

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Friday, October 8, 2021 4:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
CLEVELAND TX 77328-4508

PHONE: 2815926699

FAX:

COMMENTS: There was a hearing on September 28th and during the hearing Mr. Brent Ryan said that the road has to be adequate for the trucks to drive on and I wanted to point out that there are pot holes on Fostoria and Jayhawker roads and the road commissioner, David Brandon, does not do a good job maintaining the roads and if hundreds of trucks drive on the roads daily it will make the condition of the roads worse.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, May 25, 2021 2:08 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public Comments Received for FW: TCEQ MSW Permit 2406
Attachments: 187076277_2823573444571211_2093327901966672549_n.jpg; 185849548_2823573524571203_932299726471393246_n.jpg; 185399209_2823573681237854_8660113055243357453_n.jpg; 185465114_2823575034571052_6762271073969390519_n.jpg; 185657344_2823573954571160_8262722015980267804_n.jpg; 186255521_2823574177904471_3828779363833787863_n.jpg; 186357467_2823574387904450_6366627784379038921_n.jpg; 186447237_2823574307904458_776458080969215929_n.jpg; 186482687_2823577261237496_6071448167604247475_n.jpg; 186491354_2823577881237434_3372904406736035727_n.jpg; 186496701_2823577691237453_4431158594551746679_n.jpg; 186496808_2823578424570713_5959493213202260303_n.jpg; 186524139_2823578487904040_2827414613216888546_n.jpg; 186547964_2823577747904114_1249185121125391265_n.jpg; 187086847_2823578254570730_7682313801190085897_n.jpg; 187142186_2823578547904034_4478278013404973122_n.jpg; 187537635_2823574251237797_1566814228845191718_n.jpg; 189346514_2823576131237609_5622642032156920025_n.jpg; 190355990_2823573787904510_7692463769227256434_n.jpg; 190781536_2823575361237686_5386554999990792554_n.jpg; 185323396_2823578614570694_4025550141999974083_n.jpg

From: Susie Medrano <susie.medrano@tceq.texas.gov>
Sent: Monday, May 24, 2021 10:39 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Frank Zeng <frank.zeng@tceq.texas.gov>; Santos Olivarez <Santos.Olivarez@Tceq.Texas.Gov>
Subject: Public Comments Received for FW: TCEQ MSW Permit 2406

Good Morning Frank.

Yes, the comment proxy box is under "PUBCOMMENT-OCC". I have forward this e-mail to the Pubcomments-OCC Box as well. If you have any other questions please let me know.

Thank you,
Susie

From: Alison Owen <Alison.Owen@Tceq.Texas.Gov>
Sent: Monday, May 24, 2021 7:40 AM
To: Frank Zeng <frank.zeng@tceq.texas.gov>; Terance Virtue <Terance.Virtue@Tceq.Texas.Gov>
Subject: FW: TCEQ Permit 2406

Public comment that came in for an application you are working on.

From: Jennifer Mundy <jmundy3581@gmail.com>
Sent: Sunday, May 23, 2021 5:58 PM
To: COMMISSR <COMMISSR@tceq.texas.gov>; EXECDIR <EXECDIR@tceq.texas.gov>; IHWPER

<IHWPER@tceq.texas.gov>; wastperm@tceq.texas.gov; MSWPER <mswper@tceq.texas.gov>; WASTEVAL
<WASTEVAL@tceq.texas.gov>

Subject: TCEQ Permit 2406

Hello,

I am writing this email because there is a landfill (TCEQ Permit 2406) that is being proposed to be located in my neighborhood and I have some concerns about it. I will live less than a mile from the proposed landfill and I and a lot of people in my neighborhood have well water and we are concerned that the landfill will contaminate our water and make us sick. I live with my mother and I am concerned for my mother living so close to a landfill. My mother is 63 years old and has Congestive Heart Failure and diabetes and with my mother's weak heart and diabetes (Diabetes is a disease that can cause a person to be vulnerable to infection.) I do not want her to get sick from the landfill. I am also concerned about air pollution from the landfill. I go for a walk in the evenings and I do not want to breathe polluted and toxic air. There are children in my neighborhood I see outside playing and people do not want their children outside breathing polluted and toxic air either. We are also in the Sam Houston National Forest area and the landfill will harm the wildlife in our area. This landfill will affect the health and well being of me, my mother, and everyone in our neighborhood. Please do not place this landfill in our neighborhood.

Thank you,
Jennifer Mundy

180 Pine Valley
Cleveland, Tx 77328
281-592-6699
jmundy3581@gmail.com

I am also including pictures of Fostoria and Jayhawker roads where the landfill will be located because we have gotten a lot of rain the past week and I wanted to show you the condition of our roads when it rains. When we get rain the roads in our area flood easily and it causes damage to the road and our road commissioner does not keep up with repairing and maintaining our roads.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, May 26, 2021 10:41 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Cc: Laurie Gharis; Deornette Monteleone
Subject: FW: TCEQ Permit 2406
Attachments: 187076277_2823573444571211_2093327901966672549_n.jpg; 185849548_2823573524571203_932299726471393246_n.jpg; 185399209_2823573681237854_8660113055243357453_n.jpg; 185465114_2823575034571052_6762271073969390519_n.jpg; 185657344_2823573954571160_8262722015980267804_n.jpg; 186255521_2823574177904471_3828779363833787863_n.jpg; 186357467_2823574387904450_6366627784379038921_n.jpg; 186447237_2823574307904458_776458080969215929_n.jpg; 186482687_2823577261237496_6071448167604247475_n.jpg; 186491354_2823577881237434_3372904406736035727_n.jpg; 186496701_2823577691237453_4431158594551746679_n.jpg; 186496808_2823578424570713_5959493213202260303_n.jpg; 186524139_2823578487904040_2827414613216888546_n.jpg; 186547964_2823577747904114_1249185121125391265_n.jpg; 187086847_2823578254570730_7682313801190085897_n.jpg; 187142186_2823578547904034_4478278013404973122_n.jpg; 187537635_2823574251237797_1566814228845191718_n.jpg; 189346514_2823576131237609_5622642032156920025_n.jpg; 190355990_2823573787904510_7692463769227256434_n.jpg; 190781536_2823575361237686_5386554999990792554_n.jpg; 185323396_2823578614570694_4025550141999974083_n.jpg

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Wednesday, May 26, 2021 9:12 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Deornette Monteleone <Deornette.Monteleone@tceq.texas.gov>
Subject: FW: TCEQ Permit 2406

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: Jennifer Mundy <jmundy3581@gmail.com>
Sent: Sunday, May 23, 2021 5:58 PM
To: COMMISSR <COMMISSR@tceq.texas.gov>; EXECDIR <EXECDIR@tceq.texas.gov>; IHWPER <IHWPER@tceq.texas.gov>; wastperm@tceq.texas.gov; MSWPER <mswper@tceq.texas.gov>; WASTEVAL <WASTEVAL@tceq.texas.gov>
Subject: TCEQ Permit 2406

Hello,

I am writing this email because there is a landfill (TCEQ Permit 2406) that is being proposed to be located in my neighborhood and I have some concerns about it. I will live less than a mile from the proposed landfill and I and a lot of people in my neighborhood have well water and we are concerned that the landfill will contaminate our water and make us sick. I live with my mother and I am concerned for my mother living so close to a landfill. My mother is 63 years old and has Congestive Heart Failure and diabetes and with my mother's weak heart and diabetes (Diabetes is a disease that can cause a person to be vulnerable to infection.) I do not want her to get sick from the landfill. I am also concerned about air pollution from the landfill. I go for a walk in the evenings and I do not want to breathe polluted and toxic air. There are children in my neighborhood I see outside playing and people do not want their children outside breathing polluted and toxic air either. We are also in the Sam Houston National Forest area and the landfill will harm the wildlife in our area. This landfill will affect the health and well being of me, my mother, and everyone in our neighborhood. Please do not place this landfill in our neighborhood.

Thank you,
Jennifer Mundy

180 Pine Valley
Cleveland, Tx 77328
281-592-6699
jmundy3581@gmail.com

I am also including pictures of Fostoria and Jayhawker roads where the landfill will be located because we have gotten a lot of rain the past week and I wanted to show you the condition of our roads when it rains. When we get rain the roads in our area flood easily and it causes damage to the road and our road commissioner does not keep up with repairing and maintaining our roads.









































Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, June 2, 2021 10:55 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

PM
RFR

From: curtis.moody@yahoo.com <curtis.moody@yahoo.com>
Sent: Tuesday, June 1, 2021 7:21 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Dana Moody

E-MAIL: curtis.moody@yahoo.com

COMPANY:

ADDRESS: 2011 FOSTORIA TRAM RD
CLEVELAND TX 77328-7937

PHONE: 7138243931

FAX:

COMMENTS: After reviewing more documentation that has been made public, my concerns continue to grow over this proposed landfill. I request a public meeting in order to voice these concerns and hopefully find ways to alleviate them. The traffic study that was performed by Allen Engineering seems very conservative in their findings. Their study shows no improvement to our roadways is necessary; this is just not accurate. Fostoria Tram has so many issues now without

the increased traffic from waste haulers. Our county does not have the budget to improve the major roadways much less sustain maintenance. The neighborhood roads that lead to the landfill entrance road is not even fully paved and has no shoulders! How is that sufficient for heavy trucks? My property lies near the corner of Fostoria Tram & Jayhawker and I believe that when approx. 500-700 waste haulers are waiting to turn into the neighborhood that leads to the entrance roads, my property will no longer be enjoyable. We work hard to beautify our land and home and the exhaust, noise, and lines of waste haulers will take away from the natural aesthetics. I fear my driveways could become blocked with traffic and my safety could be at risk. I propose that the landfill company reconsider their plan and incorporate a plan that serves the entire community.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Wednesday, June 2, 2021 10:49 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

RFR

From: curtis.moody@yahoo.com <curtis.moody@yahoo.com>
Sent: Tuesday, June 1, 2021 7:34 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Dana Moody

E-MAIL: curtis.moody@yahoo.com

COMPANY:

ADDRESS: 2011 FOSTORIA TRAM RD
CLEVELAND TX 77328-7937

PHONE: 7138243931

FAX:

COMMENTS: I do not understand why the access road is not part of this permit. This applicants permit boundary is land-locked with no actual address. In order to access this proposed site, the applicant has purchased nearby land in order to put in a road that runs through a neighborhood. Please explain why it is ok to exclude this access road from the permit, especially with the flooding issues this property has. There is a TxDOT road that is more local on the north side of the property. Why is that route not a more viable option? Our neighborhood roads have weight limits and I believe those

should be respected and enforced for the safety and welfare of this community. If this applicant wants to be a good neighbor, reconsider the location. Additionally, according to the permit application there is only one entrance? What if an emergency situation occurs? Why are there not 2 entrance/exits required for MSW landfills near homes, properties, and the national forest? I see where PC-II, LLC. is purchasing land tracts around the permit boundary. Please be advised of this activity and do not allow a loophole to be created that does not protect local residents. I explore the Executive Director as well as the Commissioners to reconsider the land use area.

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Tuesday, May 25, 2021 1:40 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Sunday, May 23, 2021 3:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
CLEVELAND TX 77328-4508

PHONE: 2815926699

FAX:

COMMENTS: I wanted to share a picture of Fostoria Rd. The roads here floods when we get rain and we have been getting a lot of rain this week and I wanted to share a picture of Fostoria Rd. after some rain we got. This is a piece of what the trucks going to the landfill will be driving through when we get rain.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, January 11, 2021 2:13 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Electronic Comment Submitted - FW: TCEQ Permit 2406

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Friday, January 8, 2021 2:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Electronic Comment Submitted - FW: TCEQ Permit 2406

From: Jennifer Mundy <jmundy3581@gmail.com>
Sent: Wednesday, December 23, 2020 3:56 PM
To: WASTPERM <WASTPERM@tceq.texas.gov>; COMMISSR <COMMISSR@tceq.texas.gov>; EXECDIR <EXECDIR@tceq.texas.gov>
Subject: TCEQ Permit 2406

Hello,

I am writing this email because there is a landfill that has been proposed (TCEQ Permit 2406) to be placed in my neighborhood and I have concerns about it. I will live less than a mile from the landfill and we have well water and I do not want our water that we bathe with and drink from to be contaminated. Not only do I have well water but other people in my neighborhood have well water and do not want their water contaminated either. I also have a 62 year old mother and I worry living near the landfill will affect her health. My mother has Congestive Heart Failure and she had health issues during Thanksgiving and we found out she now has diabetes. Living near the landfill will not be safe for her. I do not want my mother to get sick. I am also concerned about breathing the polluted and toxic air from the landfill. I go for a walk in the evenings and I do not want to breathe air pollution and get sick and there are children in the neighborhood and people want their children to play in clean fresh air. This landfill will affect the health and well being of my mother, myself, and everyone in our neighborhood. PLEASE do not place this landfill in our neighborhood.

Thank you.

Jennifer Mundy
Address: 180 Pine Valley
Cleveland, TX 77328
Phone: 281-592-6699
Email: jmundy3581@gmail.com



Virus-free. www.avg.com

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, December 28, 2020 10:10 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Wednesday, December 23, 2020 3:33 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
CLEVELAND TX 77328-4508

PHONE: 2815926699

FAX:

COMMENTS: I live less than a mile from where the proposed landfill will be. We have well water and we do not want our water that we bathe with and drink from to be contaminated and we do not want our air that we breathe to be polluted and toxic from the landfill. I also do not want to live near the landfill because I worry living near a landfill will affect my 62 year old mother's health. My mother has Congestive Heart Failure and she started having health issues during Thanksgiving and we found out that she now has diabetes. I do not want my mother living near a garbage dump and get

sick. This landfill will affect the health and well being of my mother, myself, and everyone in our neighborhood. PLEASE do not place this landfill in our neighborhood.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, October 20, 2020 4:03 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Tuesday, October 20, 2020 11:37 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

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COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
DALLAS TX 77328-4508

PHONE: 2815926699

AX:

COMMENTS: Hello, I would like to share my concerns about a new landfill coming to Fostoria and Jayhawker. I am concerned that it will affect the health of people who live nearby. I live off of Jayhawker and have well water and I am concerned that the landfill will contaminate our water that we bathe with and drink from, and there are times I go for a walk in the evening and I am concerned about the air quality when I go for a walk, and last year my Mother was diagnosed with Congestive Heart Failure and some COPD and I am worried about how the landfill will affect her health, and there is a farm down our road called Wood Duck Farm and the landfill will be located right behind the farm and

people go there to purchase their crops and they go to Houston to sell their crops and the landfill could contaminate the crops and get people who purchase them sick. Please do not place the landfill near a neighborhood where people could be affected and get sick. Thank you.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, October 21, 2020 10:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Tuesday, October 20, 2020 5:23 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTITY NAME: PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM:

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
CLEVELAND TX 77328-4508

PHONE: 2815926699

FAX:

COMMENTS: Hello, I wanted to write and share my concerns about the proposed landfill to be placed at Fostoria and Layhawker Road. The landfill is close to a neighborhood and a lot of the people of the neighborhood have well water and we are concerned that the landfill will contaminate our water and will make us sick and will pollute the air. (I live off of Layhawker and I go for a walk in the evening and I worry that I would breathe polluted air when I go for a walk.) I also have a 62 year old mother who has Congestive Heart Failure and some COPD and I worry how the landfill will affect her health. There is also a farm down the street from me and it will be near the landfill and the landfill could contaminate

their crops with disease and will make the people who buy their crops sick. Please do not place a landfill near a neighborhood where people could get sick. Thank you.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, October 21, 2020 10:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: jmundy3581@gmail.com <jmundy3581@gmail.com>
Sent: Tuesday, October 20, 2020 5:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jennifer Mundy

E-MAIL: jmundy3581@gmail.com

COMPANY:

ADDRESS: 180 PINE VALLEY RD
CLEVELAND TX 77328-4508

PHONE: 2815926699

FAX:

COMMENTS: Hello, I wanted to write and share my concerns about the proposed landfill to be placed at Fostoria and ayhawker Road. The landfill is close to a neighborhood and a lot of the people of the neighborhood have well water and we are concerned that the landfill will contaminate our water and will make us sick and will pollute the air. (I live off of ayhawker and I go for a walk in the evening and I worry that I would breathe polluted air when I go for a walk.) I also have a 62 year old mother who has Congestive Heart Failure and some COPD and I worry how the landfill will affect her health. There is also a farm down the street from me and it will be near the landfill and the landfill could contaminate

their crops with disease and will make the people who buy their crops sick. Please do not place a landfill near a neighborhood where people could get sick. Thank you.

MC-105

Margaret Wilson

From: Jennifer Mundy <jmundy3581@gmail.com>
Sent: Monday, October 26, 2020 9:12 PM
To: EXECDIR
Subject: TCEQ landfill permit 2406

#47256

Hello,

I am writing to you because there is a landfill that has been proposed to be in my neighborhood (TCEQ landfill permit 2406). A lot of people in our neighborhood have well water and we are concerned that the landfill will contaminate our water and make us sick. We are also concerned that it will cause air pollution. People in our neighborhood have children and they want their children to be able to play in clean, fresh air. Air pollution also affects the health of those with respiratory issues such as asthma, allergies, and COPD. I have a 62 year old mother who has Congestive Heart Failure, heart disease, and some COPD and I am worried that living near a landfill will affect her health. (The landfill will be down the road from us.) There are also creeks and rivers in our area and the landfill could pollute the water. We are also in the Sam Houston National Forest area and the landfill will harm the wildlife that is here. This landfill will be so close to a neighborhood where people live and will be a health hazard to us as well as pollute our air and environment and harm wildlife. Please do not place this landfill in our neighborhood. Thank you.

MSW 2406

REVIEWED

OCT 30 2020

By GCW

CHIEF CLERKS OFFICE

2020 OCT 26 PM 3:09

ENVIRONMENTAL
PROTECTION
DIVISION

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 1, 2021 10:40 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

MSW
117709

H

From: jim_neal@msn.com <jim_neal@msn.com>
Sent: Sunday, October 31, 2021 9:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MR Jim A Neal

E-MAIL: jim_neal@msn.com

COMPANY:

ADDRESS: 575 COUNTY ROAD 507
NACOGDOCHES TX 75961-8998

PHONE: 9366158700

FAX:

COMMENTS: I would request that permit #2406 be amended to include access roads. I support a contested case hearing because I am concerned about unacceptable landfill environmental impacts to the Sam Houston National Forest and the Wood Duck Farm including road access problems, water, air, noise, odor, litter, and scenic pollutants, flooding, fires, and road overuse/damage. I do not support the Peach Creek Landfill.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 2, 2021 1:52 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Amend permit 2406

MSW
117709

H

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Thursday, September 2, 2021 12:39 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Amend permit 2406

From: Nichols, Susan <Susan.M.Nichols@lonestar.edu>
Sent: Thursday, September 2, 2021 12:08 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Amend permit 2406

Date: 9/2/21

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

Dear Chief Clerk,

I urge you to amend Permit #2406, Peach Creek Landfill (PCL), to include the access road and hold a contested case hearing on this proposal, because as a longtime resident of the area (first a Bearcat, then a teacher at Cleveland High School) I believe this project threatens the natural beauty of the area.

1. I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCL.
2. I am concerned about road access, water, air, noise, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCL may have.

I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you.

Sincerely,

Susan Nichols

2122 River Village Drive

Kingwood, Texas, 77339

Susan.M.Nichols@lonestar.edu

281-745-7179

From: PUBCOMMENT-OCC
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: TCEQ MSW permit #2406
Date: Monday, December 6, 2021 10:58:22 AM

From: Nichols, Susan <Susan.M.Nichols@lonestar.edu>
Sent: Friday, December 3, 2021 10:21 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: TCEQ MSW permit #2406

TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit
#2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406
be denied. There are three main concerns that form the basis for my comments. 1) The SHNF sits on
the east and north side of the proposed landfill. The USFS was started to help provide clean water to
our country. When it rains, the SHNF acts as a filter to cleanse water going downstream to Lake
Houston. The leachate tanks are to sit on the north side of the LF, within a few feet of the FEMA 100-
year floodplain. Storm water overflow, leachate, and VOCs will make the Jayhawker Creek floodplain
a conduit for contamination which will impact drinking water downstream. 2) Dr. HC Clark wrote a
geological assessment to the TCEQ back in August, to quote him "The application implicitly
recognizes the gravel location restriction insofar as Class I nonhazardous is not listed as waste to be
accepted. Will the permit explicitly state that Class I waste may not be and never will be accepted
here because of this hydrogeologic limitation?" "The sink created by pumping will draw water
into the landfill rather than allowing it to pass beneath the liner and detect a leak as that
groundwater moves through the point of compliance. Water will move inward rather than
out." "How will this problem be addressed?" 3) It is a fact that millions of seagulls feast at LF across
North America. South Wake MSW landfill in NC is comprised of approximately 179 acres and has an
estimated seagull population of 50,000. Phase 1 of this 2406 LF will be about 124 acres, or almost
37% smaller which equates to almost 31,500 seagulls as an estimated flock number. Studies from
Duke Univ School for the Environment determined that these seagulls dropped over a ton of
droppings each year. A year-round fruit and vegetable operation, Wood Duck Farm is located
bordering the 2406 LF from the east. What are the plans to keep seagull droppings off farm produce
growing in the field? What are the plans to keep seagulls from eating the crops? What type of
disease vector plan might be implemented? How will the applicant mitigate wild animal scavenging?
How will the extra nitrogen and phosphorus impact the SHNF?

<http://www.newsobserver.com/news/local/counties/wake-county/article158475619.html> I
strongly request that you take the next logical step and reject this current Application No. MSW-
2406. Thank you for your consideration.

Sincerely,

Insert Your Name & Address

S. Nichols
720 fm 1280 east,
lovelady tx 75851
Sent from my iPhone

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:38 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: TCEQ MSW permit #2406

From: Nichols, Susan <Susan.M.Nichols@lonestar.edu>
Sent: Friday, December 3, 2021 10:21 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: TCEQ MSW permit #2406

TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are three main concerns that form the basis for my comments. 1) The SHNF sits on the east and north side of the proposed landfill. The USFS was started to help provide clean water to our country. When it rains, the SHNF acts as a filter to cleanse water going downstream to Lake Houston. The leachate tanks are to sit on the north side of the LF, within a few feet of the FEMA 100-year floodplain. Storm water overflow, leachate, and VOCs will make the Jayhawker Creek floodplain a conduit for contamination which will impact drinking water downstream. 2) Dr. HC Clark wrote a geological assessment to the TCEQ back in August, to quote him "The application implicitly recognizes the gravel location restriction insofar as Class I nonhazardous is not listed as waste to be accepted. Will the permit explicitly state that Class I waste may not be and never will be accepted here because of this hydrogeologic limitation?" "The sink created by pumping will draw water into the landfill rather than allowing it to pass beneath the liner and detect a leak as that groundwater moves through the point of compliance. Water will move inward rather than out." "How will this problem be addressed?" 3) It is a fact that millions of seagulls feast at LF across North America. South Wake MSW landfill in NC is comprised of approximately 179 acres and has an estimated seagull population of 50,000. Phase 1 of this 2406 LF will be about 124 acres, or almost 37% smaller which equates to almost 31,500 seagulls as an estimated flock number. Studies from Duke Univ School for the Environment determined that these seagulls dropped over a ton of droppings each year. A year-round fruit and vegetable operation, Wood Duck Farm is located bordering the 2406 LF from the east. What are the plans to keep seagull droppings off farm produce growing in the field? What are the plans to keep seagulls from eating the crops? What type of disease vector plan might be implemented? How will the applicant mitigate wild animal scavenging? How will the extra nitrogen and phosphorus impact the SHNF?
<http://www.newsobserver.com/news/local/counties/wake-county/article158475619.html> I strongly request that you take the next logical step and reject this current Application No. MSW-2406. Thank you for your consideration.

Sincerely,

Insert Your Name & Address

S. Nichols
720 fm 1280 east,
lovelady tx 75851
Sent from my iPhone

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 10:58 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: TCEQ MSW permit #2406

From: Nichols, Susan <Susan.M.Nichols@lonestar.edu>
Sent: Friday, December 3, 2021 10:21 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: TCEQ MSW permit #2406

TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are three main concerns that form the basis for my comments. 1) The SHNF sits on the east and north side of the proposed landfill. The USFS was started to help provide clean water to our country. When it rains, the SHNF acts as a filter to cleanse water going downstream to Lake Houston. The leachate tanks are to sit on the north side of the LF, within a few feet of the FEMA 100-year floodplain. Storm water overflow, leachate, and VOCs will make the Jayhawker Creek floodplain a conduit for contamination which will impact drinking water downstream. 2) Dr. HC Clark wrote a geological assessment to the TCEQ back in August, to quote him "The application implicitly recognizes the gravel location restriction insofar as Class I nonhazardous is not listed as waste to be accepted. Will the permit explicitly state that Class I waste may not be and never will be accepted here because of this hydrogeologic limitation?" "The sink created by pumping will draw water into the landfill rather than allowing it to pass beneath the liner and detect a leak as that groundwater moves through the point of compliance. Water will move inward rather than out." "How will this problem be addressed?" 3) It is a fact that millions of seagulls feast at LF across North America. South Wake MSW landfill in NC is comprised of approximately 179 acres and has an estimated seagull population of 50,000. Phase 1 of this 2406 LF will be about 124 acres, or almost 37% smaller which equates to almost 31,500 seagulls as an estimated flock number. Studies from Duke Univ School for the Environment determined that these seagulls dropped over a ton of droppings each year. A year-round fruit and vegetable operation, Wood Duck Farm is located bordering the 2406 LF from the east. What are the plans to keep seagull droppings off farm produce growing in the field? What are the plans to keep seagulls from eating the crops? What type of disease vector plan might be implemented? How will the applicant mitigate wild animal scavenging? How will the extra nitrogen and phosphorus impact the SHNF?
<http://www.newsobserver.com/news/local/counties/wake-county/article158475619.html> I strongly request that you take the next logical step and reject this current Application No. MSW-2406. Thank you for your consideration.

Sincerely,

Insert Your Name & Address

S. Nichols
720 fm 1280 east,
lovelady tx 75851
Sent from my iPhone

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 14, 2021 1:25 PM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: No landfill in the forest

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Tuesday, September 14, 2021 1:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: No landfill in the forest

From: Nichols, Susan <Susan.M.Nichols@lonestar.edu>
Sent: Tuesday, September 14, 2021 11:10 AM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: No landfill in the forest

Re: Sam Houston National Forest, MSW Landfill Permit No. 2406

I recently became aware that a Municipal Solid Waste (MSW) Landfill is under permit application with the Texas Commission on Environmental Quality (TCEQ) to be built in a very irresponsible location. Being immediately adjacent to our beloved Sam Houston National Forest on the north, the FEMA 100-year floodplain on the west and a working produce farm on the east. To make matters worse, the garbage trucks will be entering/exiting through flood prone dilapidated streets in a neighborhood where children will be entering/exiting local school buses.

It is my understanding that President Biden has made it clear that his administration is serious about making our environment a "cornerstone" of his policy goals. Am I mistaken that our National Forests should be around for our grandchildren's children and longer?

I came across this US Forest Service video (see link below) about "Your Best Waters" portraying how some of our country's best water originates from our National Forests as they are a natural filtration system. I ask, *how can we expect to have clean water coming out of the Sam Houston National Forest if we have a toxic landfill built next to it, literally a few feet?* Take a minute to watch this video, perhaps something will resonate reminding you that our National Forests should take priority over pollution.

<https://youtu.be/4zAJbR47cDs>

The TCEQ has set a virtual public meeting (links/info below) scheduled for September 28, 2021, 7 pm, Houston time. Being a proud and concerned American, I strongly request that the US Forest Service make a public comment contesting the landfill and take appropriate legal action protecting our *water*, wildlife, and National Forest.

Landfills are necessary, however, is there a better location? Seriously, placing a landfill between a National Forest and a 100-year floodplain that provides the drinking water for millions of people in Houston, the 4th largest city in the US! This scenario reminds me of that old saying "you can put lipstick on a pig, but it's still a pig!" Are you willing to risk losing our invaluable and irreplaceable gift of clean water?

I look forward to seeing your public response on the TCEQ website and your assertiveness defending our Forests at the virtual public meeting. Please feel free to contact me if I can be of further assistance.

Sincerely,

S. Nichols
Sent from my iPhone

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, April 27, 2021 12:35 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

RFR

From: charleneniederkorn@gmail.com <charleneniederkorn@gmail.com>
Sent: Thursday, April 22, 2021 10:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MRS Charlene M Niederkorn

E-MAIL: charleneniederkorn@gmail.com

COMPANY:

ADDRESS: 4102 LONGHORN DR
CLEVELAND TX 77328-8850

PHONE: 2816398546

FAX:

COMMENTS: Office of the Chief Clerk, MC 105 TCEQ PO Box 13087 Austin, TX 78711-3087 RE: Proposed Peach Creek Landfill – TCEQ Permit No.: 2406 Dear TCEQ: I am a property owner at Peach Creek Plantation, and I am writing this letter to protest the decision of adding a landfill off Fostoria Road (TCEQ Permit No.: 2406). Unfortunately, there is already a broad consensus that negative impressions of the city of Cleveland are formed when driving along Highway 105 with the many under-regulated and disorderly yard sales. It should be the local government's mission to work at

fostering a more welcoming gateway and more positive impressions of the city of Cleveland by improving the city's beautification and streetscape of the neighborhoods across the city, not making it worse by adding more landfills along Highway 105. The residents at Peach Creek Plantation join me in protesting the new location for the landfill. This landfill could post a potential environmental disaster for the creeks, San Jacinto River, and Lake Houston when there is a flood. Even during normal rainfall, toxins will end up in the water. The decision to place a landfill in this location will not only impact the water source for household water wells, but also harm the wildlife in the area which includes endangered woodpeckers, bald eagles, deers, and so much more. The impact on the National Forest will be devastating. Our roads will be torn to pieces with the big trucks that will use this landfill. Our property values will decrease significantly, but more importantly, the toxins that the landfill will put off will impact our health. Today, Peach Creek Plantation is a balanced eco-system that is used for recreation and wildlife habitat— we would like to keep it that way. We kindly ask that you please reconsider your decision of locating another landfill along Highway 105. The residents of Peach Creek Plantation and I would appreciate a response from you regarding this issue. I can be reached at the phone number or email address below. Thank you for taking the time to read this letter. Sincerely, Charlene Niederkorn

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 8:28 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Landfill permit application #2406

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Friday, December 3, 2021 1:38 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Landfill permit application #2406

From: charlenemary <charleneniederhorn@gmail.com>
Sent: Friday, December 3, 2021 12:25 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Landfill permit application #2406

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 **be denied**. There are three main concerns that form the basis for my comments.

1) The Sam Houston National Forest sits on the east and north side of the proposed landfill. The USFS was started to help provide clean water to our country. When it rains, the SHNF acts as a filter to cleanse water going downstream to Lake Houston. The leachate tanks are to sit on the north side of the LF, within a few feet of the FEMA 100-year floodplain. Storm water overflow, leachate, and VOCs will make the Jayhawker Creek floodplain a conduit for contamination which will impact drinking water downstream.

2) Dr. HC Clark wrote a geological assessment to the TCEQ back in August, to quote him "The application implicitly recognizes the gravel location restriction insofar as Class I nonhazardous is not listed as waste to be accepted. Will the permit explicitly state that Class I waste may not be and never will be accepted here because of this hydrogeologic limitation?" "The sink created by pumping will draw water into the landfill rather than allowing it to pass beneath the liner and detect a leak as that groundwater moves through the point of compliance. Water will move inward rather than out." "How will this problem be addressed?"

3) It is a fact that millions of seagulls feast at LF across North America. South Wake MSW landfill in NC is comprised of approximately 179 acres and has an estimated seagull population of 50,000. Phase 1 of this 2406 LF will be about 124 acres, or almost 37% smaller which equates to almost 31,500 seagulls as an estimated flock number. Studies from Duke Univ School for the Environment determined that these seagulls dropped over a ton of droppings each year. A year-round fruit and vegetable operation, Wood Duck Farm is located bordering the 2406 LF from the east. What are the plans to keep seagull droppings off farm produce growing in the field? What are the plans to keep seagulls from eating the crops? What type of disease vector plan might be implemented? How will the applicant mitigate wild animal scavenging? How will the extra nitrogen and phosphorus impact the SHNF?

<http://www.newsobserver.com/news/local/counties/wake-county/article158475619.html>


I strongly request that you take the next logical step and **REJECT** this current Application No. MSW-2406.

Thank you for your consideration.

Sincerely,

Charlene Niederhorn
4102 Longhorn Dr.

Cleveland, TX 77328

Sent from my iPhone 

Date: July 14, 2021
Name: Charlene Niederkorn
Address: 4102 Longhorn Dr.
City, ST, Zip: Cleveland TX 77328
Email Address: charlene.niederkorn@gmail.com

REVIEWED

JUL 29 2021

By: Gow

CHIEF CLERKS OFFICE

2021 JUL 28 PM 3:01

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are four main concerns that form the basis for my comments.

1. If PCEP were to encounter financial challenges or worse, forced into an unexpected bankruptcy, (hopefully not from an environmental issue) the access road owner is PC II; therefore, the TCEQ needs access to the bankrupt LF, but the TCEQ cannot access because the PCE permit boundary is landlocked. Surely, the TCEQ can get into the permit area to monitor/manage any inherited environmental issues that might arise? Recall that the same Mississippi investors that own PC II, also own PCEP.
2. The natural drainage from Wood Duck Farm begins in the Sam Houston National Forest on the east and travels across the mid part of the farm in an east to west-direction; heavy rainwater flows from two different intervals into a floodplain creek that flows north to south just outside the western fence; this can be seen on the PC II property, see map. This creek spans perhaps 1500-2000 feet to the south and is undeniably situated within the 2010 FEMA floodplain. Please be aware that the property owned by PC II for the proposed access road is only 100 feet wide, not much room for detention ponds, and runs/flows north to south within the FEMA floodplain. The Army Corp of Engineers even said that removing trees for the access road within the known floodplain path will likely increase flood water velocity.
3. Local access road to landfill currently is in a floodplain, the road has a NO weight limits and will not hold up to garbage trucks constantly traveling the road.
4. No garbage or hazardous leachate filled trucks should be traveling through the local neighborhoods where children are playing. Some truck traffic estimates are as high as 500 per day. Only state highways should be used.

I applaud the actions of TCEQ for protecting our families and environment. I strongly request that you take the next logical step and reject this current Application No. MSW-2406.

Thank you for your consideration.

Sincerely

Charlene Niederkorn

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, October 19, 2020 10:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: Charleneniederkorn@gmail.com <Charleneniederkorn@gmail.com>
Sent: Saturday, October 17, 2020 2:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MRS Charlene Niederkorn

E-MAIL: Charleneniederkorn@gmail.com

COMPANY:

ADDRESS: 4102 LONGHORN DR
CLEVELAND TX 77328-8850

PHONE: 2826398546

FAX:

COMMENTS: As a property owner in peach creek plantation, I would like to formally submit my opposition to the proposed pending permit of the landfill aka peach creek environmental park. Certainly there is other availability further away from a populated residential area. The last thing we need is to be exposed to possible unhealthy conditions and contamination of air quality. I strongly oppose having a landfill in the designated are under permit number 2406

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, November 9, 2020 8:33 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: Luvalab1973@hotmail.com <Luvalab1973@hotmail.com>
Sent: Saturday, November 7, 2020 4:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

PERMIT NUMBER: RN110843042

PERMIT NUMBER: 2406

PROJECT NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

PROJECT NUMBER: CN605694611

FROM

NAME: Kim Noble

MAIL: Luvalab1973@hotmail.com

COMPANY:

ADDRESS: 17580 FM 1725 RD
HOUSTON, TEXAS 77328-5486

PHONE: 6014153818

SEX:

COMMENTS: I am requesting a public hearing because of the proposed landfill and the effects it will have on my health and the well I have for water, the air quality for me and my family and animals and also all the endangered animals that are here and in the same Houston forest which is very close as well.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, October 21, 2020 10:30 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: Luvalab1973@hotmail.com <Luvalab1973@hotmail.com>
Sent: Tuesday, October 20, 2020 5:22 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Kimberly A Noble

E-MAIL: Luvalab1973@hotmail.com

COMPANY:

ADDRESS: 17580 FM 1725 RD
CLEVELAND TX 77328-5486

PHONE: 6014153818

FAX:

COMMENTS: I have a water well as my only source of water and have animals that depend on fresh water so I do not want the water contaminated nor do I want the smell of a landfill near my house especially due to the autoimmune disease I have which can complicate my health. I am against this landfill being put in place here.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, March 21, 2022 9:17 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406
Attachments: Peterson Comments and Request for Hearing on Proposed Landfill.pdf

H

From: melisa.m.peterson@gmail.com <melisa.m.peterson@gmail.com>
Sent: Monday, March 21, 2022 12:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Melisa Peterson

E-MAIL: melisa.m.peterson@gmail.com

COMPANY:

ADDRESS: 341 BIG BUCK DR
CLEVELAND TX 77328-5002

PHONE: 8324202614

FAX:

COMMENTS: Please accept the attached comments and request for hearing in the proceedings on proposed MSW Permit 2406.

*Mr. and Mrs. George Peterson
341 Big Buck Drive
Cleveland, Texas 77328*

March 21, 2022

VIA ELECTRONIC SUBMITTAL

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

Re: Comments and Request for Contested Case Hearing on Proposed Municipal Solid Waste Landfill Permit No. 2406; Application of PC-II, LLC for Peach Creek Environmental Park; San Jacinto County

Dear Ms. Gharis:

This letter is filed for the purposes of: 1) requesting the addition of our names and contact information to the TCEQ's permanent mailing list for all matters relating to the above-named Applicant and Proposed Municipal Solid Waste Permit No. 2406; 2) requesting the inclusion of our names on all public notices relating to the above-referenced Permit Application; 3) providing comments in opposition to the issuance of Proposed Permit No. 2406; and 4) requesting a contested case hearing on Proposed Permit No. 2406.

Our contact information is as follows:

Melisa and George Peterson
341 Big Buck Drive
Cleveland, Texas 77328
Phone: 832.420.2614

We purchased this 15-acre property, our family's home, through a deed dated September 21, 2021. We have not received mailed notice from the Applicant regarding its Application, although our residence in Peach Creek Estates appears to adjoin the subject property. According to the San Jacinto County Appraisal District's online records and maps, there is a 186-acre tract owned by PC-II LLC at Fostoria Tram Road in Cleveland that is further identified as Property ID #47429. Our property appears as Property ID #100494 in the San Jacinto County Appraisal District ("CAD") records. Our property shares a property boundary with PC-II on two of the five sides of the parcel that we own. A copy of the relevant portion of the CAD Map appears below:

In addition, please accept the following comments for agency scrutiny and response prior to proceeding with the above-referenced Application for the Peach Creek Environmental Park near Cleveland, Texas.

- 1) The Applicant should be required to prove that an additional municipal solid waste landfill at the proposed location is both: 1) needed; and 2) economically feasible. There are other disposal facilities in the immediate area, and the Applicant has failed to demonstrate the need for an additional landfill. The need for this facility, at this location, should be clearly demonstrated by the Applicant. Without a convincing demonstration that this new facility is needed at this location, the Application should not be allowed to proceed.
- 2) The Applicant should be required to prove that its proposed activities, from initial construction through the indefinite decades of post-closure care and monitoring, will have no impact on our water supply well or on any other existing or future sources of water supplies in our area.
- 3) The Applicant should be required to establish that it has ample financial resources to construct, operate, maintain, close, and conduct post-closure care and monitoring of the proposed Landfill for the duration of its existence. The public outcry in opposition to this facility illustrates the community's deep concerns regarding the presence of such a facility at this location. If the Applicant continues to pursue the TCEQ's authorization of this Landfill, it can expect continuing attention to its activities, and it should be required to demonstrate that it has more than enough in financial resources (including financial resources to pay and retain its personnel) for the proper construction, operation, closure, and post-closure care of the Landfill.
- 4) As landowners adjoining the property owned by the Applicant for this proposed Landfill, we are deeply concerned about the Applicant's ability to satisfy and comply with the important minimum requirements established in Texas law. If this Application proceeds, we believe the Applicant's proposed location for this proposed disposal facility warrants the agency's imposition of extensive additional permit provisions to mitigate the risks of surface and subsurface contamination of the soils and groundwater in this area, as well as the risks to the natural resources and the health and safety of the residents of this area.

Request for Contested Case Hearing. Thank you for your attention to this matter of critical importance to my family and our community. If, after consideration of the thousands of comments received to date, the Application continues to be processed at the agency, we respectfully request a contested case hearing in this proceeding. In addition, we reserve the right to supplement our comments and list of disputed issues within the time periods set by the agency.

Sincerely,

Melisa Peterson

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 9:15 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H

From: aliciarairden@gmail.com <aliciarairden@gmail.com>
Sent: Thursday, September 9, 2021 8:42 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Alicia R Rairden

E-MAIL: aliciarairden@gmail.com

COMPANY:

ADDRESS: 11919 W BORDER OAK DR
MAGNOLIA TX 77354-6997

PHONE: 3046878923

FAX:

COMMENTS: I am deeply concerned with the amount of air/water quality infringements the TCEQ has allowed for other "large corporations." Texas should remain CLEAN rather than polluted with all of this even though it appears as though Texans prioritize money over environment and wildlife I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private

homesteads due to PCML. (if you have visited SHNF tell TCEQ this, why you visit, and what it means to you; if you have bought WDF produce state why you did so and what this means to you; if you live near the PCML site, tell TCEQ and describe how close you are). I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. (expand on these environmental concerns or add other issues that you are concerned about). Because of these problems I oppose Permit #2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you. Sincerely, Alicia

REVIEWED

SEP 23 2021

By MSW

09 September 2021

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

MSW
117709

OFFICE OF CHIEF CLERK

SEP 15 11 51

ON 09/15/2021

Dear Chief Clerk,

I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because:

1. I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. (if you have visited SHNF tell TCEQ this, why you visit, and what it means to you; if you have bought WDF produce state why you did so and what this means to you; if you live near the PCML site, tell TCEQ and describe how close you are).
2. I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. (expand on these environmental concerns or add other issues that you are concerned about). Because of these problems I oppose Permit #2406.

I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you.

Sincerely,



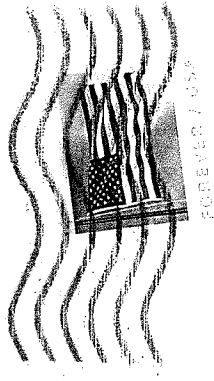
Royce Roberts

R. Roberts
3118 MARZANITA LN.
MURVER, TX. 77578

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2021 SEP 15 AM 9:51

CHIEF CLERK'S OFFICE



NORTH HOUSTON TX 773

13 SEP 2021 PM 3:11

FILED

OFFICE OF CHIEF CLERK

SEP 15 2021

MC 105

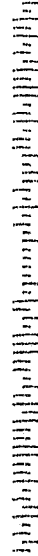
TCEQ

PO Box 13087

Austin, Tx. 78711-3087

TECHNICAL CENTER
WT

78711-308787



Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, October 22, 2020 11:05 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: debbiesue777@yahoo.com <debbiesue777@yahoo.com>
Sent: Thursday, October 22, 2020 11:04 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Debra Rodriguez

E-MAIL: debbiesue777@yahoo.com

COMPANY:

ADDRESS: 102 COUNTY ROAD 3891 S
CLEVELAND TX 77328-3241

PHONE: 2816597126

FAX:

COMMENTS: I would like to go on record that I am against and concerned about this proposed landfill. My subdivision has so many creeks that run through it. I have a natural run off type of creek/drainage that runs right through my property. When it rains or we have flooding, we get a lot of water from all this drainage and creeks that overflow. I am concerned about the toxic overflow from the landfill poisoning my pond, the natural trees and grasses on my property and particularly all the wildlife that lives there. I believe this will have long lasting effects. I would like to have a public hearing on this matter.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 9:16 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H
From: alinerosenzweig@yahoo.com <alinerosenzweig@yahoo.com>
Sent: Thursday, September 9, 2021 8:28 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MS Aline Rosenzweig

E-MAIL: alinerosenzweig@yahoo.com

COMPANY:

ADDRESS: 2126 BRANARD ST Apt 4
HOUSTON TX 77098-2432

PHONE: 9544102544

FAX:

COMMENTS: I want Permit #2406, PCML: amended to include the access road; you support a contested case hearing; include your contact information (mailing address/phone number/email); state you are concerned about unacceptable environmental impacts that PCML may have on SHNF and WDF; state you are concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other impacts PCML may have. I oppose the PCML.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, February 22, 2022 8:50 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

MSW
117709

RFR

From: ams_roth@hotmail.com <ams_roth@hotmail.com>
Sent: Saturday, February 19, 2022 8:16 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Amy Roth

E-MAIL: ams_roth@hotmail.com

COMPANY:

ADDRESS: 25945 TALLOW VIS
CLEVELAND TX 77328-7172

PHONE: 2817333891

FAX:

COMMENTS: Please don't allow landfill off Fostoria Rd in Cleveland. The impact this would have on our value of property, the water in the area and the SMELL is detrimental to our livelihood. Please reconsider. The small 2 lane roads will be overran by huge heavy dump trucks carrying trash all day and muddying up our paved roads and making worse the non paved roads.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, November 10, 2021 2:11 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: TCEQ MSW permit #2406

-----Original Message-----

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Wednesday, November 10, 2021 8:27 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: TCEQ MSW permit #2406

-----Original Message-----

From: Amy Roth <ams_roth@hotmail.com>
Sent: Tuesday, November 9, 2021 10:10 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: TCEQ MSW permit #2406

I just recently heard about the Landfill application proposed to be built next to the Sam Houston National Forest, FEMA 100 yr. floodplain, and small family farms. I am concerned that the proposed landfill will contaminate both surface and groundwater. The county roads are dilapidated, flood, and are very narrow; they will not hold up to heavy truck traffic. Endangering the lives of school children with 400+ proposed garbage trucks traveling daily through the neighborhood? This is where kids wait for their school busses. This LF permit application idea is totally irresponsible to our future generations. I urge the TCEQ to deny this #2406 Landfill application.

Amy Roth
281-733-3891
Realtor, JLA Realty (59 North)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 10:14 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H

From: rosannarussell@gmail.com <rosannarussell@gmail.com>
Sent: Thursday, September 9, 2021 10:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Rosanna Russell

E-MAIL: rosannarussell@gmail.com

COMPANY:

ADDRESS: 2703 VANNEVAR WAY
THE WOODLANDS TX 77381-3342

PHONE: 9365244019

FAX:

COMMENTS: Dear Chief Clerk, I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: 1. I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. 2. I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. Because of these problems I oppose Permit

#2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you. Sincerely, Rosanna Russell 2703 Vannevar Way The Woodlands, TX 77381

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 15, 2021 2:28 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: To TCEQ Staff and all concerned

PM
H

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Monday, November 15, 2021 1:00 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: To TCEQ Staff and all concerned

From: Gannon D. Rust <grust@conroeisd.net>
Sent: Monday, November 15, 2021 11:54 AM
To: CHIEFCLK <chiefclk@tceq.texas.gov>; jason.roesner@usda.gov; randy.moore@usda.gov; ken.arney@usda.gov; william.taylor@usda.gov; frank.stranimier@usda.gov; brandt_mannchen@comcast.net; woodduckfarm@yahoo.com
Subject: To TCEQ Staff and all concerned

Please review upcoming EPA actions and regulations.

I ask for denial of permit #2406 based on new and incoming data and legislation. I strongly urge all at the TCEQ to read and research [this attached link](#) regarding PFAS as well as view the two attached documents. I also ask that the TCEQ follow the EPA's lead and hold permitting solid waste landfills until safer regulations can be implemented to ensure disposal of harmful chemicals can be handled properly.

Attached are PDFs of the above referenced information regarding new regulations concerning PFAS. Waste disposal is a big concern to the EPA and strides are being made toward more regulation of these chemicals due to the toxic effects on human, animal, and the environment.

With this new information and forthcoming regulation, I insist that the TCEQ deny permit #2406 based on scientific evidence that PFAS **do** and **will** cause **harm**. The EPA is considering placing a hazardous material rating on PFAS and I do **NOT** want my family, my community, neighboring communities, local farmers, the natural forest, local waterways, and aquifers to be affected for YEARS to come.

Please deny this permit based on impending regulation that **will drastically** affect the lives of everyone locally and downstream of this proposed site in a life-threatening way.

The TCEQ cannot turn a blind eye to evidence that exists but has not yet been legislated. It is unkind, cruel, and irresponsible to **knowingly** subject the environment to **hazardous** chemicals.

The future of waste disposal is changing, and I urge the Executive Director, Commissioners, and all TCEQ staff to consider the potential harm that will devastate communities and natural ecosystems.

Please deny permit #2406.

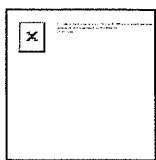
I request another public meeting where individuals who have no internet access can hear more information on this application and understand the life altering effects it will have if permitted.

I also request a contested case hearing.

To knowingly subject individuals, communities, and drinking water sources to KNOWN harmful substances is negligent!

With all due respect, this permit #2406 is wrought with flaws. The burden has been placed upon an economically challenged county and the local residents to prove the deficiencies while the TCEQ allows for unlimited revisions! This is NOT EQUITABLE!

Sincerely,





Gannon Rust

Teach Hs/English

Caney Creek High School

Conroe Independent School District

 936-709-2000  grust@conroeisd.net

MSW
117709

REVIEWED

MAR 10 2022

By Gcw

H

2022 MAR 11 AM 10:17

CHIEF CLERKS OFFICE

3-6-2022

Office of Chief Clerk

mc105

Texas Commission on Environmental
Quality

Dear Chief Clerk

I want Permit # 2406 PC m L
denied, if this dosent occur
I want a contested case hearing.
My contact info. is Brenda Schaefer
25388 Pine Knob Dr Cleveland, TX 77328

my husband and I bought our place
3 1/2 yrs ago. My husband has COPD
and the smell of your land fill
would exerbate this condition.
We are 70 and 68 yrs old. We
can't sell and relocate, this is
our for ever home.

The traffic from Target trucks
would make it hard to get in
and out of our little subdivision.
Our county has a hard time
keeping up with road repair and
the next count in poorer than ours.
Please help us maintain good air.

quality.

Where we live in between
three county lines, Montgomery,
Liberty and San Jacinto.
Your land fill will be
within smiles of my home.
Can you guarantee the smell
will not drift to us.

Fred Brenda Schaefer
25388 Pineknob Dr
Cleveland TX 77322

RECEIVED

MAR 11 2022

TCEQ MAIL CENTER

Office of Chief Clerk

MC105; TCEQ

Texas Commission on Environmental

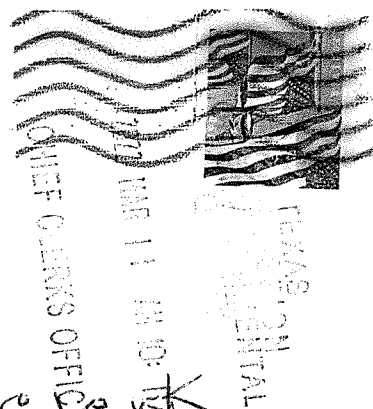
Quality

78711-3087

Box 1087

Austin, Texas

78711-3087



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 29, 2021 9:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406
Attachments: 2021.09.28 BCWK comment letter re Peach Creek landfill.pdf

H

From: info@bayoucitywaterkeeper.org <info@bayoucitywaterkeeper.org>
Sent: Tuesday, September 28, 2021 4:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Kristen Schlemmer

E-MAIL: info@bayoucitywaterkeeper.org

COMPANY: Bayou City Waterkeeper

ADDRESS: 2010 NORTH LOOP W STE 103
HOUSTON TX 77018-8106

PHONE: 5126191583

FAX:

COMMENTS: Bayou City Waterkeeper attaches written comments, addressing our members' concerns with the need for this project, its compatibility with existing land uses, and its impacts on surface water, wetlands, floodplains, drainage, groundwater, and endangered species.



September 28, 2021

Office of the Chief Clerk, Texas Commission on Environmental Quality

Comments submitted electronically via <https://www14.tceq.texas.gov/epic/eComment/>.

**Re: PC-II LLC's Proposed Municipal Solid Waste Permit No. MSW 2406
Bayou City Waterkeeper's Comments and Request for Contested Case Hearing**

To the Executive Director:

Bayou City Waterkeeper works with communities across the Lower Galveston Bay watershed affected by flooding and water pollution. We aim to hold industries to the standards set by the Clean Water Act, with the goal of protecting the waters that flow through our bayous, creeks, and neighborhoods into our coastal bays. As further detailed below, we submit these comments and request a contested case hearing to address concerns associated with the impacts of Proposed Municipal Solid Waste Permit No. 2406 on water bodies, wetlands, floodplains, and endangered species, as well as current local land uses.

I. Background

On September 6th, 2020, PC-II ("the Applicant") submitted an application ("Application") for a permit for a new Municipal Solid Waste facility under Texas Admin. Code § 330.57. The project encompasses 636 acres, and the proposed landfill will cover approximately 115 acres with both below ground and aerial fill. The proposed facility, which is intended for San Jacinto County and neighboring counties, intends to accept municipal solid waste, household waste, yard waste, commercial waste, construction-demolition waste, Class 2 And 3 industrial wastes, and other special waste, as approved. As currently proposed, the landfill facility will receive approximately 371,800 tons of waste, or approximately 1,300 tons per day, based on 286 days per year of operations, in the initial year after construction. The waste acceptance rate is expected to increase over the life of the landfill and will vary depending on market conditions.

The landfill is located in San Jacinto County and intended to serve that and other counties; the landfill falls within the Deep East Texas Council of Governments, which already has sufficient landfill capacity for the next 48 years. The proposed landfill has several potential impacts:

1. The proposed landfill will affect impaired waters, the city of Houston's main drinking water supply, and wetlands within the 100-year floodplain

The site is forested and relatively flat, and portions lie within the 100-year floodplain or are covered with wetlands. The landfill will be sited within the San Jacinto River watershed and lies between the Peach Creek and Caney Creek sub-basins. The landfill itself will be east of Jayhawker Creek. Surface water currently drains south into Jayhawker Creek to Peach Creek. Surface water from the western portion of the landfill site drains south into Blue Branch which

turns into Gum Branch before discharging into Peach Creek. Peach Creek eventually discharges into Caney Creek before finally discharging into Lake Houston approximately 17 miles south of the landfill.

Neither Peach Creek segment 1011 nor Caney Creek segment 1010 meet TCEQ's contact recreational use criteria due to elevated levels of bacteria. TCEQ Impaired Waters List, 2020 Texas 303(d) List. These segments are where Peach Creek and Jayhawker Creek meet and where Peach Creek connects with Caney Creek. Lake Houston, also impaired, is used for recreation and is the primary source of drinking water for the city of Houston and neighboring communities. The lake was first listed on the 303(d) List in 2006 for high bacteria levels on the northwest side of the lake.

The proposed project site also contains wetlands. The National Wetlands Inventory identifies PFO wetlands on the site, and an approved jurisdictional determination identifies nine wetlands, representing nearly 20 acres, and 1753 linear feet of streams. Portions of the site are located within the 100-year floodplain.

2. The proposed landfill is located next to Sam Houston National Forest, the habitat of an endangered species, and a family-owned produce farm

The proposed landfill will be right next to Sam Houston National Forest, one of four national forests in Texas. The forest is used for hiking, camping, and other recreation, as well as hunting and fishing. The forest is also critical habitat for the red-cockaded woodpecker, designated as endangered since 1970. If built, the proposed landfill also would be right next to Wood Duck Farm, which is a family-owned farm made up of 87 acres comprising wetlands, small garden plots, a farmhouse with kitchen, greenhouses, and wooded tracts. The farm grows produce for restaurants in greater Houston, Austin, and the Dallas Metroplex, as well as individual customers.

II. Comments

1. Standard for granting MSW permit

The Texas Solid Waste Disposal Act at Texas Health & Safety Code Chapter 361 and Rules at 30 Tex. Admin. Code Chapter 330 were promulgated to protect human health and the environment and are the basis of TCEQ's jurisdiction over municipal solid waste among other authorities. The proposed landfill's activities and potential impacts on environmental media are evaluated by monitoring programs and systems that are rule-based and put in place to monitor groundwater quality and landfill gas migration at the proposed landfill's boundary. If the permit is approved, the Applicant will be required to continue monitoring groundwater and landfill gas migration and surface emissions while the proposed landfill is active and during the post-closure care period (5 years from closure, unless specified otherwise). The role of the TCEQ is to ensure that authorized facilities are designed, constructed, and operated in accordance with applicable rules, and thereby protect human health and the environment.

2. The Applicant has not shown a need for a municipal landfill or compatibility with regional solid waste management planning

The landfill falls within the jurisdiction of the Deep East Texas Council of Governments ("DETCoG"). The TCEQ's data shows the DETCoG already has four landfills with 48 remaining years of capacity.¹ An abundance of remaining capacity for DETCoG logically translates into a lack of demand for more landfill space. In light of this data, the TCEQ must assess and account for the need for this landfill, both generally and to accommodate the specific types of wastes proposed.

3. The proposed landfill is incompatible with surrounding land uses

TCEQ rule 330.61(h) requires permit applicants show that a proposed landfill is compatible with neighboring land uses. The Application shows that the proposed landfill is not consistent with existing land uses. The proposed landfill will be sited next to Sam Houston National Forest (one of only four national forests within Texas), a farm that grows fruits and vegetables sustainably for people to eat, and a creek that flows into impaired bodies of water and the city of Houston's main drinking water supply. Further, portions of the site are located within the 100-year floodplain and contain wetlands, which may further exacerbate water quality problems caused by the landfill that has been proposed.

A land-use compatibility evaluation is required under TCEQ's MSW rules, and the TCEQ has the discretion to make its own determination on the question of land-use compatibility. Tex. Health & Safety Code § 361.069 & 30 Tex. Admin. Code § 330.61(h). This land site-compatibility determination allows for consideration of a broad array of issues related to the public interest. 30 Tex. Admin. Code § 330.61(h). Given the location of the site, it is incumbent on the ED and the TCEQ to conduct a thorough land use compatibility evaluation, including all factors related to the public interest. A thorough evaluation of land use compatibility concerns would reveal that the proposed facility is not compatible with surrounding land uses.

4. The Application does not show compliance with TCEQ requirements related to pollution of surface water

a. The TCEQ has not adequately performed an antidegradation review

Texas's antidegradation policy prohibits regulated activities from having any negative impact on surface water, regardless of whether that impact meets water-quality criteria and uses. See 30 Tex. Admin. Code § 307.5. Regulated activities include "actions regulated under state and federal authority that would increase pollution of the water in the state. Such actions include authorized wastewater discharges, total maximum daily loads (TMDLs), waste load evaluations, and any other miscellaneous actions, such as those related to man-induced nonpoint sources of pollution, that may impact the water in the state." 30 Tex. Admin. Code § 307.5(a). This project's impacts on water quality subject it to this policy.

¹ TCEQ, Municipal Solid Waste: A Year in Review (2020).

The program's antidegradation policy applies to, "Anyone discharging wastewater that would constitute a new source of pollution or increased source of pollution from any industrial, public, or private project or development," and requires "a level of wastewater treatment consistent with the provisions of the Texas Water Code and federal environmental laws. See 40 C.F.R. § 258.1; Tex. Admin. Code § 307.5(5). "Degradation" means to lower water quality by more than a "de minimis" extent, but not to the extent that an existing use is impaired." Tex. Admin. Code at § 307.5(b)(2). Antidegradation refers to maintaining and protecting surface water that already meets or exceeds fishable/swimmable quality levels.

Here, the TCEQ must perform an antidegradation review and articulate whether the landfill will degrade important downstream waters, including Peach and Caney Creeks, which are impaired, and Lake Houston, which serves as the primary source of drinking water for the city of Houston. In conducting this review, the TCEQ should specifically address how the project site's partial location in the floodplain and connectivity to wetlands may affect water quality.

b. The Application does not adequately protect or address pollution to waters of the United States

Neighboring residences and farms require both surface and groundwater water for their households, as well as livestock and irrigation water. This is one of the purposes of Chapter 330 of the Texas Administrative Code, yet, MSW Application No. 2406 does not provide adequate protection from contaminated discharges of leachate into Jayhawker Creek. Runoff and contaminants once in Jayhawker Creek, will flow into Peach Creek, then into the San Jacinto River before reaching Lake Houston only seventeen miles away. For instance, the Application states only one foot of freeboard is planned for leachate and stormwater detention ponds, when recently recorded rainfall indicates increased rainfall will overtop the detention ponds causing the overflow of contaminated materials into the environment.

Jayhawker Creek is considered Waters of the United States, and hence, subject to the Clean Water Act and special consideration. Other leachate ponds are proposed less than 100 yards from the national forest boundary, and the nexus between the proposed landfill and Jayhawker Creek raises jurisdictional issues with the USACE. At a minimum, TCEQ should require (i) the Permit include testing for stormwater and surface water quality in the downstream surface waters, (ii) continued monitoring for the biochemical oxygen demand imposed on the receiving waters of Jayhawker Creek, to ensure a de minimis effect and that current uses remain unaffected.

5. The Applicant has not adequately addressed floodplain, wetlands, or drainage
a. The Applicant's AJD rests on unlawful grounds and must be revised

On November 23, 2020, the Applicant obtained an approved jurisdictional determination ("AJD") that excludes several wetlands and other waters as non-jurisdictional.² The determination, however, depended on the Navigable Waters Protection Rule, which has been declared unlawful by a federal court. *Pasqua Yaqui Tribe v. EPA*, No. 4:20-cv-00266 (Aug. 30, 2021)

² Approved Jurisdictional Determination for SWG-2019-00646.

(vacating Navigable Waters Protection rule). As a result, the Rapanos significant nexus test governs, *see id.*, as well as the Corps' longstanding policy to find jurisdiction over most wetlands within the 100-year floodplain.³

Given these changed circumstances, along with the fact that the AJD documents wetlands, and portions of the project site fall within the 100-year floodplain, the Applicant should be required to revisit this AJD, and the TCEQ should conduct a Tier II water quality review, before this application may move forward. In reassessing the appropriateness of the AJD, the Applicant must consult with the Corps to evaluate the jurisdictionality of Given that the TCEQ has not yet granted the Applicant's permit application, revising the AJD to conform with current legal standards will not cause the Applicant any prejudice. Until that takes place, the Applicant cannot show compliance with TCEQ's requirements related to floodplain and wetland impacts. See 30 Tex. Admin. Code § 330.61(m).

b. The Applicant must otherwise account for wetland impacts

Municipal solid waste facilities must not be located in wetlands unless the applicant provides information to the ED that demonstrates impacts to wetlands have been avoided to the maximum extent practicable, then minimized to the maximum extent practicable, and when unavoidable, impacts have been offset through mitigation actions. 30 Tex. Admin. Code § 330.553 (Location Restrictions: Wetlands). Currently this application fails to adequately account for the impact of the landfill on flooding or wetlands, even though the landfill will significantly alter the area floodplain, with severe consequences likely. The Applicant proposes to fill several wetlands and convert them and an ephemeral stream, but does not provide sufficient information on how impacts to wetlands have been avoided, minimized, or offset, and it is unclear whether alternatives have been adequately considered. These defects must be addressed, or the permit should be denied.

c. The Applicant has not shown compliance with TCEQ mandates related to floodplain impacts

Tex. Admin. Code § 330.547(a) prohibits landfill operations within an established floodplain. The proposed MSW site will be as close to a FEMA floodplain as is physically possible. Can this proposed landfill remain compliant with prohibitions on MSW operations located in a 100-year floodway as defined by FEMA, given portions of the landfill remain on a floodplain and that the landfill's proposed stormwater runoff detention ponds storage cells are a mere 100 feet from an established FEMA floodplain? For this Application, TCEQ should consider the well-known increases in rainfall events and the near-certain expansion of the FEMA floodplains in two years.

³ U.S. Army Corps of Engineers, Galveston District, Memorandum re Adjacent/Isolated Criteria (Feb. 13, 2001).

d. By failing to consider upstream alterations and water velocity, the Application violates Tex. Admin. Code § 330.305(a)

Applicant's drainage analysis remains flawed due to the focus solely on downstream drainage impacts. Here, Applicant's focus on downstream drainage ignores the significant impact the proposed landfill will have on drainage upstream of the landfill, is deficient, and will not meet the requirements of 30 Tex. Admin. Code Sections §339.63 and 330.303. Currently, TCEQ approval of this Permit without including the access road in the Permit Boundary will violate Tex. Admin. Code § 330.305 prohibiting impairment of surface water drainage. Here, the natural drainage of the area begins in the adjacent Sam Houston National Forest to the east and flows across Wood Duck Farm from east to west. Heavy rainwater is eventually channeled via two drain fields into the floodplain creek flowing north to south just outside the game fence on Wood Duck Farm's western fence and is visible on the maps included in the Application. The floodplain creek traverses about 1500-2000 feet to the south and remains undeniably located in FEMA's 2010 floodplain. Additionally, the removal of trees for the access road within the floodplain will probably increase floodwater velocity. Further, the U.S. Army Corps of Engineers' analysis identified wetlands in this floodplain that appear to be located on or immediately adjacent to the proposed access road site.

e. The Application lacks provisions to mitigate impoundment of surface water

The Application fails to include provisions to mitigate flooding caused by the landfill access road. Here, the proposed access road will be constructed approximately 600 feet from the 2010 FEMA Floodplain. The Application also lacks a sheet flow analysis to show drainage patterns across the affected area, including areas off the permit boundaries where water may be impounded by landfill activities. The landfill requires large leachate storage tanks which must be pumped out (40,000-100,000 gal/day) into tanker trucks and hence makes them subject to leaks, accidents, and spills on public roadways when the collection trucks leave the landfill site. These impacts must be accounted for.

f. The Application relies on inconsistent rainfall data

Under Texas rules, MSW applicants are required to provide modeling that shows the proposed landfill is designed for 24-hour, 25-year rainfall events. The Applicant has included the required modeling in the Application, but inconsistently relies on different rainfall amounts in the modeling calculations. For instance, the Application's Attachment C3, Erosion and sediment control for the "Scour Calculation Side-slope reach" uses 10.5 inches of rain for the 25-year, 24-hour rainfall calculations, markedly less than the 11.3 inches of maximum rainfall identified in NOAA Atlas 14 rainfall cited in Attachment C1 Appendix C1-B Existing condition hydrological calculations.

This inconsistent use of data is both confusing and irresponsible and lends itself to dangerous outcomes because these calculations utilize 24-hour rainfall calculations that do not reflect actual rainfall as established by NOAA. Further, it is not clear exactly which of the two rainfall figures inform the other drainage calculations. TCEQ should require the Applicant to: (i) use consistent data, and (ii) recalculate all erosion and sediment control calculations that

underestimate the actual rainfall expected using current 25-year, 24-hour rainfall data available from NOAA, and resubmit the Application.

6. The Applicant has not sufficiently characterized and addressed subsurface geology and hydrology at the site and endangers groundwater with pollution

The investigation and characterization of the subsurface geology performed by the Applicant is deficient, and the Application has not adequately characterized the hydrology or presence of groundwater at the site. Here, the proposed landfill will pose a danger to groundwater that the Applicant has not adequately addressed as required under Tex. Admin. Code § 330.55(b).

a. The Applicant fails to account for the gravel layer beneath the proposed site

Groundwater and aquifer protection remain of paramount importance to TCEQ and Texas residents as evidenced by Tex. Admin. Code Chapter 330, Subchapters H and J, which addresses liner system design and operation as well as groundwater monitoring and corrective action respectively. In this instance, the underlying geology of the landfill raises several problematic issues specific to groundwater and monitoring, all of which arise due to the presence of a gravel layer immediately beneath the proposed landfill as identified in Part III and IV of the Application.

Specifically, the gravel layer raises the issue of whether this site's groundwater can ever be effectively monitored. Here, the gravel layer effectively controls the hydrology of the uppermost aquifer at the site. In turn, this is also the aquifer of concern and in this instance, the aquifer is to be monitored due to its location directly beneath the proposed landfill and is the aquifer identified as the uppermost aquifer for purposes of groundwater monitoring.

The gravel layer forms the pervasive layer of Stratum II and it effectively "daylights" at Jayhawker Creek as shown on the maps and sections included in the Application. Because this aquifer is "apparently unconfined," with a water table or potentiometric surface that appears to join Jayhawker Creek and hence, this aquifer serves as the creek's base flow.

The landfill location above this gravel layer imposes a hydrologic limitation and consequent legal limitation on the type of waste that may be accepted by the Applicant. The Texas Administrative Code wisely contains statutory restrictions that prohibit the acceptance of hazardous waste at such sites. This Application and permit should expressly state that hazardous waste will never be acceptable at this landfill. Yet, as identified below, additional concerns present themselves due to this gravel layer.

b. The proposed groundwater monitoring system is inadequate because it fails to account for the permeable layer of gravel beneath the site

As previously mentioned, a significant gravel layer lies directly below the landfill and its containment layers. This remains problematic as the upper stratum of sand and clays will be

excavated for the landfill itself, leaving only a thin layer between the landfill cells, their liners, and the underlying gravel. Because gravel has a higher hydraulic conductivity than sand and other materials, any leaks will race through the gravel layer and move downgradient.

Moreover, once the contaminated leachate reaches the gravel layer it will likely not have time to disperse, as it would in sand or other soils, but rather will quickly travel through the gravel layer.

c. The proposed groundwater monitoring system is inadequate because it will not detect contamination in the uppermost aquifer underlying the landfill

In this instance, the gravel layer creates additional problems associated with detection because once in the uppermost aquifer and gravel layer, leachates will move quickly and migrate to the downgradient bound of the site mostly undispersed. This is precisely the situation described in a seminal groundwater monitoring study conducted by J.A. Cherry.

Generally, leakage of leachate from landfill liners in typical groundwater pollution plumes contained in gravel, silt, and sand only spread 10 to 20 feet wide by the time they reach the point of compliance. Here, this problem is compounded by the proposed 600 feet spacing between monitor wells. Therefore, due to the speed of migration, contaminants will remain undetected by the monitoring system due to the monitor spacing at 600 feet intervals, too far apart for meaningful detection.

In short, the gravel layer will increase the speed of aquifer contamination and exponentially increase the chances of undetected groundwater contamination well beyond the bounds of the proposed landfill. This problem may be rectified by more closely spacing of the monitor wells and placement of the monitoring wells as far from landfill cells as possible but it remains especially problematic. Hypothetically, even if the wells were much closer together at 200 feet apart, due to the narrow "zone of capture," about 1 foot per well, a 10 to 20 ft. plume of contamination could easily pass undetected in the 198 feet between monitoring wells making meaningful leak detection virtually impossible to reliably monitor. Hence, leachate could travel great distances before it is ever detected. Yet, for this particular landfill, meaningful contamination detection is rendered even more difficult by the landfill design, which requires long-term dewatering, as discussed below.

d. Dewatering the uppermost aquifer beneath landfills creates conditions that will violate limits on contaminants under Tex. Admin. Code § 330.331(a)(1)

Because of the Applicant's below-grade design, excavation is required. Yet, because the water table is so high at the proposed landfill location, extensive dewatering must take place to prevent hydrostatic pressure from raising or tearing the landfill cell liners until sufficient waste is placed in the cells to prevent this negative hydrostatic condition. It is significant that this dewatering is not for temporary construction purposes, but rather will serve as a long-term alteration of the uppermost aquifer, an alteration that effectively creates a sink beneath the landfill.

This is important because this sink will draw water into the landfill rather than allowing it to pass under the liner and past leak detection devices as the water surpasses the point of compliance. In short, the drawdown of the uppermost aquifer will cause water to flow into the landfill instead of out, never passing the point of compliance. Such a condition also violates the conditions set forth in Tex. Admin. Code § 330.331(a)(1) because the inflow of groundwater will predictably dilute concentrations of contaminants, thereby rendering meaningless the concentration levels established under §330.331(a)(1).

e. The Applicant uses the outdated HELP Model to evaluate future landfill performance

The Application admits that groundwater will flow into the landfill sink in the discussion of leachate. Applicant's use of the Hydrologic Evaluation of Landfill Performance (HELP) model expressly states that this model does "not predict inflow through the liner into the leachate collection system due to the exposure of the liner to a high groundwater table," although it does assume the liner will leak. Significantly, hydrologic engineers now consider the HELP and ICPR models outdated. TCEQ should require the Applicant to use the current industry standard for evaluating landfill hydraulics—the EPA's SWMM model system available at no cost.

f. Dilution is not the solution to pollution

As noted above, the inflow of groundwater into the sink created by landfill dewatering will dilute any leachate contaminants that have leaked from the landfill. Significantly, this condition thwarts the intent of Tex. Admin. Code §330.331(a)(1) and any meaningful monitoring for landfill leachate contaminants, however, this is not the only dilution problem associated with this permit. According to the Application, monitoring wells 3, 4, 5, 6, 10, and 11 are slated to be located adjacent to unlined detention ponds. These unlined detention ponds will recharge Stratum 1 immediately and rapidly to the uppermost aquifer following a rainfall event. The practical effect here is that any contaminants passing the point of compliance will become diluted following rainfall events. Currently, this Application has no contingency plans to address this situation, and begs the question, will this dilution prevent compliance with the requirements of Tex. Admin. Code § 330.55(b) Water Pollution Control, and § 330.331(a)(1), which imposes limits on leachate contaminants?

As noted previously, these problems are related to the gravel layer of the site. The current groundwater monitoring system appears to be based on assumptions related to typical Texas sand, when actually, sand is not predominant in Stratum II, but rather, more highly permeable gravel predominates. In this instance, the Application improperly utilizes sand permeability when the presence of gravel is obvious. The Application uses the permeability of the aquifer as shown on the application to be 10, which is overly optimistic for dewatering, velocity, and dispersion calculations and a more reasonable value should be used.³¹ Because this permeability value is low, water will preferentially move through the gravel, at much greater velocities than this Application anticipates.

Finally, even properly constructed and operated landfills eventually experience leaks that contaminate groundwater with toxins, and even the HELP Model utilized by this Application assumes the liner will leak. In such circumstances, these leaks often render the waters of the underlying aquifer unfit for human consumption or agriculture use. Any such leak would likely be catastrophic for neighboring landowners, particularly WDF, and TCEQ should consider major changes in the landfill design in addition to requiring a much more extensive groundwater monitoring system that will work as intended by Texas statute.

7. The Applicant has not sufficiently accounted for impacts to endangered species

30 Tex. Admin. Code § 330.61(n) requires the Applicant to consider the impact on endangered and threatened species and prohibits the destruction or adverse modification of their critical habitats. If the landfill is in the range of endangered or threatened species, then the Applicant is required to prepare a biological assessment of the effects on the species and demonstrate proof of compliance with the United States Fish and Wildlife Service ("USFWS") and Texas Parks and Wildlife Department ("TPWD") requirements.

a. Endangered and threatened species are known to inhabit the area

Endangered species remain a concern under this Application, given the known presence of endangered species in the adjacent Sam Houston National Forest, and the methodology utilized to reach the Application's conclusion that they are not an issue. Moreover, the Application offers no support for the statement "that the construction and operation of the landfill shall not result in the destruction or adverse modification of the critical habitat or cause or contribute to the taking of endangered or threatened species."

In short, Applicant has no plan to avoid, minimize or mitigate impacts to wildlife, including protected species during the construction, operation, or maintenance of the landfill, even though endangered and threatened species are known to be in the area. For instance, in the Sam Houston National Forest next door, as of 2016, there were 274 nesting households of Red-cockaded Woodpeckers in the forest.

Currently, according to conversations with wildlife biologists, there are significantly more nesting households of Red-Cockaded Woodpeckers in the forest, indicating that as the population increased, the woodpecker habitat likely expanded.

b. Desktop reviews are inadequate and likely will lead to violations of the ESA

The Biological Assessment included in the Application admits the assessment was essentially a desktop review and vaguely-worded "site reconnaissance" without a field survey of the property. Absent a proper field study, the Application assumes but contains no support for the statement that "the construction and operation of the landfill shall not result in the destruction or adverse modification of the critical habitat or cause or contribute to the taking of endangered or

threatened species.” Under the ESA, this is unacceptable. Simply put there is no way to know if there are any of the endangered or threatened species on the site that are known to exist in the area until a proper biological survey is performed. Additionally, the ESA requires that some form of habitat management plan exist before any “take” or removal of a species contrary to express statements included in the Applicant’s dubious Species Protection and Management Plan, which proposes to simply remove any Endangered Species found during some future survey. Further, the Application did not include the required Texas Parks and Wildlife correspondence letter dated Oct. 21, 2019.

c. Operational Plan neglects endangered and threatened species

Under Tex. Admin. Code § 330.157 governing MSW facilities operational standards, “A facility and the operation of the facility must not result in the destruction or adverse modification of the critical habitat of endangered or threatened species. Facilities must be operated in conformance with any endangered or threatened species protection plan required by the Commission.”

The proposed site operating plan does not contain provisions for the protection of any identified endangered species, and does not incorporate the measures requested by TPWD’s wildlife specialist. These recommended actions—such as using erosion control methods that do not include plastic mesh or microplastics, which can entangle birds, mammals, and reptiles or be ingested by wildlife to their detriment—remain absent. Neither does the Application appear to incorporate the TPWD lighting recommendations designed to minimize the negative impacts of artificial nighttime lighting on migratory birds and other animals. Instead, the Application proposes to move species, by an unnamed entity, if such an endangered species is located and incorporates no plan to “avoid, minimize or mitigate impacts” to wildlife. This absence of a definitive species protection and mitigation plan is unacceptable and likely will lead to violations of the ESA and Texas Parks and Wildlife code. Further, removal of species, while generally acceptable for vegetation, is far more complex a process for mammals, reptiles, amphibians, and birds, and a detailed mitigation plan should be included in the Application as required under Texas rules.

III. Request for contested case hearing

Bayou City Waterkeeper requests a contested case hearing, but requests the hearing be held when the time is proper. The Applicant must submit a complete application, containing all the required information in parts I-IV, before a hearing can be conducted on the technical design merits of the application. Because of the deficiencies identified here and in other comments, the Applicant’s application remains incomplete, and should not be submitted SOAH until it is complete. But once the ED determines the Application is complete, Bayou City Waterkeeper requests a contested case hearing to address the following issues:

- Whether Applicant has adequately shown the need for a new landfill in San Jacinto County and/or the Deep East Texas Council of Governments region;
- Whether under TCEQ rule 330.61(h), the project is compatible with neighboring land uses;

- Whether the project complies with the antidegradation policy under 30 Tex. Admin. Code § 307.5;
- Whether the project complies with Tex. Admin. Code § 330.305(g), which regulates the handling, storage, treatment, and disposal of surface and groundwater that has become contaminated by contact with the working face of the landfill or the treatment of leachate, given the mandates of Tex. Admin. Code § 330.207, and the presence of unlined storage tanks directly above a porous aquifer;
- Whether the project complies with Tex. Admin. Code § 330.331(a)(1) governing the landfill liner system, design and operation criteria, and the accompanying table that lists the maximum acceptable concentration values of common landfill contaminants, given the substantial gravel layer under the proposed site and the consequent hydrological issues that will make the accurate evaluation and monitoring of these contaminants virtually impossible under the current permit application
- Whether the project complies with § 330.331(c) which enumerates 6 factors the TCEQ may use in determining compliance with § 330.331(a) above, given § 330(c)(1) hydrologic characteristics of the landfill and surrounding land, (c)(2) climatic factors of the area, (c)(4) the quantity, quality and direction of flow of groundwater, (c)(5) the proximity and withdrawal rate of the groundwater users; and (c)(6) the availability of alternative drinking water supplies, given Wood Duck Farms' sole reliance on groundwater for drinking, irrigation and all other conceivable uses of a produce farm.
- Whether, consistent with 30 Tex. Admin. Code § 330.553, impacts to wetlands have been avoided to the maximum extent practicable, minimized to the maximum extent practicable, and if unavoidable, offset through mitigation action;
- Whether the project complies with Tex. Admin. Code § 330.303 and the prohibition of off-site discharge of waste material during 25-year rain events, given the Application inconsistently relies on 25-year rainfall data;
- Whether the project complies with Tex. Admin. Code § 330.305(a), and the requirement that "existing or permitted drainage patterns must not be adversely altered, given that the necessary access road for the landfill is not included in the permit application and road construction to access county roads from the site will certainly alter drainage patterns as the road will transect a significant drain field that runs from the Sam Houston National Forest through Wood Duck Farms;
- Whether the project complies with Tex. Admin. Code § 330.305(c), which requires the operator or owner maintain a runoff management system to collect and control rainwater volume from a 24-hour, 25-year storm given the Application relies on outdated 24 hr. flood projections;
- Whether the project complies with Tex. Admin. Code 330.305(g) regarding leachate runoff, given the Application rainwater detention ponds only have 1-foot of freeboard, while increased rainfall amounts indicate the near certainty of rainfall events with over 1-foot of rain, which will overtop both leachate and detention ponds;
- Whether consistent with state and federal law, the Applicant has adequately addressed impacts to endangered species. Specifically, whether the Application can comply with (i) 16 U.S.C. § 1531's prohibition on the taking of endangered red-cockaded woodpeckers known to inhabit the area and their established critical habitat in the adjacent Sam

Houston National Forest and (ii) Texas Parks and Wildlife Code Section 64.002 regarding the protection of nongame birds and the prohibition that provides "no person may destroy or take the nests, eggs, or young and any wild game bird, wild bird, or wild fowl..." given the Application's cursory treatment of wildlife.

Thank you for the opportunity to submit these comments and request for contested case hearing. Here is contact information for Bayou City Waterkeeper for further communications related to this permit application:

Bayou City Waterkeeper
Attn: Kristen Schlemmer
2010 N Loop W #103
Houston TX 77018
info@bayoucitywaterkeeper.org
713-714-8442

Sincerely,

Kristen Schlemmer
Legal Director and Waterkeeper
Bayou City Waterkeeper

Copies provided to:

The Honorable Richard Boyett
Mayor, City of Cleveland
rboyett@clevelandtexas.com

The Honorable Fritz Faulkner
County Judge, San Jacinto County
countyjudge@co.san-jacinto.tx.us

The Honorable Robert Nichols
State Sen. Dist. 3
robert.nichols@senate.texas.gov

Jace Houston
San Jacinto River Authority
jhouston@sjra.net

The Honorable Charles Minton
Mayor, City of Shepherd
cos_secretary@shepherdtx.org

The Honorable Ernest Bailes
State Rep. Dist. 18
ernest.bailes@house.texas.gov

Bob Bashaw
Deep East Texas Council of Government
bbashaw@detcog.org

John Davidson
U.S. Army Corps of Engineers-Galveston
District
John.P.Davidson@usace.army.mil

Tammy Johnson

From: PUBCOMMENT-OCC
Sent: Monday, February 24, 2025 10:48 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406
Attachments: Notice of Appearance 2.21.25(3922394.1).pdf

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From: dseal@mcginnislaw.com <dseal@mcginnislaw.com>
Sent: Friday, February 21, 2025 3:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

NAME: Derek Seal

EMAIL: dseal@mcginnislaw.com

COMPANY:

ADDRESS: 1111 W. 6th street, Bldg,
Austin, TX 78703

PHONE: 5124956175

FAX:

COMMENTS: .

MCGINNIS LOCHRIDGE

Derek Seal
dseal@mcginnislaw.com
(512) 495-6175 o
(512) 505-6375 f

February 21, 2025

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

***Submitted VIA Regular U.S. Mail and Electronically at
www.tceq.texas.gov/agency/decisions/cc/comments.html***

Re: PC-II, LLC - Application for Proposed Municipal Solid Waste Permit No. 2406
Request for a Contested Case Hearing

Dear Ms. Gharis:

On behalf of Houston San Jacinto Ranch, LLC ("Houston San Jacinto Ranch"), this letter is a formal request for a contested case hearing on the above referenced application filed with the Texas Commission on Environmental Quality ("TCEQ") by PC-II, LLC ("Applicant") for Proposed Municipal Solid Waste ("MSW") Permit No. 2406 ("Application"). Houston San Jacinto Ranch submitted to TCEQ comments and a contested case hearing on the Application via letter dated January 14, 2022 which was signed by Ms. Jennifer Lee.

As explained in Houston San Jacinto Ranch's previous comments and request for contested case hearing in the January 14, 2022 letter, which is attached, reiterated here and incorporated by reference, Houston San Jacinto Ranch is an "affected person" pursuant to 30 Tex. Admin. Code §§ 55.103 and 55.203. Houston San Jacinto Ranch owns property located within or very near to a one-mile radius of the permit boundary of the proposed MSW landfill footprint. The property is identified through San Jacinto County Appraisal District records as Property ID#46683 and Property ID#46471.

As landowner in close proximity to the proposed landfill footprint, Houston San Jacinto Ranch has a personal justiciable interest in the Application and will be adversely affected by the proposed MSW landfill in a manner not common to the general public. The Application would cause adverse health and environmental effects due to contaminants and pollutants from the landfill, and the landfill would negatively impact public safety and the environment, and would specifically impact to nearby property such as the property owned by Houston San Jacinto Ranch. This includes a variety of impacts from the issues identified in the January 14, 2022 letter, including but not limited to negative impacts to groundwater, surface water, implications of odor generated from the activities, vectors resulting from the activities, increased traffic, etc. on the property owned by Houston San Jacinto Ranch.

The issues raised in Houston San Jacinto Ranch's January 14, 2022 letter which is attached and incorporated herein by reference, were not adequately addressed in the TCEQ Executive Director's Response to Public Comments, including but not limited to the following responses:

Houston San Jacinto Ranch, LLC
February 21, 2025
Page 2

Comment No. 4	Health and Public Safety Will Not Be Protected.
Comment No. 16	Road Conditions and Traffic Have Not Been Adequately Considered.
Comment No. 22	Vector Control is Inadequate.
Comment No. 24	Groundwater (Nonconductive Soil/Gravel at the Site, Insufficient Geologic Assessment).
Comment No. 27	Faulting, Subsidence, and Unstable Conditions Exist at the Site.
Comment No. 32	Surface Water Drainage.
Comment No. 37	Inadequate Consideration of Wetlands and Impacts on Nearby Water Bodies.
Comment No. 39	Location in a Floodplain.
Comment No. 40	Adverse Impact on Endangered Species and Their Habitats.
Comment No. 45	Acceptance of Asbestos Requires Additional Liner Designs and Waste Screening is Inadequate.
Comment No. 47	Inadequate Long-Term Care and Closure Requirements.
Comment No. 51	Certain Activities Encroach on a Buffer Zone.
Comment No. 65	Impacts on Air Quality from Elevated Levels of Landfill Gas and Inadequate Controls.
Comment No. 66	Inadequate Controls to Prevent Nuisance Odors.

All further communication may be directed to my attention at:

Derek Seal
McGinnis Lochridge, LLP
1111 West 6th Street, Suite 400
Austin, Texas 78703
Telephone: (512) 495-6000
Email: dseal@mcginnislaw.com

This request for a contested case hearing substantially complies with the requirements of Tex. Admin. Code §55.201: (i) the name, address and daytime telephone number of counsel for Houston San Jacinto Ranch is provided, (ii) Houston San Jacinto Ranch's personal justiciable interest by virtue of its property ownership in close proximity to the proposed landfill footprint has been identified, (iii) a contested case hearing has expressly been requested, and (iv) relevant and material issues raised in Houston San Jacinto Ranch's comments have been identified and incorporated by reference, and the TCEQ Executive Director's responses have been generally identified.

Houston San Jacinto Ranch, LLC
February 21, 2025
Page 3

Please feel free to contact me should you have any questions.

Sincerely,

Derek Seal
Partner, McGinnis Lochridge, LLP

Cc: Mr. Wade Wheatley, PE, Liberty Engineering

REVIEWED

JAN 18 2022

BY GCW H

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2022 JAN 18 AM 10:04

CHIEF CLERKS OFFICE

January 14, 2022

Via U.S. Mail and electronically filed at <https://www14.tceq.texas.gov/epic/eComment/>

Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, TX 78711.3087

Re: *Comments and Request for Contested Case Hearing
Proposed Municipal Solid Waste Permit No. 2406*

Dear Office of Chief Clerk:

Pursuant to the instructions in the Notice of Application and Preliminary Decision for Municipal Solid Waste Proposed Permit No. 2406 ("*Application*") which the Texas Commission on Environmental Quality ("*TCEQ*") Commissioner's Integrated Database indicates was mailed on December 15, 2021, Houston San Jacinto Ranch, LLC¹ submits the comments below on the Application. Based on the comments below, Houston San Jacinto Ranch, LLC also expressly requests a contested case hearing. Contact information for Houston San Jacinto Ranch, LLC is as follows:

Dennis L. Carey
P.O. Box 579
Montezuma, GA 31063
(478) 957-6879

Based on a comparison of mapping included in the Application which reflects a 1-mile radius from the perimeter of the proposed landfill permit boundaries to the property ownership mapping records available electronically from the San Jacinto County Appraisal District ("*CAD Records*"), two parcels of property owned by Houston San Jacinto Ranch, LLC clearly appear to be located within a 1-mile radius of the permit boundary of the proposed landfill. These two

¹ Houston San Jacinto Ranch, LLC is an entity created in the State of Delaware, and recently submitted documents to change its name from The Woodlands San Jacinto Ranch, LLC. The name change is not yet reflected in the current San Jacinto County Appraisal District records referenced herein.

parcels of property are located west to northwest of the proposed landfill site and are identified by CAD Records as Property ID#46683 and Property ID#46471.

Based on the proximity of property owned by Houston San Jacinto Ranch, LLC to the proposed landfill site, Houston San Jacinto Ranch, LLC would be adversely affected in a way not common to the general public by the proposed landfill which would be authorized if the Application is granted. A list of disputed issues of fact upon which the hearing request is based are provided in the comments below. The disputed issues are based on a high-level review of documentation relating to the Application ("*Application Materials*") which were made available on the internet, an evaluation of issues raised in other recent TCEQ landfill applications, and a review of information received in comments received by TCEQ on the Application to date. If all relevant information was not made available on the internet, then an additional fact issue arises regarding whether public notice has been proper. Although the Commissioner's Integrated Database indicates notice of the preliminary decision was mailed on December 15, 2021, the notice indicates 30 days after the publication date is the trigger that sets the deadline for comments. The comment deadline should be not be less than 30 days after the date notice was mailed by TCEQ and available in TCEQ's databases. Houston San Jacinto Ranch, LLC reserves the right after issuance of the TCEQ Executive Director's response to comments to provide additional detail regarding its property ownership and regarding the comments below, and also reserves the right to file a request for reconsideration.

1. Waste Screening Measures and Waste Acceptance

Per Part II, Section 2.2 of the Application, and supporting documentation, the Application Materials do not adequately demonstrate that waste will not be screened to prevent the possibility of the landfill accepting unauthorized, hazardous, or toxic wastes.

2. Potential Buffer Zone Encroachment

Per Part II, Section 2.3 of the Application, and supporting documentation, the Citizen's Collection Center and Truck Wheel Wash Area potentially encroach on the 125-foot buffer zone along the eastern side of the facility. Based on the description of this area, solid waste unloading appears to be proposed within the "CCC Traffic" area and within the identified 125-foot buffer zone. Also, the Truck Wheel Wash and the associated sump will contain "contaminated water" and are within 125 feet of the facility boundary, inferring the storage of waste within the buffer zone. Thus, the Application fails to demonstrate that these buffer zone requirements will be met.

3. Land Use Compatibility

Per Part II, Section 7 of the Application, and supporting documentation, inadequate information is provided in the Application Materials to demonstrate that land use, zoning in the vicinity, community growth patterns, water wells, and other factors associated with the public interest will be adequately addressed. The location of the landfill is incompatible with surrounding land use, such as the Wood Duck Farm which produces edible food products for public consumption, and the public's use of the nearby Sam Houston National Forest, which includes designated camping areas. As noted in the letter dated January 7, 2022 from State Representative Ernest Bailes, the proposed landfill would be in close proximity to many private residences. Comparing mapping readily available on Google mapping to CAD Records mapping shows that properties immediately adjacent to and south of the proposed landfill site appears to have been

essentially subdivided into dozens of tracts of property owned by dozens of individuals, many of whom have residences and homes on the properties. Other residences also appear to be nearby.

4. General Health, Public Safety, and Environmental Concerns

Per Part II, Section 7 of the Application, and supporting documentation, the Application Materials do not demonstrate that the landfill would not cause landowners and members of the surrounding community to suffer adverse health and environmental effects due to contaminants or pollutants from the landfill, or that the landfill would not negatively impact public safety or the environment, including negative impacts on nearby property. This includes a variety of impacts from the issues identified in this letter, including but not limited to negative impacts to groundwater, surface water, implications of odor generated from the activities, vectors resulting from the activities, increased traffic, etc. on the property owned by Houston San Jacinto Ranch, LLC.

5. Inadequate Roadways and Adequacy of Access Roads

Per Part II, Section 8 of the Application, and supporting documentation, the primary access roadways identified in the Application Materials are FM 1725, Fostoria Tram Road, Jayhawker Road, and Rajak Road; all of which are essentially rural, two lane roads. For the reasons explained in the comment letter dated January 25, 2021 from San Jacinto County Commissioner David Brandon, these roads are not sufficient to accommodate the proposed landfill. The Application fails to demonstrate that the roadways are adequate, or that appropriate coordination with local and state officials regarding adequacy of roadway maintenance or adequacy of roadways has taken place. Local road infrastructure would not be able to handle the road traffic generated by a landfill of this size, which would create traffic congestion and traffic hazards and endanger public safety. Appropriate traffic studies to identify and address traffic impacts on state and local roadways have not been adequately addressed.

6. Faulting and Subsurface Instability

Per Part II, Sections 9.4 and 9.6 of the Application, and supporting documentation, information included in the Application Materials infer subsurface movement, possibly associated with faulting, subsidence, or otherwise unstable areas. It is noteworthy that the area in close proximity to the proposed landfill facility is experiencing or has experienced withdrawal of crude oil, natural gas, and groundwater. Thus, whether the location of the proposed landfill is appropriate based on potential faulting and subsurface instability has not been demonstrated.

7. Wetlands

Per Part II, Section 11 of the Application, and supporting documentation, Application Materials do not demonstrate that wetlands, including jurisdictional wetlands, have been adequately considered, especially given the location of the nearby state watercourses such as Jayhawker Creek which appears to traverse the site, Peach Creek, and Gum Branch.

8. Endangered Species

Per Part II, Section 12 of the Application, and supporting documentation, Application Materials do not adequately identify potential state or federal threatened or endangered species, or to address how the proposed landfill would impact such endangered species and their habitats, especially given the proximate location of the Sam Houston National Forest. Further, Texas Parks

& Wildlife submitted a comment letter to TCEQ on January 12, 2022 incorporating previous comments from that agency and indicating that no Biological Assessment or species protection plan was included with the Application Materials.

9. Inadequate Stormwater Controls, Drainage Controls, Floodplains and Surface Water Quality

Per Part III, Attachment B of the Application, and supporting documentation, the Application Materials do not appear to adequately address the management of stormwater or surface water during all phases of landfill operation when compared to TCEQ's requirements. This includes the management of stormwater contact with reusable materials or with stockpiles of materials used for landfill operations. Further, drainage and surface water impacts of the landfill from construction and operation on neighboring properties has not been adequately addressed. Further, whether the landfill would be improperly located in a floodplain have not been adequately addressed, nor has an adequate demonstration been made that water contaminated after coming into contact with waste will not negatively impact nearby surface water quality. Protection of surface water quality is paramount given that Jayhawker Creek appears to traverse the site, which as noted by Texas Parks & Wildlife drains into Peach Creek, which drains into Caney Creek, which discharges into Lake Houston 17 miles south of the proposed site.

10. Odor, Dust, and Nuisance Abatement, and the Site Operating Plan

Per Part III, Attachment D, Sections 2 and 3 of the Application, and supporting documentation, the Application Materials do not demonstrate that the landfill would not produce nuisance odors, including dust from roads, or that the Site Operating Plan includes adequate odor control measures.

11. Birds, Buzzards, and other Disease and Vector Control

Per Part III, Attachment D, Sections 2 and 3 of the Application, and supporting documentation, Application Materials do not demonstrate that the landfill will not create health and environmental hazards by providing food or harborage for birds or buzzards, or that the landfill will not attract other vectors and vermin, especially given the presence of wildlife in the adjacent Sam Houston National Forest.

12. Inadequate Hydrogeology, Groundwater Monitoring, and Soils

Per Part III, Attachment D2 of the Application, and supporting documentation, the Application Materials indicate that Class 1 wastes with asbestos content will be accepted, which should then require that the soils underlying the liner must meet certain standards set forth in the TCEQ's Industrial Solid Waste and Municipal Hazardous Waste rules. Based on the soil boring logs and subsurface descriptions presented in the Application Materials, unacceptable soil types immediately underlie the waste containment structures in several areas, including sands and gravels. Thus, the Application fails to demonstrate that soils underlying the liner would meet the technical requirements. Further, information submitted to TCEQ on August 13, 2021 from H.C. Clark highlights the problems with the hydrogeology due to the presence of gravel at the proposed site and the problems with assumptions utilized in groundwater monitoring.

13. Inadequate Subsurface Characterization and Landfill Design

Per Part III, Attachment E of the Application, and supporting documentation, only 19 boring logs are presented in the Application Materials. The number, proximity, and location of the boreholes associated with the boring logs has not been demonstrated to be sufficient for the establishment of subsurface stratigraphy across the proposed waste management units. Additionally, the only boring logs presented display a stratigraphic complexity which has not been demonstrated to meet applicable subsurface siting requirements. Without having adequately characterized the subsurface geology, the landfill design, including the design of the liners, has not been demonstrated to be adequate.

14. Inadequate Consideration of Groundwater Impacts

Per Part III, Attachment E of the Application, and supporting documentation, the Application Materials fail to adequately address the presence of groundwater and to address how groundwater that is present will be protected. For example, many, if not all, of the piezometer completion logs presented in the Application Materials present data that conflicts with the data presented on the associated Driller's Well Reports available through the Texas Water Development Board. Additionally, most of the piezometer completion logs do not illustrate the total depth of each boring or provide sufficient surface completion details to determine if the data from the piezometer wells are reliable. It has not been demonstrated that characterization of subsurface geology and hydrogeology is adequate, including whether sufficient soil borings were taken or whether sufficient piezometer wells were installed, which leads to inadequate consideration of the protection of groundwater resources.

15. Landfill Gas Creation, Migration and Control

Per Part III, Attachment G of the Application, and supporting documentation, the Application Materials do not demonstrate that the landfill would not produce elevated levels of landfill gas, including methane, or that appropriate provisions are included to monitor and control such landfill gas, or to monitor and ensure that such landfill gas will not migrate off-site to nearby properties.

16. Closure and Post-Closure Care Cost Estimates, and Financial Assurance

Per Part III, Attachment J of the Application, and supporting documentation, the types and amounts of money proposed for closure and post closure care are not based on reasonable worst-case scenarios with closure by independent third parties, and all potential contingencies have not been addressed. Further, it has not been demonstrated that the applicant has the sufficient financial resources to operate and maintain the proposed landfill, including to address issues relating to surface or subsurface contamination and cleanup, or for appropriate closure and post-closure.

Thank you for your attention to this matter.

Sincerely yours,



Jennifer Lee
Houston San Jacinto Ranch, LLC

Jennifer Lee
1940 Fountain View Dr #3092
Houston, TX 77057

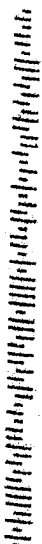
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COMMISSION
ON ENVIRONMENTAL
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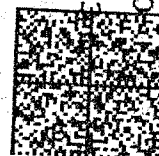
CHIEF CLERKS OFFICE

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

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TCEQ MAIL CENTER
DA

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 28, 2021 8:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: webster.emilyc@gmail.com <webster.emilyc@gmail.com>
Sent: Monday, September 27, 2021 5:04 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Emily Sedlock

E-MAIL: webster.emilyc@gmail.com

COMPANY:

ADDRESS: 2543 RIATA LN
HOUSTON TX 77043-1833

PHONE: 2816609456

FAX:

COMMENTS: I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: 1. I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. (if you have visited SHNF tell TCEQ this, why you visit, and what it means to you; if you have bought WDF produce state why you did so and what this means to you; if you live near the PCML site, tell TCEQ and describe how close you are). 2. I am concerned

about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. (expand on these environmental concerns or add other issues that you are concerned about). Because of these problems I oppose Permit #2406.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 10:15 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H

From: blsrn1980@yahoo.com <blsrn1980@yahoo.com>
Sent: Thursday, September 9, 2021 9:33 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MRS Brenda Lee Sherwood

E-MAIL: blsrn1980@yahoo.com

COMPANY:

ADDRESS: 3043 CREEK MANOR DR
KINGWOOD TX 77339-1224

PHONE: 2817972336

FAX:

COMMENTS: Dear Chief Clerk, I urge you to amend permit #2406, peach creek municipal landfill, to include the access road and hold a contested case hearing on this project because 1). I am concerned about unacceptable environmental impact on the Sam Houston national forest. I raised four children, my 3 sons were in scouting, and we spent many pleasant weekends camping in this forest. I would like to be able to do the same with my grandsons and granddaughters. 2). My daughter in laws mother home is within this area, and so is my sons. Not to mention the

potential for the pollution of lake Houston that provides water for all of the city of Houston. I don't like to think what harm might come to their health from poisoned water run off. Not to mention road access, air, noise, pollution, flooding and fires resulting. Because of this I oppose permit 2406

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Friday, October 16, 2020 7:46 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: dlstegenga@aol.com <dlstegenga@aol.com>
Sent: Thursday, October 15, 2020 2:09 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Linda Kay Stegenga

E-MAIL: dlstegenga@aol.com

COMPANY:

ADDRESS: 6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

PHONE: 2814321866

FAX: 2814321778

COMMENTS: The pending landfill is North East of where I live off of FM105 close to Peach Creek. This area is already saturated with landfills...Waste Management Type 1 and Sprint Type 4. Another landfill will destroy our beautiful forestry and permeate our waters. Only 15 people were notified of the pending landfill, That is unforgiveable. Please send me hearing dates if established and if not how we go about otaining all the information we need to request a hearing. Thank you for your attention in this matter. Linda Stegenga

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, October 21, 2020 9:01 AM
To: dlstegenga@aol.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

All requests for hearings, if timely filed and authorized by statute or rule, are considered by the Commissioners. The Commissioners will consider your request during a regularly scheduled Commission meeting that is open to the public, and a determination will be made as to whether or not the request will be granted. You will be notified in writing when your request is scheduled for consideration. If your request is granted, the matter will be referred to the State Office of Administrative Hearings (SOAH). The SOAH hearing will be a formal, legal proceeding, conducted in a manner similar to civil trials in state district court. While not required, parties are usually represented by legal counsel. In order for an issue to be considered at a contested case hearing, it must have been first raised in a comment or in a request for a contested case hearing during the public comment period by the affected person or group requesting the hearing.

The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>

REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Linda Kay Stegenga

E-MAIL: dlstegenga@aol.com

COMPANY:

ADDRESS: 6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

PHONE: 2814321866

FAX: 2814321778

COMMENTS: The pending landfill is North East of where I live off of FM105 close to Peach Creek. This area is already saturated with landfills...Waste Management Type 1 and Sprint Type 4. Another landfill will destroy our beautiful forestry and permeate our waters. Only 15 people were notified of the pending landfill, That is unforgiveable. Please send me hearing dates if established and if not how we go about obtaining all the information we need to request a hearing. Thank you for your attention in this matter. Linda Stegenga

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, March 29, 2022 10:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: dlstegenga@aol.com <dlstegenga@aol.com>
Sent: Monday, March 28, 2022 5:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MS Linda K Stegenga

E-MAIL: dlstegenga@aol.com

COMPANY:

ADDRESS: 6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

PHONE: 2814321866

FAX: 2814321778

COMMENTS: Please take my comments to heart that they are real and DO NOT APPROVE this permit. In the televisit with TCEQ and the attorneys for PC-II, LLC I, I posed the following: The Permit says "stormwater which comes into contact with solid waste will be considered contaminated water. Temporary berms will be constructed to minimize the amount of surface water that comes into contact with the waste." My question to them was: "How will water from a hurricane, tropical storms and weeks of heavy rain causing flooding be kept from 'landing' on the landfill? How will the

massive run-off be collected to protect the creeks, residents, water wells and thousands of homes and business from the contaminated water? There answer was "berms" and collecting water. This is impossible. In Part I and II, 10.2 - SURFACE WATER STATEMENT, they state "Stormwater will be conveyed from the landfill property into natural drainage feature, including Jayhawker Creek and Blue Branch. These creeks and tributaries of Peach Creek which discharges into Caney Creek and LAKE HOUSTON. In a report from Texas Cancer Registry in 2008 we received while disputing the Sprint Landfill just 1/2 mile from our home/community, the cancer rate for our area code 77328 and 77327 was EXPECTED: 206.20, OBSERVED: 296. I cannot obtain and current report and will keep trying but we know, a sheep owner has lost 5 sheep in the past months; Lawrence Creek that runs from the landfill through the residential area is milky. The water flowing north of the landfill is clear. Many residents in our community have respiratory issues. Will now be clustered into one giant landfill senario...we are doomed. I know there is a safer place to put this landfill as there is no way, with all the berms, dams or whatever they may want to build, a hurricane, tropical storm, spring-fall rain of weeks will easily flow over them, OR, like in 1994, they had to release water from Lake Conroe water to prevent from cracking the dam and it flooded over 1000 homes. Also, so much outdated information was used in this permit it doesn't tell the up to date facts of this land and surrounding area. Ruben Hope saw the effect of the last landfill would have on our community and got HB1053 passed which would prevent another landfill in our area. A portion of the east side of the landfill property is in Montgomery County but apparently not enough to implement the Bill. Landfills act as breeding grounds for microorganisms and other carriers like mosquitoes, thus, the health of people who live around these area are at risks; plus, the toxic metals and carcinogens in the leachate infiltrate the groundwater, the Chico and Evangeline acquifers, which poses a serious threat to humans and animals. WE WILL BE AFFECTED 3 FOLD WITH 3 LANDFILLS. I beg you.... PLEASE for the Health and Safety of the people to whom you are responsible...TEXAS RESIDENTS AND BUSINESS, DENY THIS PERMIT. Thank you!

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, November 22, 2021 11:06 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

MSW
117709

From: DLSTEGENGA@aol.com <DLSTEGENGA@aol.com>
Sent: Sunday, November 21, 2021 2:33 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MS Linda Kay Stegenga

E-MAIL: DLSTEGENGA@AOL.COM

COMPANY:

ADDRESS: 6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

PHONE: 2814321866

FAX: 2814321778

COMMENTS: To: TCEQ COMMENT SECTION I submitted an objection to the Subject Permit when I first learned about it in September, 2021. I've been studying the various detrimental aspects of the construction of another landfill in my immediate area most recently, the parties involved. As a retired paralegal, I tend to spend a lot of time reviewing rules, regulations and the parties involved. I was not aware of this Permit until first of September of this year as a minimal number of notifications were sent out. We live on the Montgomery County side of the proposed landfill. Directly to the

north east of our subdivision are hundreds of homes in the range of 5+ acres at \$150,000-\$700,000 value, Peach Creek Estates in San Jacinto County and Peach Creek Plantation on the Montgomery County side. The landfill's run-off will go directly to their creek, Peach Creek, then to Caney Creek to final destination of Lake Houston. Jayhawker Creek is between Phase I landfill and Phase II landfill. Jayhawker likewise flows south into Peach Creek, ending in Lake Houston. When there is a heavy rain storm, a tropical storm or hurricane, NOTHING can stop the flow of water off the landfill into the creeks and hence south to Lake Houston. The point I would like to make at this time is concerning the companies involved in this landfill. Peach Creek Timber I, LLC who sold the property to PC-II, LLC have the exact same address: 300 Concourse Boulevard, Suite 101, Ridgeland, Mississippi 39157. I found strange the Timber and Landfill companies are from the same state and address. Perhaps PC-II is PC = Peach creek and it's No, 2? Peach Creek Timber 1, LLC purchased 2,093.07 acres in 2011 They sold 3 tracts to David Van Weldon, totaling 105.41 acres which Mr. Weldon turned into Wood Duck Farm. He sells his produce and strawberries locally and Houston. Weldon's tracts were purchased in 2011, 2015 and 2018. PC-II, LLC purchased the landfill property (870 acres) in 2019, San Jacinto County Deed 20195579. Additionally, in reviewing the deeds, the 2 latter tracts that were sold to Mr. Weldon had VERY STRICT limitations and provisions favoring Grantor (Peach Creek Timber 1, LLC): Following is a sample the the THREE requirements and limitations, 1. GENERAL - "Mr. Weldon assumes risk"....., 2. SPECIFIC - "Grantor has not warranted....property will meet or comply with requirements of safety code, and then environmental law: AND 3. ENVIRONMENTAL: SPECIFICALLY, IT IS AGREED THAT AS OF THE DATE HEREOF, (I) GRANTOR SHALL HAVE NO LIABILITY TO GRANTEE FOR ANY INJURY, DAMAGE OR HARM,, ANY HARMFUL OR TOXIC SUBSTANCES MAY CAUSE TO GRANTEE, HIS EMPLOYEES, AGENTS, CONTRACTORS OR OTHER PARTIES ACTING BY, THROUGH OR UNDER GRANTEE; (II) GRANTOR SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR ANY COSTS OR EXPENSES INCURRED IN REMOVING OR OTHERWISE ABATING HARMFUL OR TOXIC SUBSTANCES..... This is a page and one-half of AVOIDING ANY LIABILITY for what Peach Creek Timbers 1, LLC must have known will happen to Mr. Weldon's Farm or why have this included in the Deed? Mr. Weldon does not believe he has any way to sue them if TCEQ approves the landfill and destroys his farm. Peachcreek Timber I, LLC sold Weldon 55 acres Sept. 2015 San Jacinto deed 20154684 and 19.76 acres March 2018 Deed 20181441. If you obtain a copy of either one of these deeds, you can read the full text of the stipulations and requirements, or if you like, I could fax the two pages to you. Additionally, who will pay the cost for Mr. Weldon to test his produce for toxins before they are put on the market in stores. What if vegetables and fruit turn up contaminated and a client(s) becomes ill and sues him? Who will pay that cost? Could Mr. Weldon sue TCEQ for permitting a landfill that has the "potential" of emitting toxins? Mr. Weldon's farm is less than 2,000 ft. from the proposed Phase II of the landfill. What should he do? He can't sell it...NO ONE would buy it now. He gave up everything for that farm and invested his life savings into it just like many of the hundreds of residents in Peach Creek Estates and Peach Creek Plantation. My research on PC-II, LLC does not reveal them ever owning a landfill. It is MY opinion they are a go-between for an established Landfill Waste Company like Waste Management. I've read the questions TCEQ asked for clarification concerning various issues. It appears, TCEQ tells them what they need to provide, change, etc. instead of having them explain in more detail their original statements so you can determine their expertise in the operation of a landfill and whether they are capable of operating a landfill. It's not about who has the money, but who has the knowledge. Example - In your Sept. 16, 2021 request for Supplemental Information, you ask the applicant in No, 4. (18) to Revise it as you stated, "The facility does not have TCEQ authorization to discharged contaminated water and will not apply....." Their Response said they would would modify it to read they would "transport contaminated water to a POTW for treatment and disposal" and that "specific prior written authorization for the treatment and discharge is obtained from TCEQ". Who will monitor this and will they "treat and dispose" or "treat and discharge"? I pray you will put the people of Texas FIRST on your agenda. We don't need a company coming in from Mississippi and destroying our precious Sam Houston National Forest and the creatures God placed here in the trees, burrows, and creeks. Removing 696 acres of trees and animal living quarters, adding toxins to our creeks, streams and Lake, farms and residential property is unbearable and irreversible for a long, long, time, if ever. PLEASE DENY THIS PERMIT!!!!!! If you need to speak or e-mail me, I will be leaving for Florida Monday morning 11/22 to spend time with my Son and family for two weeks. I will have my cell phone and lap top. Sincerely, Linda K. Stegenga 6541 Hidden Acres Dr. Cleveland, TX 77328 281/432-1866 281/728-3199 (cell) 281/432-1778 (Fax)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, November 18, 2021 3:15 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Peach Creek Environmental Park Landfill, Permit #2406

From: Frank Zeng <frank.zeng@tceq.texas.gov>
Sent: Thursday, November 18, 2021 1:18 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Peach Creek Environmental Park Landfill, Permit #2406

Please record this public comment related to the proposed Peach Creek Environmental Park, MSW 2406. Thanks.

Frank Zeng
MSW Permits Section

From: dlstegenga@aol.com <dlstegenga@aol.com>
Sent: Thursday, November 18, 2021 1:00 PM
To: Eric Clegg <Eric.Clegg@Tceq.Texas.Gov>
Subject: Peach Creek Environmental Park Landfill, Permit #2406

Dear Mr. Clegg:

November 18, 2021

My friend, Jackie Woychesin, shared her communication with you over this disasterous landfill. She and I both were involved in opposing the Sprint Landfill right next to our propertoes in 2004-2008. We find ourselves re-living many of the same problems which she has explained very effectively.

As a retired paralegal, I tend to spend a lot of time reviewing rules, regulations and the parties involved. I was not aware of this Permit until first of September of this year as a minimal number of notifications were sent out. We live on the Montgomery County side of the proposed landfill. Directly to the north east of our subdivision are hundreds of homes in the range of 5+ acres at \$150,000-\$700,000 value, Peach Creek Estates in San Jacinto County and Peach Creek Plantation on the Montgomery County side. The landfill's run-off will go directly to their creek, Peach Creek, then to Caney Creek to final destination of Lake Houston. Jayhawker Creek is between Phase I landfill and Phase II landfill. Jayhawker likewise flows south into Peach Creek, etc. When there is a heavy rain storm, a tropical storm or hurricane, NOTHING can stop the flow of water off the landfill into the creeks and hence south to Lake Houston.

The point I would like to make at this time is concerning the companies involved in this landfill. Peach Creek Timber I, LLC who sold the property to PC-II, LLC have the exact same address: 300 Concourse Boulevard, Suite 101, Ridgeland, Mississippi 39157. I found strange the

Timber and Landfill companies are from the same state and address. Perhaps PC-II is PC = Peach creek and it's No, 2?

Peach Creek Timber 1, LLC purchased 2,093.07 acres in 2011. They sold 3 tracts to David Van Weldon, totalling 105.41 acres which Mr. Weldon turned into Wood Duck Farm. He sells his produce and strawberries locally and Houston. Weldon's tracts were purchased in 2011, 2015 and 2018. PC-II, LLC purchased the landfill property (870 acres) in 2019, San Jacinto County Deed 20195579.

Additionally, in reviewing the deeds, the 3 tracts that were sold to Mr. Weldon had VERY STRICT limitations and provisions favoring Grantor (Peach Creek Timber 1, LLC): Following is a sample of the THREE requirements and limitations, GENERAL - "Mr. Weldon assumes risk", SPECIFIC - "Grantor has not warranted....property will meet or comply with requirements of safety code, and then environmental law: AND

ENVIRONMENTAL: SPECIFICALLY, IT IS AGREED THAT AS OF THE DATE HEREOF, (1) GRANTOR SHALL HAVE NO LIABILITY TO GRANTEE FOR ANY INJURY, DAMAGE OR HARM,, ANY HARMFUL OR TOXIC SUBSTANCES MAY CAUSE TO GRANTEE, HIS EMPLOYEES, AGENTS, CONTRACTORS OR OTHER PARTIES ACTING BY, THROUGH OR UNDER GRANTEE; (II) GRANTOR SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR ANY COSTS OR EXPENSES INCURRED IN REMOVING OR OTHERWISE ABATING HARMFUL OR TOXIC SUBSTANCES.....

This is a page and one-half of AVOIDING ANY LIABILITY for what Peach Creek Timbers 1, LLC **must know will happen to Mr. Weldon's Farm**. If my analysis of these two companies (i.e. same company, different name), is correct, in my opinion, it is illegal what they did. Mr. Weldon does not believe he has any way to sue them if TCEQ approves the landfill and destroys his farm. If you obtain San Jacinto Co. Deed 20181441 for Peachcreek Timber 1, LLC, you can read the full text of the stipulations and requirements, or if you like, I could fax the two pages to you. Additionally, who will pay the cost for Mr. Weldon to test his produce for toxins before they are put on the market in stores. What if vegetables and fruit turn up contaminated and a client(s) becomes ill and sues him? Who will pay that cost? Could Mr. Weldon sue TCEQ for permitting a landfill that has the "potential" of emitting toxins. Mr. Weldon's farm is less than 2,000 ft. from the proposed Phase II of the landfill. What should he do? He can't sell it...NO ONE would buy it. He gave up everything for that farm and invested his life savings into it just like many of the 539 residents in Peach Creek Estates and Peach Creek Plantation.

I do not believe this company has ever owned a landfill but is a go-between for an established Landfill Waste Company. I've read the questions TCEQ asked for clarification concerning various issues. It appears, TCEQ tells them what they need to provide, change, etc. instead of having them explain in more detail their original statements so you can determine their expertise in the operation of a landfill. Can you direct me to a place in the Permit where they must explain their experience in building landfills, i.e. have the credentials?

I pray you will put the people of Texas FIRST on your agenda. We don't need a company coming in from Mississippi and destroying our precious Sam Houston National Forest and the creatures God placed here in the trees, burrows, and creeks. Removing 696 acres of trees and animal living quarters, adding toxins to our creeks, streams and Lake, farms and residential property is unbearable and irreversible for a long, long, time, if ever. PLEASE DENY THIS PERMIT!!!!!!

If you need to speak or e-mail me, I will be leaving for Florida Monday morning 11/22 to spend time with my Son and family for two weeks. I will have my cell phone and lap top.

Sincerely,

Linda K. Stegenga
6541 Hidden Acres Dr.
Cleveland, TXC 77328
281/432-1866
281/728-3199 (cell)
281/432-1778 (Fax)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, October 29, 2021 3:21 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406
Attachments: lleter - commissioners.docx

From: dlstegenga@aol.com <dlstegenga@aol.com>
Sent: Friday, October 29, 2021 11:54 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Linda Stegenga

E-MAIL: dlstegenga@aol.com

COMPANY: - None -

ADDRESS: 6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

PHONE: 2814321866

FAX: 2814321778

COMMENTS: See Attachment.

October 29, 2021

TO: MONTOMERY COUNTY COMMISSIONERS AND PARTIES OF INTEREST

RE: PEACH CREEK ENVIRONMENTAL PARK LANDFILL, WEST SAN JACINTO COUNTY, BORDER OF EAST MONTGOMERY COUNTY, ZIP CODE 77328

I am writing this letter to express my concern that the residents of East Montgomery County, in the 77328 zip code area, have NOT received your support in contesting the above referenced Type 1 landfill.

In addition to the facts listed before, common sense tells us that this is NOT a safe place for another landfill. This would be the 3rd landfill in the same proximity of the other two (2). The last landfill, Sprint TYPE 4 went into effect in 2008-2009. It is off SH 105 and within ½ mile of hundreds of homes off of North Walker, Oakridge and Peach Creek subdivisions. Then just a mile east of this landfill is Waste Management TYPE 1 landfill, which all of you are very familiar.

Some of the issues we have addressed are as follows:

When we protested the construction of the Sprint Landfill (originally known as Montgomery Landfill Solutions), I had Texas Cancer Registry send me statistics on cancer in the 77328 area, particularly Lung and Bronchus. Their 2008 study revealed that for the zip codes 77327/77328, the EXPECTED number of cases was 206.2. The OBSERVED number of cases was 296. I have requested another report and awaiting those results. Another TYPE 1 landfill could create more carcinogenic potential. When rainwater percolates through the waste, it extracts chemicals and forms leachate which contains ammonia, toxic metals and pathogens, making it a hazardous and carcinogenic substance; hence the adverse effects of respiratory diseases (asthma, allergies and lung disease) and cancer (lungs, liver, kidney and brain cancer). All the contaminants will not go to the bottom of the landfill but during rains and storms but will flow across adjoining properties, including a large vegetable and fruit farm, Wood Duck Farm, owned by Van Weldon, 281/876-8645. Natural protection of forest and underbrush will no longer exist.

With the lengthy and heavy storms, tropical storms and hurricanes that regularly occur during the fall and winter, the overloaded creeks and stream will flood our creeks, branches and tributaries. PC-I, LLC said in their Permit that they were avoiding Jayhawker Creek. HOW??? Since Jayhawker flows directly between Phase I and Phase II, basically separating two landfills, how is it going to be AVOIDED???? (image enclosed). Additionally Jayhawker flows to Peach Creek, to Caney Creek, to West Fork San Jacinto to Lake Houston. The amount of bacteria flowing through these creeks to Lake Houston will be devastating. . This will affect 1,000's and 1000's of people and businesses. If this happens, you can't say "No one told me"!

There are many threatened species in this 686+ acres who have had this area in the Sam Houston National Forest their home for hundred's of years. I have a picture of a baby Bald eagle in the top of my tree in the front yard, so there is a nest close by. Besides losing massive amount of trees and underbrush, the home of thousands of animals will be destroyed; hence, many will die, other's try to relocate to WHERE???

Commissioners, do you CARE that hundreds of residents in East County will be facing "more clustering" of landfills, will have their homes devalued, smell the stench when walking outside and potential contamination of their own source of water...water wells.

The cost to the both counties for road construction, repair and upkeep will be astronomical. You will definitely need to acquire considerable "tipping fees" to offset these cost as these expenses; however the cost MUST NOT be passed on as a tax liability to the citizens of either County. There will be 700+ trucks traveling SH105, which is already known as the deadliest road in Texas. Children waiting for school buses and dropped off at the end of the day will be facing these monster trucks.

If you don't help us to stop this landfill "now" the resident's only choice is a contested case hearing. They will have to pay to protect their property, their livelihood (farms) 1,000's of dollars that they do not have. The previous Commissioner's Judge Sadler, Ed Rinehart and Craig Doyal and Representative Ruben Hope helped us fight the proposed landfill and was there with us all the way. Rep. Hope authored HB 1053 Leg. (79R) which was signed by the Governor. Please read Sec. 361.123.

Both Counties Commissioners can file an Ordinance opposing another landfill in this area. You may not be able to stop this landfill but you can protect the future of residents and SPEAK OUT now opposing the proposed landfill. I'd like to end with Judge Keough comment on his Website: **"welcome to the place where the words "quality of life" have kept their meaning"**. I trust all of you will honor those words.

God will be watching and listening to you as you make your decision to PROTECT or DESTROY His Creation.

Linda K. Stegenga
6541 Hidden Acres Drive
Cleveland, TX 77328
281/432-1866
281/728-3199 (cell)
dlstegenga@aol.com

Attachments

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 23, 2021 9:20 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: dlstegenga@aol.com <dlstegenga@aol.com>
Sent: Wednesday, September 22, 2021 4:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Linda Kay Stegenga

E-MAIL: dlstegenga@aol.com

COMPANY:

ADDRESS: 6541 HIDDEN ACRES DR
CLEVELAND TX 77328-2627

PHONE: 2814321866

FAX:

COMMENTS: Texas Commission on Environmental Quality September 22, 2021 Office of the Chief Clerk, MC 105 TCEQ PO Box 13087 Austin, TX 78711-3087 Re: Peach Creek Environmental Park, MSW Landfill Permit No. 2406 I am writing concerning a Municipal Solid Waste (MSW) Landfill, Permit 2406, application with the Texas Commission on Environmental Quality (TCEQ I would like to say, the name they have selected "Peach Creek "Environmental Park", Is an insult to our intelligence. A landfill is an "environmental park"? This is the 3rd Landfill within a few miles from one

another in East Montgomery County and West San Jacinto County, hence, meet the status of “clustering”. These landfills, being immediately adjacent to our beloved Sam Houston National Forest, are an endangerment to our National Forest, farms, and residents. These landfills are in the FEMA 100-year floodplain on the west (Security Type 1 and MLS Type 4) and a working produce farm on the east. To make matters worse, the garbage trucks will be entering/exiting through flood prone dilapidated streets in a neighborhood where children will be entering/exiting local school buses. Our best water originates from our National Forests as they are a natural filtration system. Most residents in this area have deep water wells, hence the need to protect our aquifers. I ask, how can we expect to have clean water coming out of the Sam Houston National Forest if we have a toxic landfill built next to it, literally a few feet? In 2008, research was conducted on the rate of cancer in landfill areas: Cleveland – 77327; East Montgomery County – 77328, Coldspring – 77331 and Liberty County - 77535. Lung and Bronchus Cancer Deaths, according to Texas Cancer Registry, April, 2008 were as follows. 77327-77328 – Observed 296 Expected – 206.20 77535 - “ 215 ” - 134.20 I’m in the process of requesting updates to the most recent reports of 2018. ENDANGERED SPECIES: An endangered species, the red-cockaded woodpecker, is found throughout the Sam Houston National Forest and frequently spotted by observant visitors.. The woodpecker makes its home by pecking cavities in large, living pine trees. These cavities are later used by a variety of forest wildlife including other woodpeckers, bluebirds, screech owls, wood ducks, squirrels, and honey bees. The red-cockaded woodpecker was designated an endangered species in 1970. This unique little bird and its habitat are fully protected on the Sam Houston National Forest. Wherever these birds are found, the management emphasis is directed toward providing the special habitat they require. I believe the main reason another landfill is being proposed in this area is all about money. The landfill owners will enjoy a reduction in property tax assessments, the county officials will enjoy the additional funds they receive from the unit for their budgets. If this landfill is approved, our area in East Montgomery County and West San Jacinto County will become “the dump”. The investment we made in purchasing homes and properties in this area was for the peaceful environment, not a smelly, toxic, traffic intense landfill. While the county receives more money, the residents will lose their investment. I pray this landfill is denied or moved to a minimal habitation location. Thank you for your consideration and trust you will make the correct decision. Sincerely, Linda K, Stegenga 6541 Hidden Acres Dr. Cleveland, TX 77328 281-432-1866 (landline) 281-728-3199 281/432-1778 (fax)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, March 23, 2022 9:41 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: QUESTION FOR PC-II

From: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Sent: Tuesday, March 22, 2022 8:28 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: QUESTION FOR PC-II

Permit No. 2406

From: dlstegenga@aol.com <dlstegenga@aol.com>
Sent: Tuesday, March 22, 2022 7:58 PM
To: Brad Patterson <Brad.Patterson@tceq.texas.gov>
Subject: QUESTION FOR PC-II

PLEASE ASK THE FOLLOWING:

I understand Montgomery County Commission Metts has authorized the construction of a DAM "Big Buck Lake Dam, Peach Creek Planation.

Are the attorneys of PC-II aware of this new construction. It is being constructed on the southern side of the landfill along SH105 approximately 8 miles west of I-69. Is this dam suppose to collect the storm water? If so, remember Lake Conroe in 1994 following Harvey, when they had to release water from the Conroe Dam which destroyed or damaged 1,000's of homes. If the damn breaks in this situaion, not only will it flood homes, waterways and finally wind up in Lake Houston....everything will be contaminated from the landfill.

Linda Stegenga

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 3, 2021 12:46 PM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Permit #2406, PCL

H

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Friday, September 3, 2021 10:36 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Permit #2406, PCL

From: Renee Stern <renee.f.stern@gmail.com>
Sent: Friday, September 3, 2021 9:31 AM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Permit #2406, PCL

Sept. 3, 2021

Office of Chief Clerk
MC 105
Texas Commission on Environmental Quality
P> p. Box 13087
Austin, TS 78711

Dear Chief Clerk,

I am writing to ask that you amend Permit #2406, Peach Creek Landfill, to include an access road. I also ask that you hold a contested case hearing on the proposal.

I am concerned that the environmental impacts on the Sam Houston National Forest, Wood Duck Farm, and private homesteads of PCL will be very bad. I am also concerned about road access, water, air, noise, litter, scenic pollutions, flooding, fires, road overuse and damage, and other environmental effects PCL may have.

I look forward to hearing from you soon about this matter.

Sincerely,

Renee Stern

3411 Yoakum Blvd.
Houston, TX 77006
713-201-9492
Renee.f.stern@gmail.com

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Monday, December 6, 2021 9:41 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: TCEQ MSW permit #2406

From: Renee Stern <renee.f.stern@gmail.com>
Sent: Saturday, December 4, 2021 12:33 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: TCEQ MSW permit #2406

TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are three main concerns that form the basis for my comments. 1) The SHNF sits on the east and north side of the proposed landfill. The USFS was started to help provide clean water to our country. When it rains, the SHNF acts as a filter to cleanse water going downstream to Lake Houston. The leachate tanks are to sit on the north side of the LF, within a few feet of the FEMA 100-year floodplain. Storm water overflow, leachate, and VOCs will make the Jayhawker Creek floodplain a conduit for contamination which will impact drinking water downstream. 2) Dr. HC Clark wrote a geological assessment to the TCEQ back in August, to quote him "The application implicitly recognizes the gravel location restriction insofar as Class I nonhazardous is not listed as waste to be accepted. Will the permit explicitly state that Class I waste may not be and never will be accepted here because of this hydrogeologic limitation?" "The sink created by pumping will draw water into the landfill rather than allowing it to pass beneath the liner and detect a leak as that groundwater moves through the point of compliance. Water will move inward rather than out."...."How will this problem be addressed?" 3) It is a fact that millions of seagulls feast at LF across North America. South Wake MSW landfill in NC is comprised of approximately 179 acres and has an estimated seagull population of 50,000. Phase 1 of this 2406 LF will be about 124 acres, or almost 37% smaller which equates to almost 31,500 seagulls as an estimated flock number. Studies from Duke Univ School for the Environment determined that these seagulls dropped over a ton of droppings each year. A year-round fruit and vegetable operation, Wood Duck Farm is located bordering the 2406 LF from the east. What are the plans to keep seagull droppings off farm produce growing in the field? What are the plans to keep seagulls from eating the crops? What type of disease vector plan might be implemented? How will the applicant mitigate wild animal scavenging? How will the extra nitrogen and phosphorus impact the SHNF?

<http://www.newsobserver.com/news/local/counties/wake-county/article158475619.html> I strongly request that you take the next logical step and reject this current Application No. MSW-2406. Thank you for your consideration.

Sincerely,

Renee Stern
3411 Yoakum Blvd Apt 1908
Houston TX 77006

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 4:14 PM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H

From: lestone@aya.yale.edu <lestone@aya.yale.edu>
Sent: Thursday, September 9, 2021 4:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Lisa Stone

E-MAIL: lestone@aya.yale.edu

COMPANY:

ADDRESS: 8902 BIRDWOOD CT
HOUSTON TX 77096-2107

PHONE: 7137792822

FAX:

COMMENTS: Dear Chief Clerk, I'm joining all those who urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal. I am very concerned unacceptable environmental impacts will occur in Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. I am also concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. Because of all these

serious problems I oppose Permit #2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you for your consideration! Sincerely, Lisa E. Stone (8902 Birdwood Ct, Houston 77096; lestone@aya.yale.edu)

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, September 9, 2021 3:02 PM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406

H

From: anndsutton@msn.com <anndsutton@msn.com>
Sent: Thursday, September 9, 2021 10:27 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: DR. Ann D Sutton

E-MAIL: anndsutton@msn.com

COMPANY:

ADDRESS: 8221 KINGSBROOK RD APT 209
HOUSTON TX 77024-3316

PHONE: 2148621498

FAX:

COMMENTS: As a resident of Houston and Harris county I am deeply concerned about the planned Peach Creek Municipal Landfill (Permit #2406) and the environmental impacts such a landfill will cause. My concerns stem from the overriding facts that (1) we live on a planet that is a closed system - whatever we produce stays on the planet, there is no 'away' and (2) everything in this beautiful world is connected - what happens environmentally in one area impacts a myriad of life (human included) not only in that area but beyond. Specifically, I urge you to amend Permit #2406, Peach

Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal. In short, I oppose Permit #2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you.

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 28, 2021 8:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: jamieupham@gmail.com <jamieupham@gmail.com>
Sent: Monday, September 27, 2021 8:49 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Jamie Upham-Demers

E-MAIL: jamieupham@gmail.com

COMPANY:

ADDRESS: 104 SHAWNA LN
BUTTE MT 59701-7401

PHONE: 8304461063

FAX:

COMMENTS: Dear Chief Clerk, I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: 1. I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. 2. I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road overuse/damage, and other environmental impacts that PCML may have. Because of these problems I oppose Permit

#2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you. Sincerely, Jamie

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Friday, September 24, 2021 1:38 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: bamraz@gmail.com <bamraz@gmail.com>
Sent: Friday, September 24, 2021 12:35 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Elizabeth Vandergaag

E-MAIL: bamraz@gmail.com

COMPANY:

ADDRESS: 208 COPPERY CT
MONTGOMERY TX 77316-1954

PHONE: 3603392239

FAX:

COMMENTS: Dear Chief Clerk, I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: 1. I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. I buy produce every week from Wood Duck Farm and appreciate how vital it is to protect the water supply and soil surrounding the farm. I also worry about the enviromental impact on the nearby state forest. So little land is set

aside and protected in our area of Texas that we must do all we can to prevent pollution and loss of this natural resource. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you. Sincerely, Your name, mailing address, phone number, and email

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 15, 2021 3:37 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: manglebaby@hotmail.com <manglebaby@hotmail.com>
Sent: Wednesday, September 15, 2021 10:57 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Sophia Vassilakidis

E-MAIL: manglebaby@hotmail.com

COMPANY:

ADDRESS: 2744 BRIARHURST DR
HOUSTON TX 77057-5339

PHONE: 7135245533

FAX:

COMMENTS: Office of Chief Clerk MC 105 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Dear Chief Clerk, I urge you to amend Permit #2406, Peach Creek Municipal Landfill (PCML), to include the access road and hold a contested case hearing on this proposal because: I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road

overuse/damage, and other environmental impacts that PCML may have. Natural disasters like the flooding we more and more frequently get have a tendency to spread pollution over land and into ground water, and causes long lasting but hard to quantify environmental damage. We already treat our environment like trash, we don't need to put an actual trash heap in one of the last places kind of free of urban sprawl. Because of these problems I oppose Permit #2406. I look forward to hearing from you soon about my request to amend Permit #2406 to include the access road and hold a contested case hearing. Thank you. Sincerely, Sophia Vassilakidis Houston, Texas 77057

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, March 3, 2022 10:01 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: Audreyvonb@gmail.com <Audreyvonb@gmail.com>
Sent: Thursday, March 3, 2022 9:08 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Audrey VonBorstel

E-MAIL: Audreyvonb@gmail.com

COMPANY:

ADDRESS: 12434 PIPING ROCK DR
HOUSTON TX 77077-5830

PHONE: 2819018734

FAX:

COMMENTS: Date: 2/3/2022 Office of Chief Clerk MC 105 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Dear Chief Clerk, I urge you to deny Permit #2406, Peach Creek Municipal Landfill (PCML). I am concerned that unacceptable environmental impacts will occur in Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. As a mother with young children, an outdoor enthusiast, and a state parks pass holder, I value our wild outdoor spaces and I implore you to protect this land for our future generations to enjoy

unpolluted. Road access, water, air, noise, odor, litter, scenic pollution, feral pigs, flooding, fires, road overuse/damage, and other environmental impacts that PCML has are unacceptable and cannot be safely mitigated. Because of these problems I oppose Permit #2406 and TCEQ should deny this permit. I look forward to hearing from you soon about my request to deny PCML Permit #2406. If TCEQ does not deny this permit it should hold a contested case hearing so that those who will suffer environmental impacts due to the PCML can be heard. Thank you. Sincerely, Audrey VonBorstel
12434 Piping Rock Dr, Houston TX 77077 Audreyvonb@gmail.com

lisa Guerra

rom: PUBCOMMENT-OCC
ent: Friday, November 6, 2020 6:59 AM
o: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
ubject: FW: Public comment on Permit Number 2406

rom: scottwar@hotmail.com <scottwar@hotmail.com>
ent: Friday, November 6, 2020 1:10 AM
o: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
ubject: Public comment on Permit Number 2406

EGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

N NUMBER: RN110843042

ERMIT NUMBER: 2406

OCKET NUMBER:

OUNTY: SAN JACINTO

RINCIPAL NAME: PC-II LLC

V NUMBER: CN605694611

ROM

AME: Timothy Scott Warren

MAIL: scottwar@hotmail.com

OMPANY:

DDRESS: 481 BIG BUCK DR
EVELAND TX 77328-5010

IONE: 8327225206

IX:

OMMENTS: As a nearby resident of this proposed environmental disaster and due to the fact that our ground water d several species of wildlife will be heavily impacted by this inexcusable reckless and unnecessary landfill I hereby quest a contested hearing on this matter. I realize that your main focus is on the environmental issues that effect ldlife. But what about the thousands of people who will be negatively impacted! Our health, our property values, our ound water, our livelihood! How could you even think of giving a permit for this atrocity! My home and property are ly 1/4 of a mile from this proposed site. This will literally ruin my life and many others. Already our property values

have plummeted just on the announcement of the proposal. I do not understand how anyone with any sense of morals or decency would ruin such a beautiful forest, wildlife, and people's lives for pure greed. Especially considering the fact that there are already plenty of landfills around. I reiterate that I am requesting a contested hearing!

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, November 16, 2020 9:00 AM
To: scottwar@hotmail.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

All requests for hearings, if timely filed and authorized by statute or rule, are considered by the Commissioners. The Commissioners will consider your request during a regularly scheduled Commission meeting that is open to the public, and a determination will be made as to whether or not the request will be granted. You will be notified in writing when your request is scheduled for consideration. If your request is granted, the matter will be referred to the State Office of Administrative Hearings (SOAH). The SOAH hearing will be a formal, legal proceeding, conducted in a manner similar to civil trials in state district court. While not required, parties are usually represented by legal counsel. In order for an issue to be considered at a contested case hearing, it must have been first raised in a comment or in a request for a contested case hearing during the public comment period by the affected person or group requesting the hearing.

The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Timothy Scott Warren

E-MAIL: scottwar@hotmail.com

COMPANY:

ADDRESS: 481 BIG BUCK DR
CLEVELAND TX 77328-5010

PHONE: 8327225206

FAX:

COMMENTS: As a nearby resident of this proposed environmental disaster and due to the fact that our ground water and several species of wildlife will be heavily impacted by this inexcusable reckless and unnecessary landfill I hereby request a contested hearing on this matter. I realize that your main focus is on the environmental issues that effect wildlife. But what about the thousands of people who will be negatively impacted! Our health, our property values, our ground water, our livelihood! How could you even think of giving a permit for this atrocity! My home and property are only 1/4 of a mile from this proposed site. This will literally ruin my life and many others. Already our property values have plummeted just on the announcement of the proposal. I do not understand how anyone with any sense of morals or decency would ruin such a beautiful forest, wildlife, and people's lives for pure greed. Especially considering the fact that there are already plenty of landfills around. I reiterate that I am requesting a contested hearing!

TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

REVIEWED

JUL 19 2021

By

Date: 7/10/21

Name: Tim Warren

Address: 481 Big Buck Dr.

City, ST, Zip: Cleveland, TX 77328

Email Address: scottwarra@hotmail.com

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are four main concerns that form the basis for my comments.

1. If PCEP were to encounter financial challenges or worse, forced into an unexpected bankruptcy, (hopefully not from an environmental issue) the access road owner is PC II; therefore, the TCEQ needs access to the bankrupt LF, but the TCEQ cannot access because the PCE permit boundary is landlocked. Surely, the TCEQ can get into the permit area to monitor/manage any inherited environmental issues that might arise? Recall that the same Mississippi investors that own PC II, also own PCEP.
2. The natural drainage from Wood Duck Farm begins in the Sam Houston National Forest on the east and travels across the mid part of the farm in an east to west-direction; heavy rainwater flows from two different intervals into a floodplain creek that flows north to south just outside the western fence; this can be seen on the PC II property, see map. This creek spans perhaps 1500-2000 feet to the south and is undeniably situated within the 2010 FEMA floodplain. Please be aware that the property owned by PC II for the proposed access road is only 100 feet wide, not much room for detention ponds, and runs/flows north to south within the FEMA floodplain. The Army Corp of Engineers even said that removing trees for the access road within the known floodplain path will likely increase flood water velocity.
3. Local access road to landfill currently is in a floodplain, the road has a NO weight limits and will not hold up to garbage trucks constantly traveling the road.
4. No garbage or hazardous leachate filled trucks should be traveling through the local neighborhoods where children are playing. Some truck traffic estimates are as high as 500 per day. Only state highways should be used.

I applaud the actions of TCEQ for protecting our families and environment. I strongly request that you take the next logical step and reject this current Application No. MSW-2406.

Thank you for your consideration.

Sincerely

Timothy E. Warren

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, June 10, 2021 11:28 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: TCEQ Permit #2406

MSW
117709

From: Timothy Warren <scottwar@hotmail.com>
Sent: Wednesday, June 9, 2021 4:20 PM
To: Info <Info@tceq.texas.gov>
Subject: TCEQ Permit #2406

It has come to our attention that Peach Creek Environmental Park has applied for a Permit #2406. It has also come to our attention that although they have applied for a permit for the landfill area, they have failed to include the access road in the permit which happens to be Rajack RD! I am urging the TCEQ to make Rajack Road part of the permitting process since the company owns the road which is unsuitable at this time to Use for the heavy trucks that will be travelling to the land fill! The road is a swamp and needs to be surveyed and studied by hydrologist and engineers to make sure the runoff wont prove to be hazardous to wildlife and nearby residents! Also there will be a noise issue and possible ground and creek water contamination that will certainly effect wildlife, possibly obstruct or accelerate natural drainage into local creeks. Please contact me and describe to me what action the TCEQ will take regarding this matter.

Cordially: Timothy S Warren
Ph#832-722-5206

Sent from Mail for Windows 10

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Thursday, March 3, 2022 1:30 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: ka.wasserman@gmail.com <ka.wasserman@gmail.com>
Sent: Thursday, March 3, 2022 12:14 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Kate Wasserman

E-MAIL: ka.wasserman@gmail.com

COMPANY:

ADDRESS: 14215 FLEETWELL DR
HOUSTON TX 77045-5643

PHONE: 5056520400

FAX:

COMMENTS: Dear Chief Clerk, I urge you to deny Permit #2406, Peach Creek Municipal Landfill (PCML). I am concerned that unacceptable environmental impacts will occur in Sam Houston National Forest, Wood Duck Farm, and private homesteads due to PCML. Sam Houston National Forest has been a haven for me many times from the sensory overload of city life. It is a state treasure for sure, with its lengths of quiet nature trails that truly allow immersion in and connection to our planet's wild gifts. Road access, water, air, noise, odor, litter, scenic pollution, feral pigs, flooding,

fires, road overuse/damage, and other environmental impacts that PCML has are unacceptable and cannot be safely mitigated. One of my main concerns is the water runoff, and the way we are slowly depleting our soil. These issues are top health priorities, because we need a healthy world to live healthy lives. The huge systemic nature of the issue brings to light other problem areas, including our city, state, and country's depletion of natural resources, and dismissive attitude towards conserving. It is ENTIRELY possible to promote business and economic growth while limiting our unprecedented wasteful consumption. Because of these problems I oppose Permit #2406 and TCEQ should deny this permit. I look forward to hearing from you soon about my request to deny PCML Permit #2406. If TCEQ does not deny this permit it should hold a contested case hearing so that those who will suffer environmental impacts due to the PCML can be heard. Thank you. Sincerely,

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Monday, July 26, 2021 9:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

MSW
117709

H

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Friday, July 23, 2021 6:01 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Van Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 7138768645

FAX:

COMMENTS: I am an impacted person and requesting a contested hearing for permit 2406. I make my living working the land; growing four seasons of produce. Usually sweet corn, onions, arugula, tomatoes, green beans, peppers and melons in the spring or summer; likely broccoli, cauliflower, kale, cabbage, strawberries, carrots etc. in the fall and winter. We raise enough to help feed about 300 families weekly in and around Houston; have been doing so for over 22 years. My 165 acre farm rests immediately east to the proposed #2406 landfill. Being a directly impacted person and business, the

LF will be right across the fence from my home. I find it disturbing that the TCEQ is allowing this Mississippi investment group to not include the entire length of the entire access road within the #2406 LF application. Is this because the question has not been presented? When I asked an environmental attorney familiar with LF litigation, the reply was "...not including the access road in the permit application has been a common strategy over the past five or six years..... the likely reason for not including the entire access road information within the permit application is to save money." For some background, the parent Mississippi group (PC-II) originally purchased over 2000 acres circa 2006, they recently spun off 600+ acres into Peachcreek Environmental (PCE) for a Municipal Solid Waste LF. The permit application #2406 details lots of information, but fails to address the approximate 6000 ft of dirt road that will connect to the county road (aka Rajack rd). This is the very access road where 300-500 garbage trucks per day are proposed to travel at 5.5 days per week. Why is INCLUDING the ENTIRE ACCESS ROAD in the permit application important? What if for some reason PCE were forced into an unexpected bankruptcy, (hopefully not from an environmental issue) the access road owner is PC II; the TCEQ needs access to the bankrupt LF, but the TCEQ cannot access because the PCE permit boundary is landlocked. Surely, the TCEQ can get into the permit area to monitor/manage any inherited environmental issues that might arise? Recall that the same Mississippi investors that own PC II also own PCE, so why not include the ENTIRE access road in the #2406 permit. Please take into account that my impacted property is a working farm. Rain fall over the past 10 years has been more pronounced in a shorter amount of time, e.g. during TS Imelda in 2019, our farm received 22 inches of rain within 24 hours, a month or so ago we received 4.5 inches in two hours, so fast drainage after a big rain event is important to the sustainability of our farm. Over the past 20+ years working our land, we have figured out what areas are susceptible to holding water and what areas are not. Fortunately, we have not had any flooding where we grow crops, even during TS Imelda and Harvey. However this may change as the new LF is proposing to have an access road constructed that is literally within 5 ft from our western game fence (we have a game fence surrounding our farmland to prevent intrusion from deer, hogs etc) The natural drainage from our farm begins in the Sam Houston National Forest on the east and travels across the mid part of our farm in an east to west-direction; heavy rain water flows from two different intervals into a floodplain creek that flows north to south just outside my western fence; this can be seen on the PC II property, see map. This creek spans perhaps 1500-2000 feet to the south and is undeniably situated within the 2010 FEMA floodplain. When I spoke with Brock Adams with the Galveston Army Corp of Engineers last November, he had his compliance officer on line looking at their map overlays; they agreed that without further study, enhanced flooding downstream could prevail within this already designated FEMA 2010 floodplain area. Please be aware that the property owned by PC II for the proposed access road is only 100 feet wide, not much room for detention ponds, and runs/flows north to south within the FEMA floodplain. The Army Corp of Engineers even said that removing trees for the access road within the known floodplain path will likely increase flood water velocity. THE BAD NEWS FOR OUR FARM IS THAT THE NATURAL DRAINAGE RUNS EAST TO WEST, WHICH WILL "T-BONE" INTO THE NORTH TO SOUTH CREEK THAT LIES WITHIN THE FEMA 100 YEAR FLOODPLAIN WHICH IS WHERE THE LF ACCESS ROAD IS PROPOSED TO BE BUILT. By looking at prior TCEQ cases, it is my impression that the TCEQ interpretation of construction in/around a landfill is "all is okay" as long as it doesn't disturb or alter existing natural drainage. Unless the proper road design is implemented, it appears likely that our farm drainage will be negatively impacted. Remember the access road needs to be constructed large enough to support 80,000 lb garbage trucks to/from the LF area. Please find below the following topics worthy of consideration: 1. Prior opinions on Access roads being included in a TCEQ LF municipal solid waste permit application? In a letter dated February 2017, SOAH docket no 582-15-2082; TCEQ Docket no. 2015-0069-MMSW, 130 Environmental Park, permit app 2383 from Admin Law Judges, Kerrie Jo Qualtrough and Casey A Bell prepared the "Proposal for Decision and Order" recommendations for the above referenced case and submitted their findings to the TCEQ. Page 28 of the said document, "....the ALJs do agreethat the entire length of the access road should be included within the Permit Boundary." Below is a link to this document: <http://www.gghcorp.com/wp-content/uploads/2020/11/2017-02-17-PFD.pdf> 2. Given the location of the proposed Access road/LF which is about 90 miles north of the gulf, little doubt remains that it will be subject to lots of potential rain events from tropical storms, hurricanes etc. Now enter the thought of tanker trucks required to access the LF so to safely remove leachate and transport such off the LF premises. Should the Access road not fall within the permit 2406 application requirements, the possibility arises that "budget oriented" road construction may not meet the engineering requirements to achieve all weather transportation needs. (My findings invalidate some of the findings within the Allen Engineering San Jacinto Co road survey, as submitted, so I have concerns.) The inability to remove leachate responsibly, over a period of time, may lead to the requirement to discharge leachate into Jayhawker Creek, as sited by the engineers for the LF, Neel-Schaffer per TCEQ written permission. POWER OUTAGES CAN BE A CONCERN IN THIS RURAL AREA AS THE AFTERMATH

OF HARVEY RESULTED IN POWER OUTAGES IN THIS AREA FOR UP TO THREE WEEKS? 3. The Mississippi investors of Peachcreek Environmental, same investors that own PC II, were at my farm back in April. They were feeling very confident that the TCEQ permit would ultimately be granted. Fact is they were delighted that they already have interested buyers "knocking on their door" with a \$20,000,000 sales price tag. I'm thinking there might be enough "fat on this hog" to get the LF to include the Entire Access road within the TCEQ permit; this way we can be optimistic that the entire access road might be constructed without having some of the above mentioned issues; better yet not ruin my farm any more than is already likely to result. I recently read in a legal brief that "....The commission points out that a permit application to the TCEQ amounts to an affidavit with expert reports attached. The applicant must verify that the information submitted is true, accurate, and complete." I too hope everything is true and accurate, however for the LF company to make it COMPLETE, the LF company needs to include the ENTIRE ACCESS ROAD in the TCEQ #2406 LF permit. Please find attached related maps, screenshots etc *Drawing of PCE facility entrance and access road belonging to PC II *Map with FEMA 100 yr floodplain overlaying the LF access road path *Map with 2018 Base level engineering floodplain data overlay *Google earth map showing drainage (green) via creek across my farm intersecting the proposed ACCESS road area (blue) FEMA 100 floodplain area Looks like maps and drawing attachments need to follow in a separate comment

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 15, 2021 11:28 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Wednesday, July 14, 2021 4:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Van Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 7138768645

FAX:

COMMENTS: I am an impacted person and requesting a contested hearing for permit 2406. I make my living working the land; growing four seasons of produce. Usually sweet corn, onions, arugula, tomatoes, green beans, peppers and melons in the spring or summer; likely broccoli, cauliflower, kale, cabbage, strawberries, carrots etc. in the fall and winter. We raise enough to help feed about 300 families weekly in and around Houston; have been doing so for over 22 years. My 165 acre farm rests immediately east to the proposed #2406 landfill. Being a directly impacted person and business, the

LF will be right across the fence from my home. I find it disturbing that the TCEQ is allowing this Mississippi investment group to not include the entire length of the entire access road within the #2406 LF application. Is this because the question has not been presented? When I asked an environmental attorney familiar with LF litigation, the reply was "...not including the access road in the permit application has been a common strategy over the past five or six years..... the likely reason for not including the entire access road information within the permit application is to save money." For some background, the parent Mississippi group (PC-II) originally purchased over 2000 acres circa 2006, they recently spun off 600+ acres into Peachcreek Environmental (PCE) for a Municipal Solid Waste LF. The permit application #2406 details lots of information, but fails to address the approximate 6000 ft of dirt road that will connect to the county road (aka Rajack rd). This is the very access road where 300-500 garbage trucks per day are proposed to travel at 5.5 days per week. Why is INCLUDING the ENTIRE ACCESS ROAD in the permit application important? What if for some reason PCE were forced into an unexpected bankruptcy, (hopefully not from an environmental issue) the access road owner is PC II; the TCEQ needs access to the bankrupt LF, but the TCEQ cannot access because the PCE permit boundary is landlocked. Surely, the TCEQ can get into the permit area to monitor/manage any inherited environmental issues that might arise? Recall that the same Mississippi investors that own PC II also own PCE, so why not include the ENTIRE access road in the #2406 permit. Please take into account that my impacted property is a working farm. Rain fall over the past 10 years has been more pronounced in a shorter amount of time, e.g. during TS Imelda in 2019, our farm received 22 inches of rain within 24 hours, a month or so ago we received 4.5 inches in two hours, so fast drainage after a big rain event is important to the sustainability of our farm. Over the past 20+ years working our land, we have figured out what areas are susceptible to holding water and what areas are not. Fortunately, we have not had any flooding where we grow crops, even during TS Imelda and Harvey. However this may change as the new LF is proposing to have an access road constructed that is literally within 5 ft from our western game fence (we have a game fence surrounding our farmland to prevent intrusion from deer, hogs etc) The natural drainage from our farm begins in the Sam Houston National Forest on the east and travels across the mid part of our farm in an east to west-direction; heavy rain water flows from two different intervals into a floodplain creek that flows north to south just outside my western fence; this can be seen on the PC II property, see map. This creek spans perhaps 1500-2000 feet to the south and is undeniably situated within the 2010 FEMA floodplain. When I spoke with Brock Adams with the Galveston Army Corp of Engineers last November, he had his compliance officer on line looking at their map overlays; they agreed that without further study, enhanced flooding downstream could prevail within this already designated FEMA 2010 floodplain area. Please be aware that the property owned by PC II for the proposed access road is only 100 feet wide, not much room for detention ponds, and runs/flows north to south within the FEMA floodplain. The Army Corp of Engineers even said that removing trees for the access road within the known floodplain path will likely increase flood water velocity. THE BAD NEWS FOR OUR FARM IS THAT THE NATURAL DRAINAGE RUNS EAST TO WEST, WHICH WILL "T-BONE" INTO THE NORTH TO SOUTH CREEK THAT LIES WITHIN THE FEMA 100 YEAR FLOODPLAIN WHICH IS WHERE THE LF ACCESS ROAD IS PROPOSED TO BE BUILT. By looking at prior TCEQ cases, it is my impression that the TCEQ interpretation of construction in/around a landfill is "all is okay" as long as it doesn't disturb or alter existing natural drainage. Unless the proper road design is implemented, it appears likely that our farm drainage will be negatively impacted. Remember the access road needs to be constructed large enough to support 80,000 lb garbage trucks to/from the LF area. Please find below the following topics worthy of consideration: 1. Prior opinions on Access roads being included in a TCEQ LF municipal solid waste permit application? In a letter dated February 2017, SOAH docket no 582-15-2082; TCEQ Docket no. 2015-0069-MMSW, 130 Environmental Park, permit app 2383 from Admin Law Judges, Kerrie Jo Qualtrough and Casey A Bell prepared the "Proposal for Decision and Order" recommendations for the above referenced case and submitted their findings to the TCEQ. Page 28 of the said document, "...the ALJs do agreethat the entire length of the access road should be included within the Permit Boundary." Below is a link to this document: <http://www.gghcorp.com/wp-content/uploads/2020/11/2017-02-17-PFD.pdf> 2. Given the location of the proposed Access road/LF which is about 90 miles north of the gulf, little doubt remains that it will be subject to lots of potential rain events from tropical storms, hurricanes etc. Now enter the thought of tanker trucks required to access the LF so to safely remove leachate and transport such off the LF premises. Should the Access road not fall within the permit 2406 application requirements, the possibility arises that "budget oriented" road construction may not meet the engineering requirements to achieve all weather transportation needs. (My findings invalidate some of the findings within the Allen Engineering San Jacinto Co road survey, as submitted, so I have concerns.) The inability to remove leachate responsibility, over a period of time, may lead to the requirement to discharge leachate into Jayhawker Creek, as sited by the engineers for the LF, Neel-Schaffer per TCEQ written permission. POWER OUTAGES CAN BE A CONCERN IN THIS RURAL AREA AS THE AFTERMATH

OF HARVEY RESULTED IN POWER OUTAGES IN THIS AREA FOR UP TO THREE WEEKS? 3. The Mississippi investors of Peachcreek Environmental, same investors that own PC II, were at my farm back in April. They were feeling very confident that the TCEQ permit would ultimately be granted. Fact is they were delighted that they already have interested buyers "knocking on their door" with a \$20,000,000 sales price tag. I'm thinking there might be enough "fat on this hog" to get the LF to include the Entire Access road within the TCEQ permit; this way we can be optimistic that the entire access road might be constructed without having some of the above mentioned issues; better yet not ruin my farm any more than is already likely to result. I recently read in a legal brief that "....The commission points out that a permit application to the TCEQ amounts to an affidavit with expert reports attached. The applicant must verify that the information submitted is true, accurate, and complete." I too hope everything is true and accurate, however for the LF company to make it COMPLETE, the LF company needs to include the ENTIRE ACCESS ROAD in the TCEQ #2406 LF permit. Please find attached related maps, screenshots etc *Drawing of PCE facility entrance and access road belonging to PC II *Map with FEMA 100 yr floodplain overlaying the LF access road path *Map with 2018 Base level engineering floodplain data overlay *Google earth map showing drainage (green) via creek across my farm intersecting the proposed ACCESS road area (blue) FEMA 100 floodplain area Looks like maps and drawing attachments need to follow in a separate comment

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, June 10, 2021 11:27 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Thursday, June 10, 2021 8:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Van Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 7138768645

FAX:

COMMENTS: I am an impacted person and requesting a contested hearing for permit 2406. I make my living working the land; growing four seasons of produce. Usually sweet corn, onions, arugula, tomatoes, green beans, peppers and melons in the spring or summer; likely broccoli, cauliflower, kale, cabbage, strawberries, carrots etc. in the fall and winter. We raise enough to help feed about 300 families weekly in and around Houston; have been doing so for over 22 years. My 165 acre farm rests immediately east to the proposed #2406 landfill. Being a directly impacted person and business, the

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For some background, the parent Mississippi group (PC-II) originally purchased over 2000 acres circa 2006, they recently spun off 600+ acres into Peachcreek Environmental (PCE) for a Municipal Solid Waste LF. The permit application #2406 details lots of information, but fails to address the approximate 6000 ft of dirt road that will connect to the county road (aka Rajack rd). This is the very access road where 300-500 garbage trucks per day are proposed to travel at 5.5 days per week. Why is INCLUDING the ENTIRE ACCESS ROAD in the permit application important? What if for some reason PCE were forced into an unexpected bankruptcy, (hopefully not from an environmental issue) the access road owner is PC II; the TCEQ needs access to the bankrupt LF, but the TCEQ cannot access because the PCE permit boundary is landlocked. Surely, the TCEQ can get into the permit area to monitor/manage any inherited environmental issues that might arise? 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Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, April 27, 2021 12:36 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Thursday, April 22, 2021 8:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 7138768645

FAX:

COMMENTS: I have 165 acres that sits directly adjacent to the east side of this proposed landfill. We have three water wells and surface ponds from which to irrigate our produce fields. I REQUEST/demand A HEARING on this matter. My last request must have not been honored. Regards David v weldon

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, December 8, 2021 10:50 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

-----Original Message-----

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Wednesday, December 8, 2021 10:27 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

-----Original Message-----

From: Van Weldon <woodduckfarm@yahoo.com>
Sent: Wednesday, December 8, 2021 9:13 AM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Subject: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406

I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are three main concerns that form the basis for my comments. 1) The SHNF sits on the east and north side of the proposed landfill. The USFS was started to help provide clean water to our country. When it rains, the SHNF acts as a filter to cleanse water going downstream to Lake Houston. The leachate tanks are to sit on the north side of the LF, within a few feet of the FEMA 100-year floodplain. Storm water overflow, leachate, and VOCs will make the Jayhawker Creek floodplain a conduit for contamination which will impact drinking water downstream. 2) Dr. HC Clark wrote a geological assessment to the TCEQ back in August, to quote him "The application implicitly recognizes the gravel location restriction insofar as Class I nonhazardous is not listed as waste to be accepted. Will the permit explicitly state that Class I waste may not be and never will be accepted here because of this hydrogeologic limitation?" "The sink created by pumping will draw water into the landfill rather than allowing it to pass beneath the liner and detect a leak as that groundwater moves through the point of compliance. Water will move inward rather than out."...."How will this problem be addressed?" 3) It is a fact that millions of seagulls feast at LF across North America. South Wake MSW landfill in NC is comprised of approximately 179 acres and has an estimated seagull population of 50,000. Phase 1 of this 2406 LF will be about 124 acres, or almost 37% smaller which equates to almost 31,500 seagulls as an estimated flock number. Studies from Duke Univ School for the Environment determined that these seagulls dropped over a ton of droppings each year. A year-round fruit and vegetable operation, Wood Duck Farm is located bordering the 2406 LF from the east. What are the plans to keep seagull droppings off farm produce growing in the field? What are the plans to keep seagulls from eating the crops? What type of disease vector plan might be implemented? How will the applicant mitigate wild animal scavenging? How will the extra nitrogen and phosphorus impact the SHNF?

<https://nam11.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.newsobserver.com%2Fnews%2Flocal%2Fcounties%2Fwake-county%2Farticle158475619.html&data=04%7C01%7Cchiefclk%40tceq.texas.gov%7Ce8d25468f38f41860d0008d9ba5d35da%7C871a83a4a1ce4b7a81563bcd93a08fba%7C0%7C0%7C637745732348120809%7CUnknown%7CTWFpbGZsb3d8eyJWlJoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C3000&sdata=i7tkNbUgYzAXtaop4MRPR%2FpgdhkVSDekV%2FyG%2FkLBvlw%3D&reserved=0> I strongly request that you take the next logical step and reject this current Application No. MSW-2406. Thank you for your consideration.

Sincerely,

David v Weldon
270 Pine Valley Rd. 77328

Sent from my iPhone

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, June 24, 2021 1:48 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: MSW #2406 permit application , Peachcreek Environmental Park

MSW
117709

From: Frank Zeng <frank.zeng@tceq.texas.gov>
Sent: Thursday, June 24, 2021 7:50 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Jeffery Hobby <jhobby@terrawaste.com>; David Ruhl <david.ruhl@neel-schaffer.com>
Subject: FW: MSW #2406 permit application , Peachcreek Environmental Park

Please record the comments received on the MSW permit application MSW 2406, Peach Creek Environmental Park.
Thanks.

From: van weldon <woodduckfarm@yahoo.com>
Sent: Thursday, June 24, 2021 7:31 AM
To: Frank Zeng <frank.zeng@tceq.texas.gov>
Subject: MSW #2406 permit application , Peachcreek Environmental Park

June 23, 2021

Re: MSW #2406 permit application , Peachcreek Environmental Park

Mr. Frank Zeng

I wish to begin by thanking you for your committed public service; keeping our families, neighborhoods, farms and environment safe is applauded.

I also appreciate your explaining the perspective that the TCEQ MSW permit process "only deals with the facility premises and not the ACCESS road outside the facility gates." This having been said, I have found to the contrary where in a recent Texas Office of Administrative of Law hearing on a Caldwell County MSW case, two State Administrative Law Judges agreed that the ENTIRE ACCESS road should be included in that subject permit application process. Should I be reading this Proposal for Decision and Order correctly, why would this opinion NOT hold true for permit app #2406? The Peachcreek Environmental Park Access road leaves the facility and spans approximately 6000 ft in length before connecting to the Rajack county road. Please recall that the #2406 ENTIRE ACCESS road is private land; when overlaid with the survey engineer drawings, it appears that this road is bound to be constructed within the FEMA 100 year floodplain. I encourage you to read my entire letter, as some of my questions/findings may prompt further consideration.

For your reference, the subject SOAH info: In a letter dated February 2017, SOAH docket no 582-15-2082; TCEQ Docket no. 2015-0069-MMSW, 130 Environmental Park, permit app 2383 from Admin Law Judges, Kerrie Jo Qualtrough and Casey A Bell prepared the "Proposal for Decision and Order" recommendations for the above referenced case and submitted their findings to the TCEQ. **Page 28** of the said document, "....the ALJs do agreethat the entire length of the access road should be included within the Permit Boundary." Below is a link to this document:
<http://www.gghcorp.com/wp-content/uploads/2020/11/2017-02-17-PFD.pdf>

Moving Forward: I recently read in a legal brief that “....The commission points out that a permit application to the TCEQ amounts to an affidavit with expert reports attached. The applicant must verify that the information submitted is true, accurate, and complete.”

Unfortunately we are all guilty of oversights; many of them are unintentional. Unintentional oversights may be the case with the lead engineering firm Neel-Shaffer overlooking some information concerning the San Jacinto Co. County roads; basically we are talking about the proposed primary transportation conduit to and from the Landfill. I have provided below some information that I believe the TCEQ should be aware of concerning the road/traffic study and consistent area flooding.

A few oversights that come to mind are:

1) the Allen Engineering San Jacinto Co road/traffic survey, as submitted does NOT include any road test bores that support any claim that these roads can support the weight of the proposed number of full garbage trucks over any period of time. When you review the photographs provided in the attached links, you will see crumbled, cracked county roads being flooded several times per year. Our county commissioners proclaim that “...our county is poor, so rural road construction in the past never included much of any road base, just whatever they could find.” (The last flooding was as recent as this past April 28th, 2021 with 4.5” of rain in about 2 hours. See the photos provided please) I spoke with the lead engineer at Allen Engineering, authors of the traffic study, Mr John B (his PE stamp is on the report) said that “he was not hired to conduct a drainage study on Jayhawker, Rayjack, or Fostoria.” He also added that “...no requests were made regarding the determination of the structural integrity of any of the the three county roads recognized/studied in the report.” Take note that the Neel Schaffer report, to my knowledge still identifies Rajack as being a paved road; it’s not, never has been.

2) The inability to get leachate disposal trucks in and out of the proposed facility is of upmost importance for everyones safety; failure to access the facility, due to the proposed access roads, as well as county roads being flooded, will prevent proper removal of stored leachate. As much as 700 ft of the proposed non county ACCESS road runs within the FEMA 2010 floodplain. I retained the services of Dr Matthew Berg, PhD geophysics Tx A&M, to provide various overlays within the subject landfill area. From the Neel-Schaffer facility permit drawings, you should be able to see the non county ACCESS road is only 100 ft wide running N to S (not much room for retention ponds); also intersecting within the subtle meanders of, if not within, the 100 yr floodplain. I spoke with Brock Adams with the Galveston Army Corp of Engineers, and he agreed that clearing land within, or near, an already known flood area can make flooding much worse. Bottom line is the inability to remove leachate responsibly, worse during a prolonged event over a period of time, may lead to the requirement of discharging leachate into Jayhawker Creek, as sited by the engineers for the LF, Neel- Schaffer per TCEQ written permission. See the pics as provided on the link below.... Jayhawker creek floods, with heavy rains, through a neighborhood where families live and kids play. Further downstream, a largely Hispanic community is flooded by Jayhawker creek as well; Dr Berg believes this Hispanic community will be severely impacted by future expanding flooding events exacerbated by newly cleared land/roads upstream. Will pumps help? FYI this a very rural area, after hurricane Harvey, power was out here for over 3 wks.

Surely if a landfill is going to be “cutting edge technology” as Peachcreek Environmental Park is proposing, they and the TCEQ can work together to insure that the inability to remove leachate from the landfill is not due to prior known decrepit roads and flooding areas. FYI during TS Imelda, this LF area received about 22 inches of rain within 24 hrs; that’s a lot more than what Neel Schaffer is forecasting as a probability. What happens if they make an engineering oversight? Everyone suffers. Better to explore these issues now?

Please take a look at the links below for photographs and drawings. I am a farmer and not exactly sure about sending photos without too many megabytes, so I went the Adobe cloud-links route. Hoping all this information is retrievable.

San Jacinto Co roads back @ April 28 after 4.5 inches of rain; these roads are Fostoria, Jayhawker and Rajack, all being a part of the 2406 access road. Rain drainage water flowing over top of Jayhawker rd

<https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:a825c61b-2b16-4a37-b582-d2d4dd2bc95f>

FEMA map overlays showing proposed access road to be planned within floodplain as well as possibly impacting natural drainage flow from the east. Note the NS permit application still calling Rajack road being paved .

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:6fcdcc29-5167-487f-b8d4-9de59d16f006>

Where the proposed 2406 permit LF meets Rajack road showing flooding. Poor road construction results in numerous potholes on Jayhawker.

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:2b0ce8cd-a92b-4bcb-a7ab-333c07502412>

Kids playing in flood waters of Jayhawker creek on Rayjack road.

<https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:032f9a38-788b-4641-a780-80c4f1e87e82>

Family and neighbors playground within Jayhawker creek flooding Rajack rd, the proposed county road to connect with the app permit # 2406 access road

<https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:9f8ce663-1f61-4679-8122-6523763ab5fd>

Your willingness and time to review my information is greatly appreciated.

Sincerely yours,

David V Weldon
Woodduckfarm
270 Pine Valley Road
Cleveland, tx 77328
Cell 713 876 8645

Sent from my iPad

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Thursday, July 15, 2021 8:54 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: County Road comments #2406

From: Frank Zeng <frank.zeng@tceq.texas.gov>
Sent: Thursday, July 15, 2021 7:43 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Cc: Van Weldon <woodduckfarm@yahoo.com>
Subject: RE: County Road comments #2406

Office of the Chief Clerk: please record the public comment received from Mr. Weldon regarding the MSW permit application 2406. Mr. Weldon's comment will be responded in the Response to Comments (RTC) to be sent to all commenters. Thanks.

Frank Zeng, Project Manager
MSW Permits Section
Waste Permits Division

From: Van Weldon <woodduckfarm@yahoo.com>
Sent: Wednesday, July 14, 2021 8:42 PM
To: Frank Zeng <frank.zeng@tceq.texas.gov>
Subject: County Road comments #2406

Mr Frank Zeng

Back in December, the TCEQ MSW permit team leader at that time for permit #2406 wrote a letter to our San Jacinto Co precinct 3 Commissioner David Brandon. He was requesting from Commissioner Brandon information/comments, if any, concerning the road accessibility, conditions, reservations, expected volume increases etc on the county roads leading up to the LF access road, ie Fostoria, Jayhawker and Rayjack

Reviewing the most recent PCE revision to the TCEQ, dated April 30, 2021, the only Allen Eng traffic study reservations via the traffic study is for some clearing at intersections for better visibility etc.

I sent you an email a few weeks back showing photos of these subject roads being a total mess, eg flooded, being cracked, having potholes etc

Needless to say that I am a little puzzled that the Allen Engineering traffic study has not been questioned about the ability of the roads to handle lots of 80,000 lb garbage trucks; traffic numbers vary about the volume, enter and exit 250-500. Allow me to mention the 10-20 vacuum trucks needed daily to haul out the leachate.

Docs provided as attachments for your review

Thank you

Van Weldon

270 pine valley road
Cleveland Tx 77328
7138768645

>
>
>

Melissa Schmidt

From: PUBCOMMENT-OCC
Sent: Friday, June 11, 2021 7:52 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number 2406
Attachments: VanTCEQ2.pdf

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Friday, June 11, 2021 7:35 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Van Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 7138768645

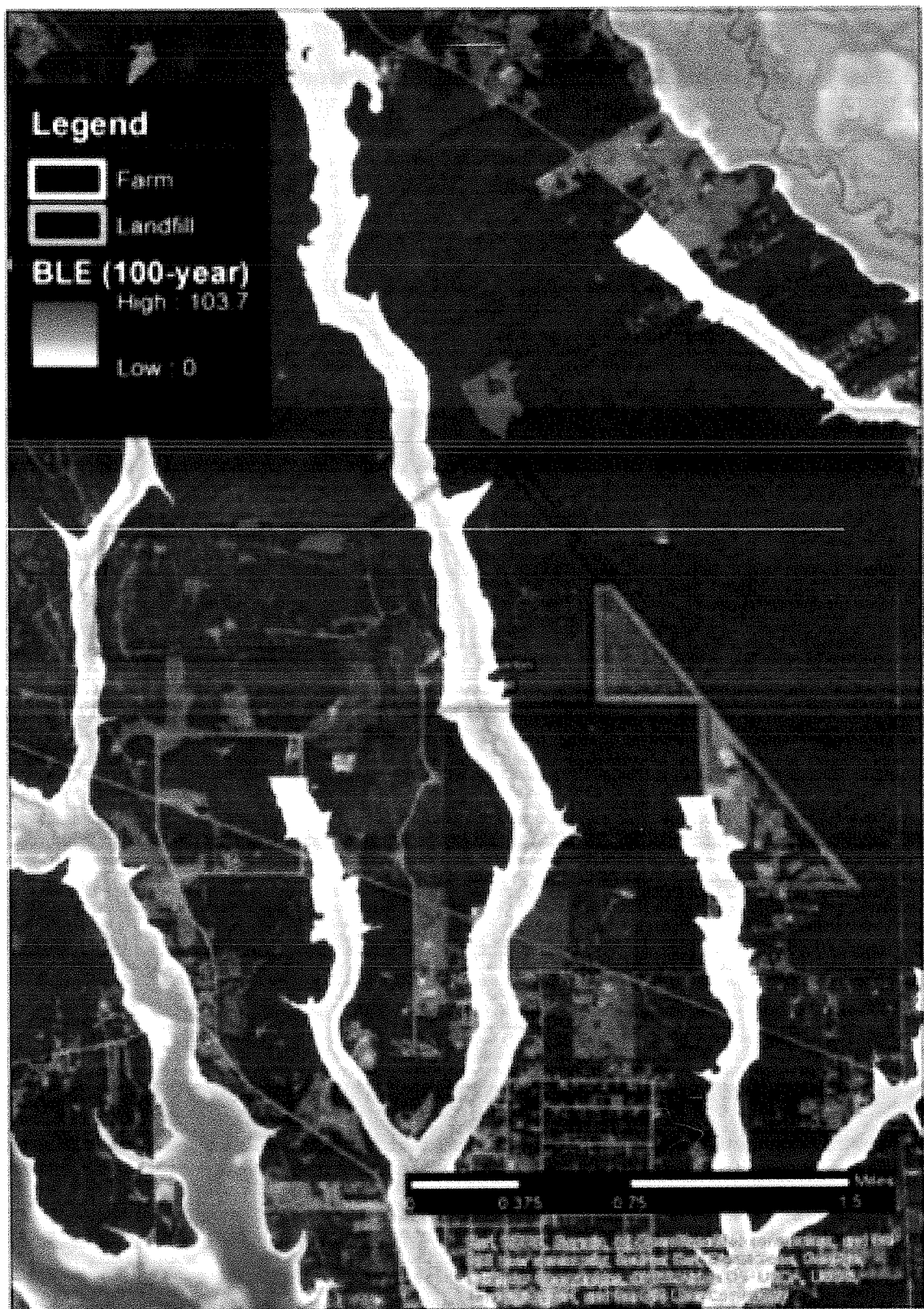
FAX:

COMMENTS: Attached photos

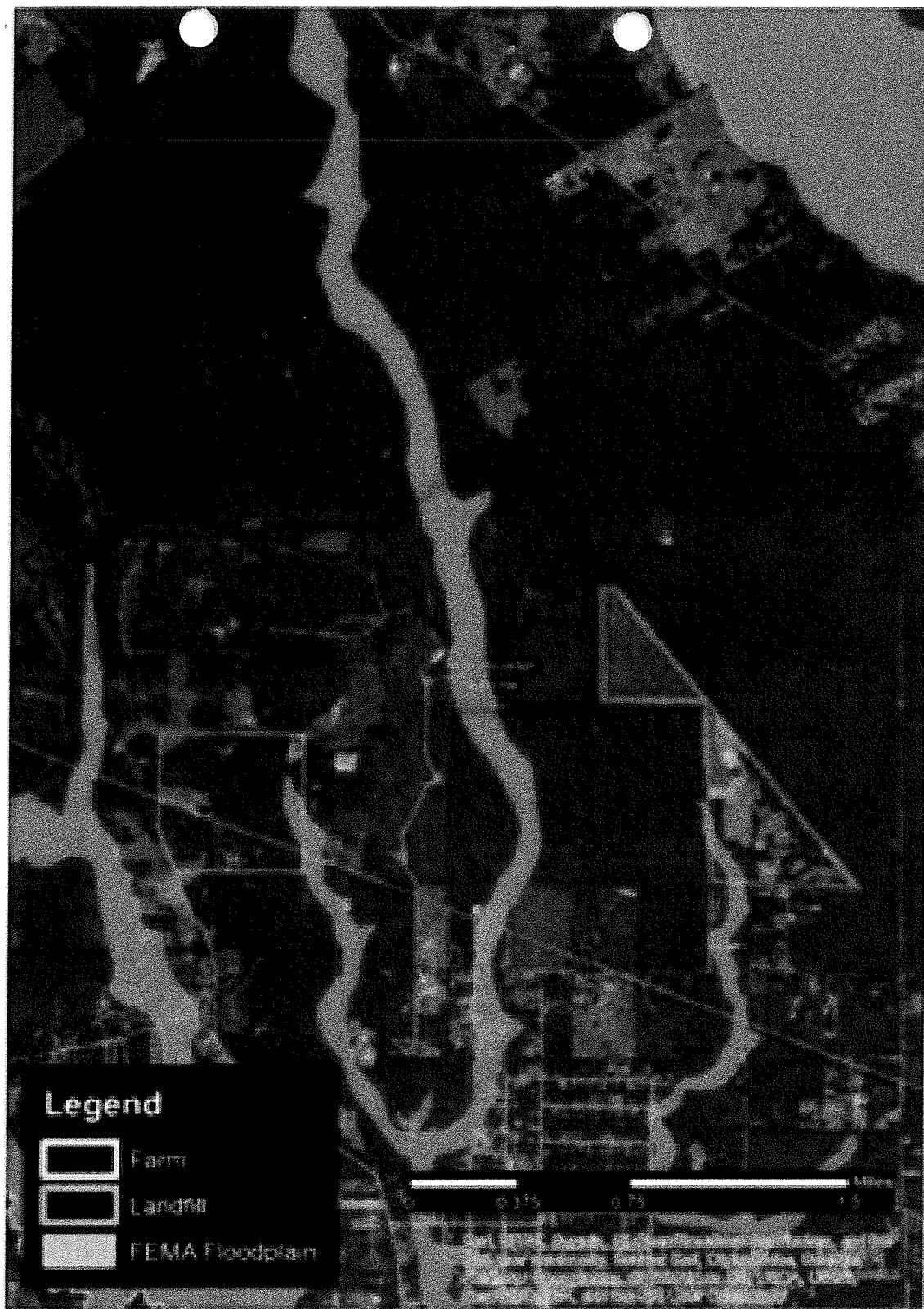
4 2783 (M1M01-58 N.25.22.1CE)

Google





Estimated Base Level Engineering of 100-year floodplains. Data from FEMA Estimated Base Flood Elevation (estBFE) Viewer. This data is more up to date and was released in 2018.



Location of flood hazard areas. Data from FEMA National Flood Hazard Layer Viewer. As with many counties with lower populations, the data have not been updated in some time and do not reflect current conditions, such as landscape changes and precipitation trends. Of note here, no 500-year floodplains are indicated; only 100-year floodplains.

LANDOWNERS' MAP PEACH CREEK ENVIRONMENTAL TYPE I MSW PERMIT APPLICATION SAN JACINTO COUNTY, TEX

30° 23' 24" N

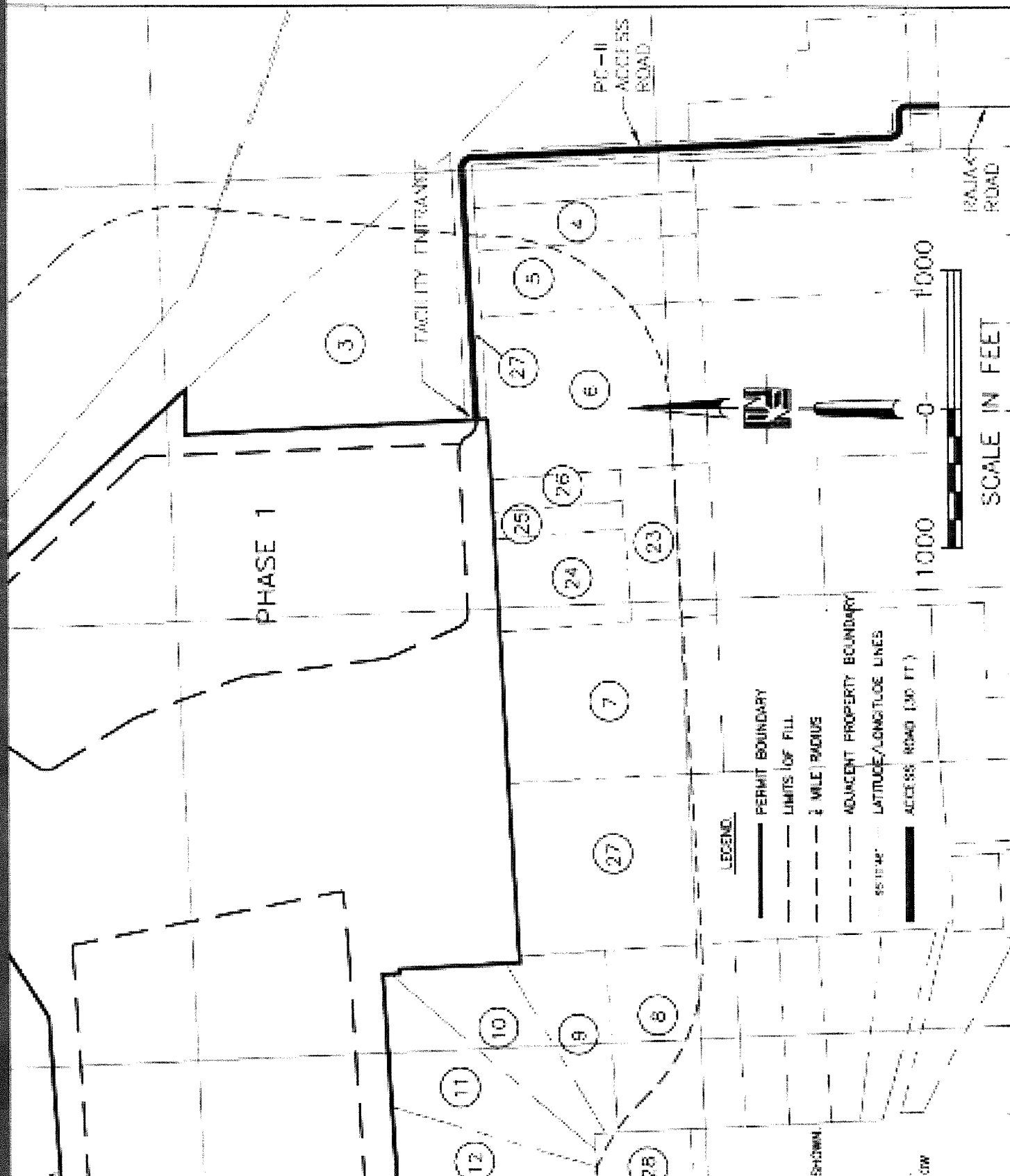
30° 22' 48" N

NO.	DATE	DESCRIPTION	BY
01	12/11/13	PRELIMINARY	W. J. B.
02	01/10/14	REVISION 2 PERMIT APPLICATION	W. J. B.
03	01/10/14	REVISION 3 PERMIT APPLICATION	W. J. B.
04	01/10/14	REVISION 4 PERMIT APPLICATION	W. J. B.
05	01/10/14	REVISION 5 PERMIT APPLICATION	W. J. B.
06	01/10/14	REVISION 6 PERMIT APPLICATION	W. J. B.
07	01/10/14	REVISION 7 PERMIT APPLICATION	W. J. B.
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100	01/10/14	REVISION 100 PERMIT APPLICATION	W. J. B.

C 0.03

DATE: 12-11-13
SCALE: 1"=200'
PROJECT NO: 13-03

PROJECT: SAN JACINTO COUNTY APPROVAL DISTRICT WITH BARBERS



Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 7, 2021 7:25 AM
To: PUBCOMMENT-WPD; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: TCEQ #2406 Peach Creek Landfill (PCL) in Texas
Attachments: Peach Creek Landfill..pdf; Wood Duck landscape analysis and methodology.pdf

MSW
117709

From: CHIEFCLK <chiefclk@tceq.texas.gov>
Sent: Tuesday, September 7, 2021 6:55 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: TCEQ #2406 Peach Creek Landfill (PCL) in Texas

From: Mustafa, Golam <mustafa.golam@epa.gov>
Sent: Saturday, September 4, 2021 12:16 PM
To: CHIEFCLK <chiefclk@tceq.texas.gov>
Cc: Chance Goodin <chance.goodin@tceq.texas.gov>; Smith, Melissa <Smith.Melissa@epa.gov>; Shah, Harry <Shah.Harry@epa.gov>; Christianson, Erik <christianson.erik@epa.gov>; Maguire, Charles <maguire.charles@epa.gov>; mberg@simferousa.com; woodduckfarm@yahoo.com
Subject: TCEQ #2406 Peach Creek Landfill (PCL) in Texas

Dear Office of Chief Clark,

On May 20, 2021 from Mr. Matthew Berg, and on September 3, 2021 from Mr. Van Weldon, respectively, EPA received the attached public comments on the "Permit #2406 Peach Creek Landfill (PCL)" in Texas. I am forwarding these comments for your consideration as appropriate.

If you have any question(s), please contact me at 214-665-6576 (mustafa.golam@epa.gov).

Thank you.

Sincerely,
Golam Mustafa, PhD
U.S. Environmental Protection Agency, Region 6
Land, Chemical, and Redevelopment Division
RCRA Permits and Solid Waste Section
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
Office: 214-665-6576
Cell: 469-693-0928
Mustafa.golam@epa.gov

From: Van Weldon <woodduckfarm@yahoo.com>
Date: September 3, 2021 at 9:56:38 AM CDT

To: maguire.charles@epa.gov

Subject: TCEQ #2406 Peach Creek Landfill..pdf

Mr. Maguire, I left you a voicemail. I did find your email so I am sending this report from Dr. HC Clark regarding the gravel layer below this proposed MSW site that is to sit next to the FEMA floodplain that eventually feeds into Lake Houston, see attached.

Dr. Clark is concerned that this gravel layer is an aquifer that feeds into the floodplain area.

Thank you
Van Weldon
713-876-8645

Sent from my iPhone

From: Matthew Berg <mberg@simferousa.com>

Date: May 10, 2021 at 5:31:52 PM CDT

To: Van Weldon <woodduckfarm@yahoo.com>

Subject: farm/landfill water data

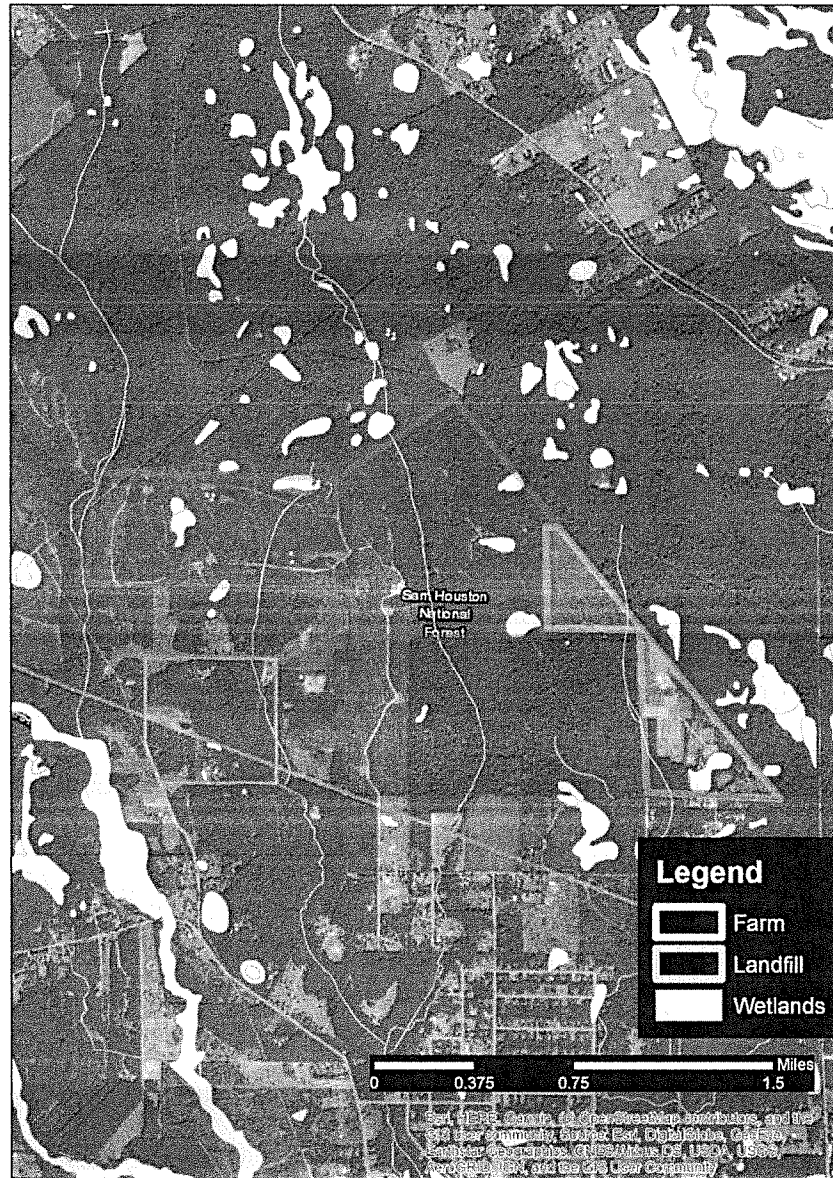
Here's the set of maps and accompanying description of what I shared on Friday.



Dr. Matthew Berg
CEO & Principal Scientist
Simfero Consultants
mberg@simferoUSA.com
979.450.9671



Location of farm and proposed landfill in southern San Jacinto County.



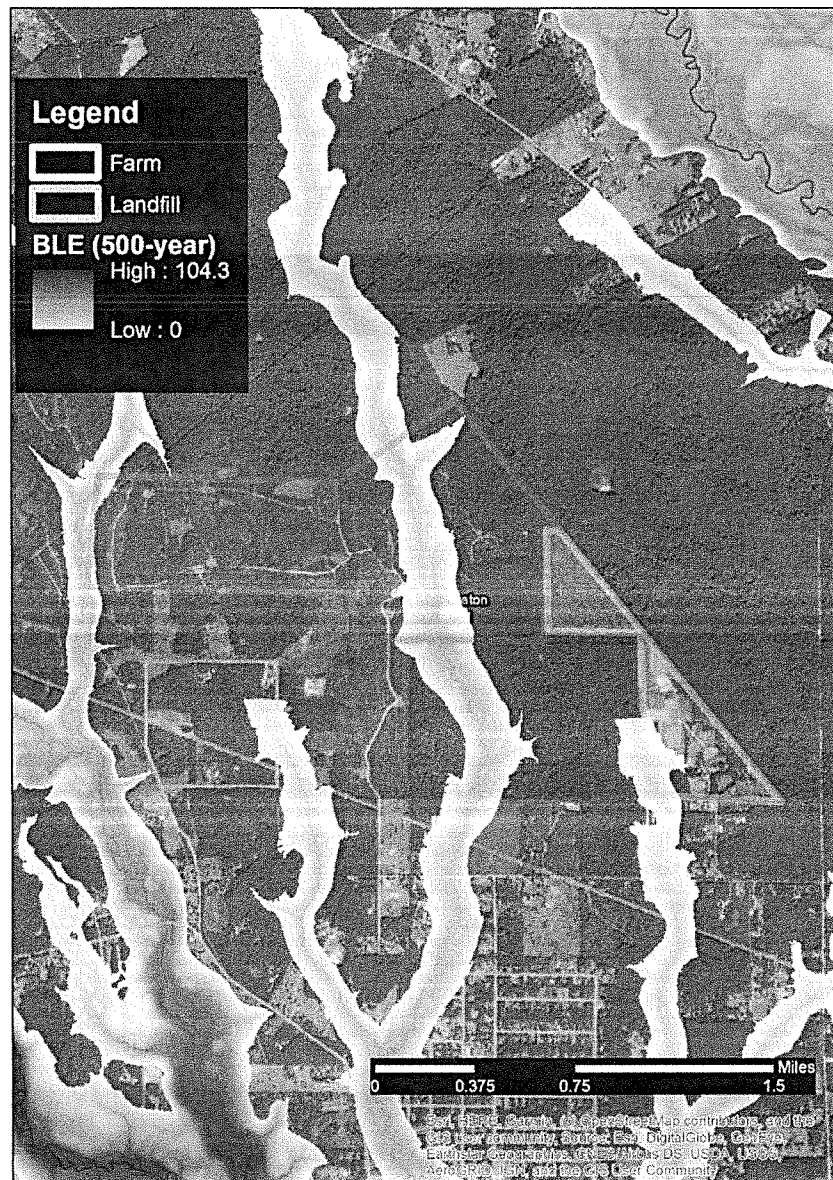
Location of documented wetlands. Data from National Wetland Inventory via U.S. Fish & Wildlife Service Wetlands Mapper. These features serve to capture runoff and reduce downstream flood impacts if preserved. Under current federal rules, wetlands within the proposed project site do not require preservation.



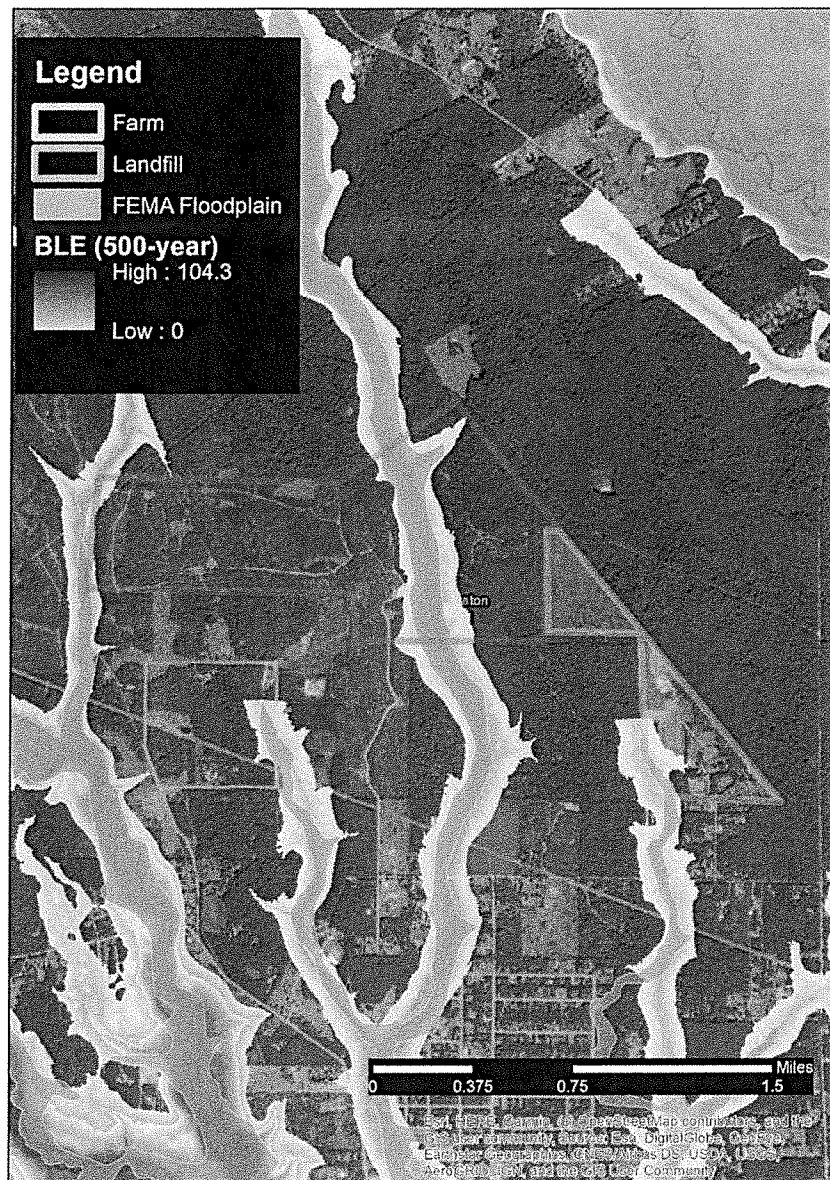
Estimated Base Level Engineering of 100-year floodplains. Data from FEMA Estimated Base Flood Elevation (estBFE) Viewer. This data is more up to date and was released in 2018.



Comparison of effective FEMA floodplains and more recent BLE 100-year floodplains. It is clear the newer data show generally broader floodplains, and even some locations vulnerable to flood flows that are not identified by FEMA flood hazard maps at all.



Estimated Base Level Engineering of 500-year floodplains, which is performed in addition to the 100-year analysis. Data from FEMA Estimated Base Flood Elevation (estBFE) Viewer. This data is more up to date and was released in 2018.



Comparison of effective FEMA floodplains and more recent BLE 500-year floodplains. Importantly, existing county FEMA maps do not show 500-year flood hazard areas, meaning vulnerably areas are not mapped. Using this more up to date data, the 500-year floodplains are broader than the 100-year floodplains identified by BLE data, which are in turn broader than the 100-year floodplains identified by older FEMA data. Both outputs from BLE analysis have strangely truncated floodplains along a couple different tributaries.



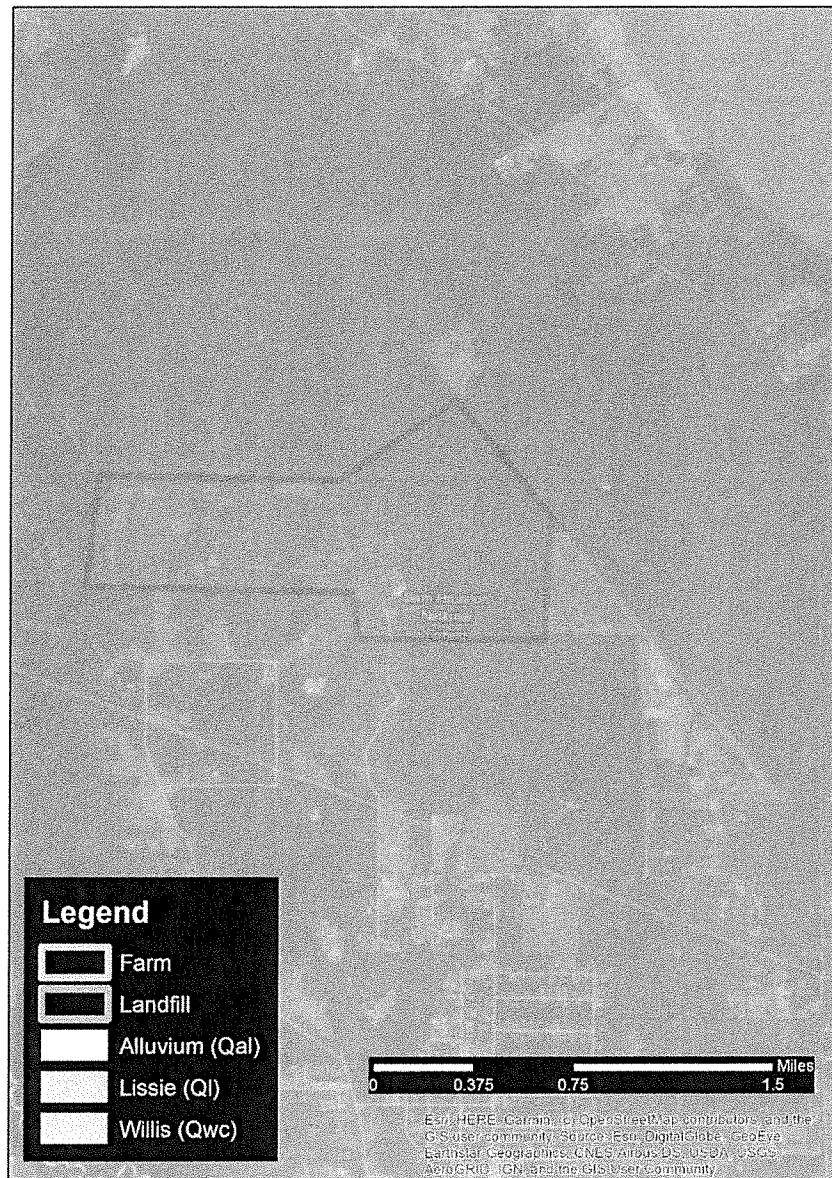
BLE 100-year floodplain as described earlier, overlaid on a digital elevation model from high-resolution (50 cm) lidar data collected for the State of Texas in 2017. This shows much more clearly the physical features that affect water flow and other processes across the area.



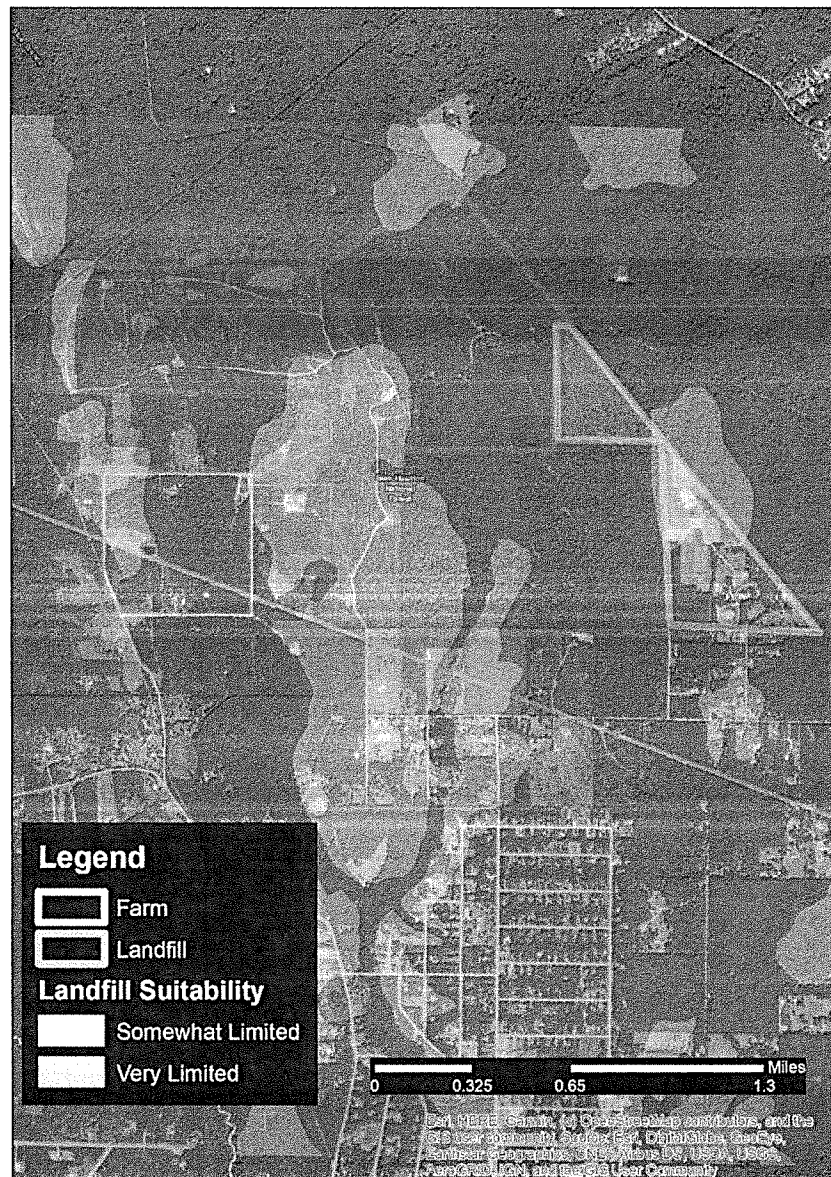
BLE 500-year floodplains as described earlier, overlaid the same high-resolution lidar data. This newer, more accurate data suggest the end of the two truncated floodplains is artificial, and a reanalysis would likely show these extending farther upstream, following the tributary channels visible in the elevation model. Newer resources are needed to accurately reflect flood risk.



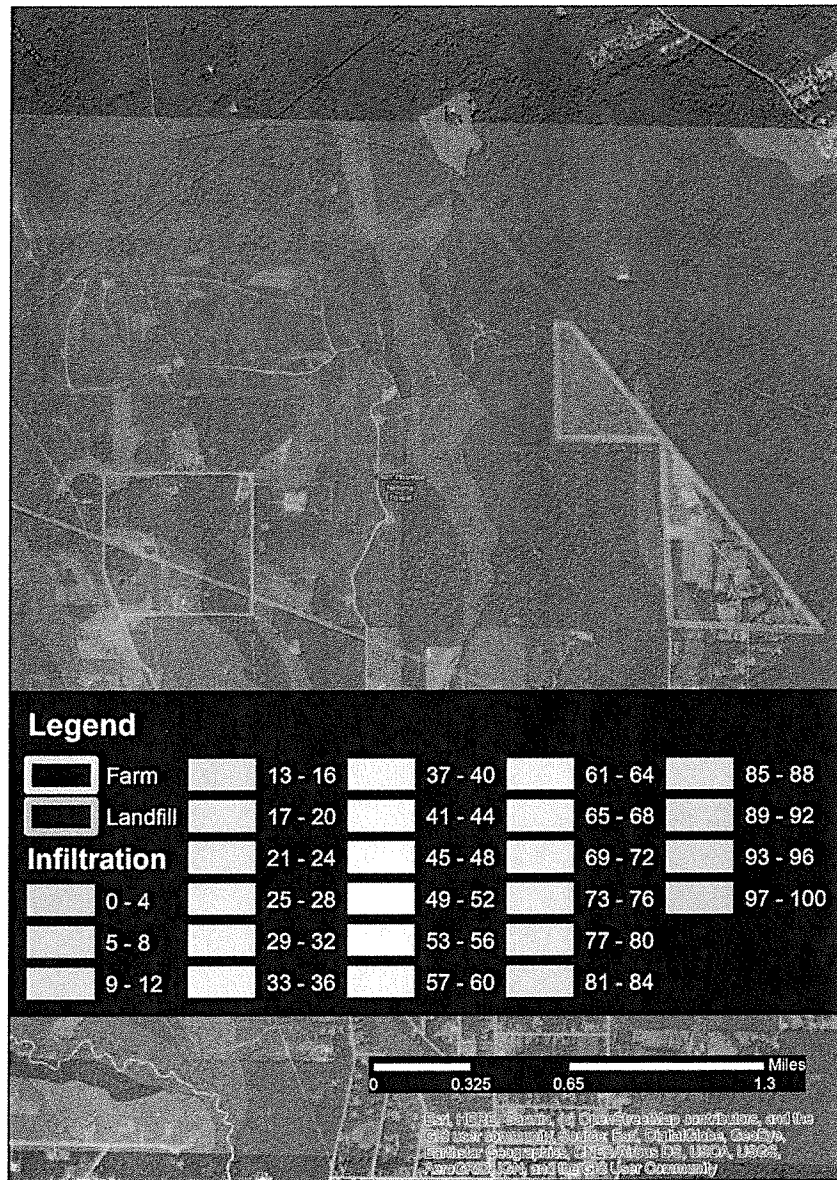
Flood risk of the farm and proposed landfill site as determined by First Street Foundation, via Flood Factor. This is the most robust modeling approach used to date and was released in 2020. The flow pathways that appeared truncated on the maps of floodplains more realistically reflect the direction of water flow. Once again, more high-quality data reveals greater flood risk than previously indicated.



Location of different geological formations in relation to the farm and proposed landfill site. Different geological layers usually indicate different subsurface materials and differences in physical processes. Data from Texas Natural Resources Information System and University of Texas Bureau of Economic Geology via U.S. Geological Survey Pocket Texas Geology.



Assessed suitability of soils for landfill use. Data from USDA-Natural Resources Conservation Service via Web Soil Survey Suitabilities and Limitations Ratings for "Sanitary Landfill (Area)." Most of the area is very limited for use as a sanitary landfill. This can be due to several soil variables.



Infiltration rate by soil type. Data from USDA-Natural Resources Conservation Service via Web Soil Survey Properties and Qualities Ratings for Saturated Hydraulic Conductivity (in micrometers per second). One of the biggest limitations for landfill construction is high infiltration rates through the soil profile, which can rapidly carry contaminants downward and to water-bearing layers. Due to their layers of clayey texture, most soils in this area have somewhat low infiltration rates.

TCEQ Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

REVIEWED

JUL 02 2021

By GCW

CHIEF CLERKS OFFICE

2021 JUL - 1 PM 3:07

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Date: June 29, 2021

Name: Davis H. Welden

Address: 270 Pine Valley RD

City, ST, Zip: Cleveland, TX 77328

Email Address: _____

Re: Peach Creek Environmental Park (PCEP) Proposed Landfill Permit Application No. Permit #2406


I am writing to request that the permit for Peach Creek EP Landfill MSW No 2406 be denied. There are four main concerns that form the basis for my comments.

1. If PCEP were to encounter financial challenges or worse, forced into an unexpected bankruptcy, (hopefully not from an environmental issue) the access road owner is PC II; therefore, the TCEQ needs access to the bankrupt LF, but the TCEQ cannot access because the PCE permit boundary is landlocked. Surely, the TCEQ can get into the permit area to monitor/manage any inherited environmental issues that might arise? Recall that the same Mississippi investors that own PC II, also own PCEP.
2. The natural drainage from Wood Duck Farm begins in the Sam Houston National Forest on the east and travels across the mid part of the farm in an east to west-direction; heavy rainwater flows from two different intervals into a floodplain creek that flows north to south just outside the western fence; this can be seen on the PC II property, see map. This creek spans perhaps 1500-2000 feet to the south and is undeniably situated within the 2010 FEMA floodplain. Please be aware that the property owned by PC II for the proposed access road is only 100 feet wide, not much room for detention ponds, and runs/flows north to south within the FEMA floodplain. The Army Corp of Engineers even said that removing trees for the access road within the known floodplain path will likely increase flood water velocity.
3. Local access road to landfill currently is in a floodplain, the road has a NO weight limits and will not hold up to garbage trucks constantly traveling the road.
4. No garbage trucks should be traveling through the local neighborhoods where children are playing. Only state highways should be used.

I applaud the actions of TCEQ for protecting our families and environment. I strongly request that you take the next logical step and reject this current Application No. MSW-2406.

Thank you for your consideration.

Sincerely



Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Thursday, April 22, 2021 1:52 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Wednesday, April 21, 2021 7:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 2815933642

FAX:

COMMENTS: This is Rajack road during hurricane Harvey This photo is of the proposed access/entrance road for the proposed landfill This road was under 2 ft of water during that storm This water travels down thru the forest from where the landfill is proposed to be built

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, April 28, 2021 9:37 AM
To: Woodduckfarm@yahoo.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

The TCEQ appreciates your interest in environmental issues. You may track the status of matters pending before the Commission for approval or view comments and requests by visiting the following website: <https://www14.tceq.texas.gov/epic/eCID/>. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

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COMPANY:

ADDRESS: 270 PINE VALLEY RD
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COMMENTS: This is Rajack road during hurricane Harvey This photo is of the proposed access/entrance road for the proposed landfill This road was under 2 ft of water during that storm This water travels down thru the forest from where the landfill is proposed to be built

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, November 17, 2020 9:48 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

PM

From: Woodduckfarm@yahoo.com <Woodduckfarm@yahoo.com>
Sent: Monday, November 16, 2020 8:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Van Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 2815933642

FAX:

COMMENTS: I desire to have a public meeting. I live on property that will be directly adjacent to the reposed landfill permit 2406 I am concerned and need to know more about any potential ground water contamination that might arise. Produce Farming is our livelihood and use we both well water and surface water fo irrigate our year round crops.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, November 18, 2020 11:25 AM
To: Woodduckfarm@yahoo.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you. If a decision is made to hold a public meeting, you will receive a hard copy of the public meeting notice in the mail.

The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: David Van Weldon

E-MAIL: Woodduckfarm@yahoo.com

COMPANY:

ADDRESS: 270 PINE VALLEY RD
CLEVELAND TX 77328-4510

PHONE: 2815933642

FAX:

COMMENTS: I desire to have a public meeting. I live on property that will be directly adjacent to the reposed landfill permit 2406 I am concerned and need to know more about any potential ground water contamination that might arise. Produce Farming is our livelihood and use we both well water and surface water fo irrigate our year round crops.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, December 28, 2020 9:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: marypwhisenant@gmail.com <marypwhisenant@gmail.com>
Sent: Saturday, December 26, 2020 11:40 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Mary Whisenant

E-MAIL: marypwhisenant@gmail.com

COMPANY:

ADDRESS: 910 MCADAMS VANN RD
CLEVELAND TX 77328-5661

PHONE: 2814329488

FAX:

COMMENTS: I want to have a contested hearing. I have lived in this area over 50 years, all of the area floods, we are just now getting to see pilates woodpeckers and bald eagles. With the landfill this will get in the ground and affect our drinking water. Our roads are not maintained well to begin with and to add extra heavy traffic.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, October 19, 2020 3:55 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: marypwhisenant@gmail.com <marypwhisenant@gmail.com>
Sent: Monday, October 19, 2020 3:54 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Mary Whisenant

E-MAIL: marypwhisenant@gmail.com

COMPANY:

ADDRESS: 910 MCADAMS VANN RD
CLEVELAND TX 77328-5661

PHONE: 2814329487

FAX:

COMMENTS: There is to many creeks rivers that feed into the trinity and san Jacinto river for a landfill. This area has water wells for drinking how will the water shed be protected? I am against this

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, October 21, 2020 8:37 AM
To: marypwhisenant@gmail.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

The TCEQ appreciates your interest in environmental issues. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

NOTE: Please do not respond to this email; it will not be answered. If you would like to submit additional comments, please use the online eComments system at: <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>

REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Mary Whisenant

E-MAIL: marypwhisenant@gmail.com

COMPANY:

ADDRESS: 910 MCADAMS VANN RD
CLEVELAND TX 77328-5661

PHONE: 2814329487

FAX:

COMMENTS: There is to many creeks rivers that feed into the trinity and san Jacinto river for a landfill. This area has water wells for drinking how will the water shed be protected? I am against this

FROM

NAME: Mary Whisenant

E-MAIL: marypwhisenant@gmail.com

COMPANY:

ADDRESS: 910 MCADAMS VANN RD
CLEVELAND TX 77328-5661

PHONE: 2814329488

FAX:

COMMENTS: I want to have a contested hearing. I have lived in this area over 50 years, all of the area floods, we are just now getting to see pilates woodpeckers and bald eagles. With the landfill this will get in the ground and affect our drinking water. Our roads are not maintained well to begin with and to add extra heavy traffic.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Friday, January 15, 2021 10:35 AM
To: marypwhisenant@gmail.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

All requests for hearings, if timely filed and authorized by statute or rule, are considered by the Commissioners. The Commissioners will consider your request during a regularly scheduled Commission meeting that is open to the public, and a determination will be made as to whether or not the request will be granted. You will be notified in writing when your request is scheduled for consideration. If your request is granted, the matter will be referred to the State Office of Administrative Hearings (SOAH). The SOAH hearing will be a formal, legal proceeding, conducted in a manner similar to civil trials in state district court. While not required, parties are usually represented by legal counsel. In order for an issue to be considered at a contested case hearing, it must have been first raised in a comment or in a request for a contested case hearing during the public comment period by the affected person or group requesting the hearing.

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Office of the Chief Clerk

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REGULATED ENTITY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, November 18, 2020 8:18 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: chelbchelb@gmail.com <chelbchelb@gmail.com>
Sent: Wednesday, November 18, 2020 1:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Shelby Wright

E-MAIL: chelbchelb@gmail.com

COMPANY:

ADDRESS: 125 PINE VALLEY RD
CLEVELAND TX 77328-4509

PHONE: 8324012768

FAX:

COMMENTS: I would like to request a hearing regarding this landfill. My home with my husband and our two children who are 3 and 2 are with in the mile radius of the landfill. It will end up making my babies sick, we don't have enough money to move away from here. I've lived in this neighborhood my entire life. It would ruin our well water completely. It would pollute our air. Please, we would like to do anything we legally can to help stop this from happening. There are so many families here that it would eventually harm.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, November 23, 2020 4:16 PM
To: chelbchelb@gmail.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

All requests for hearings, if timely filed and authorized by statute or rule, are considered by the Commissioners. The Commissioners will consider your request during a regularly scheduled Commission meeting that is open to the public, and a determination will be made as to whether or not the request will be granted. You will be notified in writing when your request is scheduled for consideration. If your request is granted, the matter will be referred to the State Office of Administrative Hearings (SOAH). The SOAH hearing will be a formal, legal proceeding, conducted in a manner similar to civil trials in state district court. While not required, parties are usually represented by legal counsel. In order for an issue to be considered at a contested case hearing, it must have been first raised in a comment or in a request for a contested case hearing during the public comment period by the affected person or group requesting the hearing.

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Sincerely,
Office of the Chief Clerk

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REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Shelby Wright

E-MAIL: chelbchelb@gmail.com

COMPANY:

ADDRESS: 125 PINE VALLEY RD
CLEVELAND TX 77328-4509

PHONE: 8324012768

FAX:

COMMENTS: I would like to request a hearing regarding this landfill. My home with my husband and our two children who are 3 and 2 are with in the mile radius of the landfill. It will end up making my babies sick, we don't have enough money to move away from here. I've lived in this neighborhood my entire life. It would ruin our well water completely. It would pollute our air. Please, we would like to do anything we legally can to help stop this from happening. There are so many families here that it would eventually harm.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, April 28, 2021 9:19 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: chelbchelb@gmail.com <chelbchelb@gmail.com>
Sent: Monday, April 26, 2021 1:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MRS Shelby Lynn Wright

E-MAIL: chelbchelb@gmail.com

COMPANY:

ADDRESS: 125 PINE VALLEY RD
CLEVELAND TX 77328-4509

PHONE: 8324012768

FAX:

COMMENTS: This will hurt so many families in our area. It will hurt our children! We have well water we won't even be able to drink anymore. It will cause us not to be able to keep our garden that helps feed our families. It will cause us to loose our chickens and pigs that also help feed my family. Also the area all around floods really bad so it will be washing up all sorts of garbage from the landfill. Rajak is the road they want to use and it horribly floods during heavy rain see the pictures attached. Please, please for all of our health don't let this happen

Deornette Monteleone

From: PUBCOMMENT-OCC
Sent: Thursday, May 13, 2021 8:50 AM
To: chelbchelb@gmail.com
Subject: Public comment on Permit Number 2406

Thank you for your comments.

A copy of your email will be forwarded to the Texas Commission on Environmental Quality (TCEQ) staff responsible for reviewing the application. All timely filed comments will be considered by the staff prior to the final decision on the application. You will be added to the mailing list for this application. After the opportunity to submit comments ends, a copy of the formal written response to all timely filed comments will be mailed to you.

The TCEQ appreciates your interest in environmental issues. You may track the status of matters pending before the Commission for approval or view comments and requests by visiting the following website:
<https://www14.tceq.texas.gov/epic/eCID/>. If you have any further questions, please feel free to contact the Public Education Program staff at 800-687-4040.

Sincerely,
Office of the Chief Clerk

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REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: MRS Shelby Lynn Wright

E-MAIL: chelbchelb@gmail.com

COMPANY:

ADDRESS: 125 PINE VALLEY RD
CLEVELAND TX 77328-4509

PHONE: 8324012768

FAX:

COMMENTS: This will hurt so many families in our area. It will hurt our children! We have well water we won't even be able to drink anymore. It will cause us not to be able to keep our garden that helps feed our families. It will cause us to loose our chickens and pigs that also help feed my family. Also the area all around floods really bad so it will be washing up all sorts of garbage from the landfill. Rajak is the road they want to use and it horribly floods during heavy rain see the pictures attached. Please, please for all of our health don't let this happen

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Monday, October 19, 2020 4:00 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

From: chelbchelb@gmail.com <chelbchelb@gmail.com>
Sent: Monday, October 19, 2020 3:37 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Shelby Wright

E-MAIL: chelbchelb@gmail.com

COMPANY:

ADDRESS: 125 PINE VALLEY RD
CLEVELAND TX 77328-4509

PHONE: 8324011111

FAX:

COMMENTS: It has come to my attention that a Landfill is supposed to be put right next to us basically. There are alot of people in this area that will start getting very sick if that happens. My husband and I have a three year old and a two year old who will get very sick from that nasty stuff being next to us. My little brother lives next door and is already high risk for sickness so that would hurt him even more so. Not to mention what y'all would be doing to all of our well water.

Elisa Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, October 21, 2020 8:36 AM
To: chelbchelb@gmail.com
Subject: Public comment on Permit Number 2406

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REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Shelby Wright

E-MAIL: chelbchelb@gmail.com

COMPANY:

ADDRESS: 125 PINE VALLEY RD
CLEVELAND TX 77328-4509

PHONE: 8324011111

FAX:

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Lori Rowe

From: PUBCOMMENT-OCC
Sent: Tuesday, September 28, 2021 1:32 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WPD
Subject: FW: Public comment on Permit Number 2406

H

From: kaytangy@gmail.com <kaytangy@gmail.com>
Sent: Tuesday, September 28, 2021 12:29 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number 2406

REGULATED ENTY NAME PEACH CREEK ENVIRONMENTAL PARK

RN NUMBER: RN110843042

PERMIT NUMBER: 2406

DOCKET NUMBER:

COUNTY: SAN JACINTO

PRINCIPAL NAME: PC-II LLC

CN NUMBER: CN605694611

FROM

NAME: Katy Yang

E-MAIL: kaytangy@gmail.com

COMPANY:

ADDRESS: 15838 HILLSIDE FALLS TRL
HOUSTON TX 77062-4792

PHONE: 8324665629

FAX:

COMMENTS: I oppose Permit #2406, Peach Creek Municipal Landfill (PCML). I am concerned that unacceptable environmental impacts will occur on Sam Houston National Forest (SHNF), Wood Duck Farm, and private homesteads due to PCML. SHNF provides clean drinking water via ground/surface waters for local citizens and the City of Houston. I am concerned about road access, water, air, noise, odor, litter, and scenic pollutions, flooding, fires, road

overuse/damage, and other environmental impacts that PCML may have. At a minimum, the PCML should be amended to include the access road and hold a contested case hearing.