

Brooke T. Paup, *Chairwoman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 26, 2025

TO: All interested persons.

RE: City of Abilene
TPDES Permit No. WQ0005213000

Decision of the Executive Director.

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any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at chiefclk@tceq.texas.gov. A complete copy of the RTC (including the mailing list), complete application, draft permit and related documents, including public comments, are available for review at the TCEQ Central Office. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Breckenridge Public Library, 209 North Breckenridge Avenue, Breckenridge, Texas.

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

How to Request a Contested Case Hearing.

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

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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

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

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

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

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

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

Deadline for Submitting Requests.

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date

of this letter. You may submit your request electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html or by mail to the following address:

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

Processing of Requests.

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

How to Obtain Additional Information.

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

Sincerely,

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis
Chief Clerk

LG/erg

Enclosure

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT
for
City of Abilene
TPDES Permit No. WQ0005213000

The Executive Director has made the Response to Public Comment (RTC) for the application by City of Abilene for TPDES Permit No. WQ0005213000 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:

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

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0005213000) and click the "Search" button. The search results will display a link to the RTC.

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

Additional Information

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

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Breckenridge Public Library, 209 North Breckenridge Avenue, Breckenridge, Texas.



COMISIÓN DE CALIDAD AMBIENTAL DE TEXAS

Protegiendo a Texas reduciendo y previniendo la contaminación

26 de junio de 2025

TO: Todas las personas interesadas.

RE: City of Abilene
TPDES Permiso No. WQ0005213000

Decisión del Director Ejecutivo.

El director ejecutivo ha tomado la decisión de que la solicitud de permiso mencionada anteriormente cumple con los requisitos de la ley aplicable. **Esta decisión no autoriza la construcción u operación de ninguna instalación propuesta.** Esta decisión será considerada por los comisionados en una reunión pública programada regularmente antes de que se tome cualquier medida sobre esta solicitud, a menos que todas las solicitudes de audiencia o reconsideración de casos impugnados hayan sido retiradas antes de esa reunión.

Se adjuntan a esta carta las instrucciones para ver en Internet la Respuesta del Director Ejecutivo al Comentario Público (RTC). Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov. Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios públicos, están disponibles para su revisión en la Oficina Central de TCEQ. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en la Biblioteca Pública de Breckenridge, 209 North Breckenridge Avenue, Breckenridge, Texas.

Si no está de acuerdo con la decisión del director ejecutivo y cree que es una "persona afectada" como se define a continuación, puede solicitar una audiencia de caso impugnado. Además, cualquier persona puede solicitar la reconsideración de la decisión del director ejecutivo. Los procedimientos para la evaluación de la comisión de las solicitudes de audiencia/solicitudes de reconsideración se encuentran en 30 Código Administrativo de Texas, Capítulo 55, Subcapítulo F. A continuación, se presenta una breve descripción de los procedimientos para estas dos solicitudes.

Cómo solicitar una audiencia de caso impugnado.

Es importante que su solicitud incluya toda la información que respalde su derecho a una audiencia de caso impugnado. Su solicitud de audiencia debe demostrar que cumple con los requisitos legales aplicables para que se le conceda su solicitud de audiencia. La consideración de la comisión de su solicitud se basará en la información que usted proporcione.

La solicitud debe incluir lo siguiente:

- (1) Su nombre, dirección, número de teléfono durante el día y, si es posible, un número de fax.
- (2) El nombre del solicitante, el número de permiso y otros números enumerados anteriormente para que su solicitud pueda procesarse adecuadamente.
- (3) Una declaración que exprese claramente que está solicitando una audiencia de caso impugnado. Por ejemplo, la siguiente declaración sería suficiente: "Solicito una audiencia de caso impugnado".
- (4) Si la solicitud es realizada por un grupo o asociación, la solicitud debe identificar:
 - (A) una persona por nombre, dirección, número de teléfono durante el día y, si es posible, el número de fax, de la persona que será responsable de recibir todas las comunicaciones y documentos para el grupo.;
 - (B) los comentarios sobre la solicitud presentada por el grupo que constituyen la base de la solicitud de audiencia; y
 - (C) por nombre y dirección física, uno o más miembros del grupo que de otro modo tendrían derecho a solicitar una audiencia por derecho propio. Los intereses que el grupo busca proteger deben estar relacionados con el propósito de la organización. Ni la reclamación alegada ni la reparación solicitada deben requerir la participación de los miembros individuales en el caso.

Además, su solicitud debe demostrar que usted es una **"persona afectada"**. Una persona afectada es aquella que tiene un interés justiciable personal relacionado con un derecho, deber, privilegio, poder o interés económico legal afectado por la solicitud. Su solicitud debe describir cómo y por qué se vería afectado negativamente por la instalación o actividad propuesta de una manera que no sea común al público en general. Por ejemplo, en la medida en que su solicitud se base en estas preocupaciones, debe describir el impacto probable en su salud, seguridad o usos de su propiedad que puedan verse afectados negativamente por la instalación o las actividades propuestas. Para demostrar que tiene un interés personal justiciable, debe indicar, tan específicamente como pueda, su ubicación y la distancia entre su ubicación y la instalación o actividades propuestas.

Su solicitud debe plantear cuestiones de hecho controvertidas que sean relevantes y materiales para la decisión de la comisión sobre esta solicitud que fueron planteadas **por usted** durante el período de comentarios públicos. La solicitud no puede basarse únicamente en cuestiones planteadas en los comentarios que haya retirado.

Para facilitar la determinación por parte de la comisión del número y alcance de los asuntos que se remitirán a la audiencia, usted debe: 1) especificar cualquiera de las respuestas del director ejecutivo a **sus** comentarios que usted disputa; 2) la base fáctica de la disputa; y 3) enumerar cualquier cuestión de derecho en disputa.

Cómo solicitar la reconsideración de la decisión del Director Ejecutivo.

A diferencia de una solicitud de audiencia de caso impugnado, cualquier persona puede solicitar la reconsideración de la decisión del director ejecutivo. Una solicitud de reconsideración debe contener su nombre, dirección, número de teléfono durante el día y, si

es posible, su número de fax. La solicitud debe indicar que está solicitando la reconsideración de la decisión del director ejecutivo, y debe explicar por qué cree que la decisión debe ser reconsiderada.

Fecha límite para la presentación de solicitudes.

La oficina del Secretario Oficial debe **recibir** una solicitud de audiencia de caso impugnado o reconsideración de la decisión del director ejecutivo a más tardar **30 días calendario** después de la fecha de esta carta. Puede enviar su solicitud electrónicamente a www.tceq.texas.gov/agency/decisions/cc/comments.html o por correo a la siguiente dirección:

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

Procesamiento de solicitudes.

Las solicitudes oportunas para una audiencia de caso impugnado o para la reconsideración de la decisión del director ejecutivo se remitirán al Programa de Resolución Alternativa de Disputas de TCEQ y se incluirán en la agenda de una de las reuniones programadas regularmente de la comisión. Las instrucciones adicionales que explican estos procedimientos se enviarán a la lista de correo adjunta cuando se haya programado esta reunión.

Cómo obtener información adicional.

Si tiene alguna pregunta o necesita información adicional sobre los procedimientos descritos en esta carta, llame al Programa de Educación Pública, al número gratuito, 1-800-687-4040.

Atentamente,



Laurie Gharis
Secretaria Oficial

LG/erg

Recinto

RESPUESTA DEL DIRECTOR EJECUTIVO AL COMENTARIO DEL PÚBLICO
para
City of Abilene
TPDES Permiso No. WQ0005213000

El Director Ejecutivo ha puesto a disposición de Internet la respuesta al comentario público (RTC) para la solicitud de City of Abilene del permiso de TPDES No. WQ0005213000. Puede ver e imprimir el documento visitando la Base de Datos Integrada de los Comisionados de TCEQ en el siguiente enlace:

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

Para ver el RTC en el enlace anterior, ingrese el número de identificación TCEQ para esta solicitud (WQ0005213000) y haga clic en el botón "Buscar". Los resultados de la búsqueda mostrarán un enlace al RTC.

Las personas que prefieran una copia por correo del RTC o que tengan problemas para acceder al RTC en el sitio web, deben comunicarse con la Oficina del Secretario Oficial, por teléfono al (512) 239-3300 o por correo electrónico a chiefclk@tceq.texas.gov.

Información adicional

Para obtener más información sobre el proceso de participación pública, puede comunicarse con la Oficina del Asesor de Interés Público al (512) 239-6363 o llamar al Programa de Educación Pública, al número gratuito, (800) 687-4040.

Una copia completa del RTC (incluida la lista de correo), la solicitud completa, el borrador del permiso y los documentos relacionados, incluidos los comentarios, están disponibles para su revisión en la Oficina Central de TCEQ en Austin, Texas. Además, una copia de la solicitud completa, el borrador del permiso y la decisión preliminar del director ejecutivo están disponibles para ver y copiar en la Biblioteca Pública de Breckenridge, 209 North Breckenridge Avenue, Breckenridge, Texas.

MAILING LIST / LISTA DE CORREO
for / para
City of Abilene
TPDES Permit No. WQ0005213000 / TPDES Permiso No. WQ0005213000

FOR THE APPLICANT /
PARA EL SOLICITANTE:

Rodney Taylor, Director of Water Utilities
City of Abilene
P.O. Box 60
Abilene, Texas 79604

Luce Dunn, P.E., Senior Project Manager
Enprotec/Hibbs & Todd, Inc.
P.O. Box 3097
Abilene, Texas 79604

INTERESTED PERSONS /
PERSONAS INTERESADAS:

See attached list. / Ver lista adjunta.

FOR THE EXECUTIVE DIRECTOR /
PARA EL DIRECTOR EJECUTIVO
via electronic mail /
por correo electrónico:

Ryan Vise, Deputy Director
Texas Commission on Environmental
Quality
External Relations Division
Public Education Program MC-108
P.O. Box 13087
Austin, Texas 78711-3087

Aubrey Pawelka, Staff Attorney
Texas Commission on Environmental
Quality
Environmental Law Division MC-173
P.O. Box 13087
Austin, Texas 78711-3087

Alexander Owens, Technical Staff
Texas Commission on Environmental
Quality
Water Quality Division MC-148
P.O. Box 13087
Austin, Texas 78711-3087

FOR PUBLIC INTEREST COUNSEL /
PARA ABOGADOS DE INTERÉS PÚBLICO
via electronic mail /
por correo electrónico:

Garrett T. Arthur, Attorney
Texas Commission on Environmental
Quality
Public Interest Counsel MC-103
P.O. Box 13087
Austin, Texas 78711-3087

FOR THE CHIEF CLERK /
PARA EL SECRETARIO OFICIAL
via electronic mail
por correo electrónico:

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

ALDRICH , LYNNE
1346 BALCONES LN
GRAFORD TX 76449-1969

ATWELL , BOBETTE & DONALD
4917 WYNNE LN
GRAHAM TX 76450-5845

BAKER , MARVIN
9451 PRIVATE ROAD 11485
GRAHAM TX 76450-5223

BANKS , CAYLER
130 FM 2270
MINERAL WELLS TX 76067-2626

BEESON , CHRIS
UNIT 145
1601 FORUM CIR
GRAFORD TX 76449-1917

BENDER , BRUCE
349 ROBINSON LN
GRAFORD TX 76449-3154

BENNETT , GELASIA
LUSH RESORT
3201 REDBIRD RD
GRAFORD TX 76449-6018

BERRYHILL , JAMIE
PO BOX 4
CADDO TX 76429-0004

BETTIS , MARSHA
101 N FM 2353
GRAFORD TX 76449-3103

BIRDWELL , SANDRA K
5127 FM 1148
GRAHAM TX 76450-5805

BLAY , JIM
PO BOX 783
BUFFALO GAP TX 79508-0783

BLAY , LUANN
PO BOX 783
BUFFALO GAP TX 79508-0783

BRADSHAW , ED
4075 BUNTING AVE
FORT WORTH TX 76107-2401

BULLOCK , JANEL
749 EN 12TH ST
ABILENE TX 79601-3801

BURKE , JENT & STACY
8725 COUNTY ROAD 300
GRAHAM TX 76450-5241

BURKE , MR STEVE
5100 FORESLAKE CT
ARLINGTON TX 76017-3747

BURKETT , DEBORAH & JIM
PO BOX 200
GRAHAM TX 76450-0200

BUTLER , DR. BRAD
4351 BAILEY RD
GRAHAM TX 76450-5285

BUTLER , BRAD G
317 MILLER LN
ABILENE TX 79602-3425

BYRGE , DAVID & JEANINE
4609 FM 1148
GRAHAM TX 76450-5896

BYRGE , JEANINE
4609 FM 1148
GRAHAM TX 76450-5896

CAREY , KATIE & MARC
417 NELSON ST
BUCKLEY WA 98321-5501

CAREY , TERRY
PO BOX 1
CADDO TX 76429-0001

CARLSON , CHRIS
4104 BRIDLEWOOD CT
COLLEYVILLE TX 76034-3760

CATHEY , SUE
715 DOVE LN
GRAFORD TX 76449-3140

CHICKO , JEREMY JO
9101 PRIVATE ROAD 11482
GRAHAM TX 76450-5221

CHICKO , ROBERT
9101 PRIVATE ROAD 11482
GRAHAM TX 76450-5221

CHRISTIAN , WAYNE
1008 WOODLAWN ST
GRAHAM TX 76450-4334

COCKRELL , JUDY & ROGER
513 FROGLAWN CT
GRAFORD TX 76449-1215

CONLEY , CATHY & RICKY
15 OYSTER BAY
GRAFORD TX 76449-5100

CONLIN , CRAIG & MONA
316 SW 79TH ST
LAWTON OK 73505-6400

COX , DENNIS & SHARON
273 W HELLS GATE DR
STRAWN TX 76475-2418

DAKE , JAMES
514 FISH HAVEN RD
GRAFORD TX 76449-3144

DAVIS , BLAKE & MICHELLE
8967 COUNTY ROAD 300
GRAHAM TX 76450-5292

DAVIS , MICHELLE
8967 COUNTY ROAD 300
GRAHAM TX 76450-5292

DAY , BILLIE & PHILLIP
90 N GLEN ABBEY CIR
GRAFORD TX 76449-5035

DESCOTEAUX , PAUL
17740 N STATE HIGHWAY 16
GRAFORD TX 76449-4714

DURHAM , DEANE
5101 FM 1148
GRAHAM TX 76450-5805

DURHAM , VICKI
5101 FM 1148
GRAHAM TX 76450-5805

ERLEMEIER , JAMES
889 SHIPROCK RD
FRISCO TX 75033-0262

FEIGHNER , COLLEEN & MARK
460 E JETER RD
BARTONVILLE TX 76226-9585

FEIGHNER , MARK
460 E JETER RD
BARTONVILLE TX 76226-9585

FERRER , ROSENDO J
1598 CANYON WREN LOOP
GRAFORD TX 76449-3211

FEWELL , MERT
1007 REDBUD PT
GRAFORD TX 76449-6006

FOX , DAVID
1001 AGARITA CIR
GRAFORD TX 76449-4503

FRENCH , KERRI
PO BOX 90
GRAFORD TX 76449-0090

FULLFORD , STACY
100 ROCK CREEK LOOP
GRAFORD TX 76449-3227

FUQUA , MIKL
3865 MOUNTAIN VIEW RD
CADD0 TX 76429-2720

GALVAN , ARTHUR & MELISSA
PO BOX 1003
DENVER CITY TX 79323-1003

GIBSON, JOHNNY & MILLER, JOLYNN
1558 HUMMINGBIRD LN
GRAFORD TX 76449-3179

GORMAN , PATRICK A
3504 MCNIEL AVE
WICHITA FALLS TX 76308-1505

GOTTSCHLING , PETER
1346 BALCONES LN
GRAFORD TX 76449-1969

GRAY , STEVE
664 GLENHOLLOW
GORDON TX 76453-1232

GREEN , CARY
9935 FM ROAD 4
GRAFORD TX 76449-5927

GREEN , CURTIS JOHN
1211 RIDGEWOOD CIR
SOUTHLAKE TX 76092-9236

GREGORY , EDDY
363 ROCK CREEK LOOP
GRAFORD TX 76449-3139

GREGORY , JILL
363 ROCK CREEK LOOP
GRAFORD TX 76449-3139

GRISHAM , SHAWN M
4024 NAZARENE DR
CARROLLTON TX 75010-6413

HALGRIAMON , KATHY
8925 COUNTY ROAD 299
GRAHAM TX 76450-5235

HALL , RONDA
1196 WILLOW RD
GRAFORD TX 76449-3193

HAMILTON , GREG
9087 COUNTY ROAD 300
GRAHAM TX 76450-5245

HAMILTON , BLAKE
BLAKE HAMILTON
4 SENDERO RD
BRECKENRIDGE TX 76424-1907

HAMLETT , CRAIG
28790 RILEY RD
WALLER TX 77484-6118

HAMMOND , MIKE & PAM
486 FROG BRANCH CT
GRAFORD TX 76449-1213

HANNA , ROBERT
PO BOX 60
ABILENE TX 79604-0060

HARDIN , ANGELIA & DANNY
PO BOX 458
GRAFORD TX 76449-0458

HART , BOB & PENNY
1667 ELLIS SOD RD
GRAFORD TX 76449-3188

HART , NEIL
4815 GREEN ACRES RD
GRAHAM TX 76450-5823

HAYWARD , LINDA & RIC
460 TURNBERRY LOOP
GRAFORD TX 76449-5276

HEARD , SAM
17925 PRIVATE ROAD 3003
GRAHAM TX 76450-5275

HEARD , SAM
19725 PRIVATE ROAD 3003
GRAHAM TX 76450

HEPFNER , KEVIN
705 BAY HILL DR
GRAFORD TX 76449-5005

HILL , JASON
J T HILL PLLC
STE 200
3800 N LAMAR BLVD
AUSTIN TX 78756-4011

HILL , MARY & REID
987 E HELLS GATE DR
GRAFORD TX 76449-4617

HOLLEY , DAVID
1005 LAREDO ST
GRAFORD TX 76449-1503

HOLMES , MICKY
1002 CEDAR DR
GRAFORD TX 76449-1500

JACKSON , JENA & JUSTIN
8301 COUNTY ROAD 300
GRAHAM TX 76450-5387

JACKSON , LES & MARYANN
138 TURTLE DOVE LN
GRAFORD TX 76449-1942

JASPER , WILLIAM M
4853 PIKE RD
GRAHAM TX 76450-5833

JENNINGS , MARK
708 WILDWOOD TRL
WEATHERFORD TX 76085-5720

JOHNSON , CAROL & TOMMY
505 FROG BRANCH CT
GRAFORD TX 76449-1215

JONES , LISA
1582 N LAKEVIEW DR
PALO PINTO TX 76484-3951

JORDAN , STEVE
9195 PRIVATE ROAD 2993
GRAHAM TX 76450-5257

JORDAN , CHAD
3034 S KELLER RD
MINERAL WELLS TX 76067-1558

JORDAN , CODY
3034 S KELLER RD
MINERAL WELLS TX 76067-1558

KALLESTAD , VICKI
4521 WHITE LN
GRAHAM TX 76450-5843

KANNON , JUDI
5439 FM 1148
GRAHAM TX 76450-5710

KANNON , MARK
5439 FM 1148
GRAHAM TX 76450-5710

KENNEDY , KIRK
1443 COUNTY ROAD 204
BURNET TX 78611-6190

KEYS , DARRIN
1417 EBELING DR
PLAINVIEW TX 79072-9235

KIDWELL , JAY
629 COUNTY ROAD 570A
EASTLAND TX 76448-6639

KIDWELL , TERESA
5145 WILSON RD
GRAHAM TX 76450-5807

KONVICKA , BENNI
1315 N DALE AVE
STEPHENVILLE TX 76401-1604

KORKMAS , KELLY
50 HARBOUR TOWN DR
GRAFORD TX 76449-5125

KORKMAS , ROSS
50 HARBOUR TOWN DR
GRAFORD TX 76449-5125

KRAMER , TERI
4913 PERSHING AVE
FORT WORTH TX 76107-4931

LAND , CAROLYN
155 RIVER RD
GRAFORD TX 76449-3157

LAND , MONTE
155 RIVER RD
GRAFORD TX 76449-3157

LATTIMORE , GLENN
1755 PARK ROAD 36
GRAFORD TX 76449-4574

LATTIMORE JR , JAMES P
1755 PARK ROAD 36
GRAFORD TX 76449-4574

LEA , KATHY
2018 BLUFF CREEK DR
STRAWN TX 76475-2351

LEA , LUKE
2018 BLUFF CREEK DR
STRAWN TX 76475-2351

LESTER , JEFF
10501 W SUNDOWN LN
AMARILLO TX 79119-5892

LEWIS , JULIE & SAM
321 BUTLER POINT RD
GRAFORD TX 76449-3155

LEWIS , MR JOHN MICHAEL
8845 COUNTY ROAD 300
GRAHAM TX 76450-5243

LEWIS , MR JOHN MICHAEL
158 CORAL MOUNTAIN RANCH RD
GRAHAM TX 76450-6851

LINK , PEGGY
1504 OLD ORCHARD DR
IRVING TX 75061-7865

LINK , STEVE
1504 OLD ORCHARD DR
IRVING TX 75061-7865

LUNSFORD , WILL
9087 COUNTY ROAD 300
GRAHAM TX 76450-5245

MACDONALD , BRUCE & LAURA
23 YORK DR
FORT WORTH TX 76134-2546

MACKINNON , SHANNON J
703 M ANTHONY LOOP
GRAFORD TX 76449-3136

MALZAHN , TIFFANY
BRAZOS RIVER AUTHORITY
4600 COBBS DR
WACO TX 76710-3008

MALZAHN , TIFFANY
BRAZOS RIVER AUTHORITY
PO BOX 7555
WACO TX 76714-7555

MASERANG , ROCK
4812 FM 1148
GRAHAM TX 76450-5819

MCCULLOCH , TOMMY
1605 TANGLEWOOD DR
WICHITA FALLS TX 76309-1422

MCKELVAIN , BURRELL & DANA
9943 FM 1853
MORAN TX 76464-4015

MCQUINN , BETTIE
PO BOX 766
GRAHAM TX 76450-0766

MCREYNOLDS , BARBARA & WALEY
17901 PRIVATE ROAD 3003
GRAHAM TX 76450-5275

MERRITT , KAY
5509 CASA GRANDE TRL
MIDLAND TX 79707-2122

MIKESKA , MICHAEL M
6317 ORCHID LN
DALLAS TX 75230-4033

MILLER , DAVID TRUETT
2314 UNDERWOOD RD
ALEDO TX 76008-2442

MILLER , RONNIE
TXN
404 COUNTY ROAD 4526
HONDO TX 78861-6085

MILLS , EILEEN & HENRY
4607 FM 1148
GRAHAM TX 76450-5896

MITCHAM , ANGELA & BARRY
PO BOX 1537
GRAHAM TX 76450-7537

MONTOYA , ENID
169 RIVER RD
GRAFORD TX 76449-3157

MOSS , WILLIAM D
1001 BRIAR CIR
GRAFORD TX 76449-1201

NAGLE , CINDY
4437 CHAPEL RD
GRAHAM TX 76450-5810

NAGLE , GREG
4437 CHAPEL RD
GRAHAM TX 76450-5810

NAISER , VALERIE
1217 PRESTWICK CT
GRANBURY TX 76048-4018

NAISER , MR RONALD J
1217 PRESTWICK CT
GRANBURY TX 76048-4018

NANCE , BRENT
5407 EDGEWATER
GRAHAM TX 76450-5714

NELSON , ERIC
3711 DUSTIN TRL
DWG TX 76016-3902

NELSON , ERIC
1223 MCGINNIS PT
GRAFORD TX 76449-3112

NELSON , GRANT
4739 OAK CLUB DR
ARLINGTON TX 76017-2544

NORMAN , GARY
231 COTTONGAME RD
WEATHERFORD TX 76088-7654

NUNLEY , RODNEY
2189 TRAIL RIDGE RD
GRAFORD TX 76449

OLIVER , JUTTA
123 MULBERRY DR
GRAFORD TX 76449-3128

PACE , KAREN
8019 PRIVATE ROAD 3001
GRAHAM TX 76450-5259

PACE , DANNY
8019 PRIVATE ROAD 3001
GRAHAM TX 76450-5259

PAGE , JOSHUA
1028 ROBIN LN
GRAFORD TX 76449-6004

PARKER , JAN
831 FM 1166
QUANAH TX 79252-7331

PARKER , RANDEL
831 FM 1166
QUANAH TX 79252-7331

PARKISON , TOMMY
UNIT C
99 BREDDING DR
GRAFORD TX 76449-3260

PATTERSON , MIKE
STE 100
2310 W INTERSTATE 20
ARLINGTON TX 76017-1677

PATTON , MIKE
9557 COUNTY ROAD 331
GRAHAM TX 76450-5270

PAYNE , RONALD
1 WILLOWICK ST
BRECKENRIDGE TX 76424-5009

PAYNE , SUZETTE
1026 ROBIN LN
GRAFORD TX 76449-6004

PERKINS , THOMAS R
302 WINDJAMMER WAY
WICHITA FALLS TX 76308-5842

PETERSON , CHRISTIA & MIKE
1252 SPARROW CT
GRAFORD TX 76449-1973

PETERSON , GREGORY L
100 SANDALWOOD CT
WEATHERFORD TX 76085-8235

PETERSON , JEFF
4459 CHAPEL RD
GRAHAM TX 76450-5810

PHILLIPS , BRADY & SHERYL
UNIT 26
4812 SUNSET LN
GRAHAM TX 76450-5846

PILAND , RUTH
1173 WILLOW RD
GRAFORD TX 76449-3113

PINKSTON , AMY
PO BOX 432
BRYSON TX 76427-0432

PINKSTON , WAYNE
PO BOX 432
BRYSON TX 76427-0432

PIRRAGLIA , ORVILLE & VIRGINIA
9134 PRIVATE ROAD 2993
GRAHAM TX 76450-5256

PITTS , JUDITH & MICHAEL
1104 SUNSET COVE RD
STRAWN TX 76475-2360

POPE , PEGGY
337 CINNAMON TEAL
GRAFORD TX 76449-1120

POSPISIL , REBECCA & RUDY
709 ELMWOOD
FLOWER MOUND TX 75022-4305

PRUETT , J TOM
4837 PIKE RD
GRAHAM TX 76450-5833

PRUITT , DEBORAH E
101 BREDDING DR
GRAFORD TX 76449-3160

PULLIAM , MR CLARK
STE 800
2828 ROUTH ST
DALLAS TX 75201-1462

QUERALT , JOHN
3936 BENT ELM LN
FORT WORTH TX 76109-2009

RATTO , RANDY
2627 MURRELL DR
GRAFORD TX 76449-4343

REILLY , JOHN
621 HOMEWOOD DR
PLANO TX 75025-6108

ROBERSON , MR WADE
155 CROOKED CREEK LN
ALEDO TX 76008-4583

ROBERTS , MELISSA
8917 ESTRIBO CIR
FORT WORTH TX 76126-1855

ROGERS , GLEN
1832 GRASSY RIDGE RD
GRAFORD TX 76449-5903

ROGERS , THE HONORABLE GLENN STATE
REPRESENTATIVE
TEXAS HOUSE OF REPRESENTATIVES DISTRICT 60
PO BOX 2910
AUSTIN TX 78768-2910

RULESTEAD , DEBBIE & EDWARD
1309 NW 15TH ST
ANDREWS TX 79714-2610

SAHS , MARY K
1802 COLLIER ST
AUSTIN TX 78704-2822

SANDERS , GRADY & JAME
8365 COUNTY ROAD 300
GRAHAM TX 76450-5387

SANDERS , GRADY & JAME
PO BOX 1070
WOLFFORTH TX 79382-1070

SANDERS , MRS JAME DAWN
PO BOX 1070
WOLFFORTH TX 79382-1070

SARAHAN , PAUL C
ENOCH KEVER PLLC
BLDG B, STE 200
7600 N CAPITAL OF TEXAS HWY
AUSTIN TX 78731-1184

SARAHAN , PAUL CHRISTOPHER
EARTH & WATER LAW LLC
6801 JESTER WILD DR
AUSTIN TX 78750-8173

SAVAGE , WILLIAM J
337 EASTWOOD AVE
FORT WORTH TX 76107-1071

SCHLEHUBER , CARRIE
1005 REDBUD PT
GRAFORD TX 76449-6006

SCHWARZ , RICK
9493 COUNTY ROAD 331
GRAHAM TX 76450-5217

SELF , CLAYTON D
437 FROG BRANCH CT
GRAFORD TX 76449-1114

SENER , CHUCK
6698 TIGER RD
ROPERVILLE TX 79358-5402

SHANAFELT , SHANE
4911 WYNNE LN
GRAHAM TX 76450-5845

SIGEL , CONNIE
9965 JOURDAN WAY
DALLAS TX 75230-5029

SIGEL , CONNIE
9925 JOURDAN WAY
DALLAS TX 75230-5029

SIMMONS , FOSTER
301 DOE LN
GRAHAM TX 76450-5812

SIMMONS , WILLIAM FOSTER
GORDEN SIMMONS SERVICE
301 DOE LN
GRAHAM TX 76450-5812

SMART , DEWAYNE
6003 SUNDERLAND DR
COLLEYVILLE TX 76034-5329

SMART , JOHN R
BOX 101-506
101 N FM 2353
GRAFORD TX 76449-3103

SOPPE , JANET MARIE
2615 MURRELL DR
GRAFORD TX 76449-4343

STARK , BRITT & DOUGLAS
6486 FORTUNE RD
FORT WORTH TX 76116-7318

STARK , DOUGLAS
6486 FORTUNE RD
FORT WORTH TX 76116-7318

STREEF , MIKE
PO BOX 2856
WEATHERFORD TX 76086-6856

STRICKLAND , SANDY & TERRY
PO BOX 21
CADD0 TX 76429-0021

STRINGER-KATRYCZ , KATY
1213 E MITCHELL ST
ARLINGTON TX 76010-2921

SWITSER , JIM
PO BOX 295
GRAFORD TX 76449-0295

SWITZER , JIM
1019 ROBIN LN
GRAFORD TX 76449-6005

TALBOT , TRACY
8799 COUNTY ROAD 299
GRAHAM TX 76450-5290

TESSEN , PATTI
9319 COUNTY ROAD 331
GRAHAM TX 76450-5215

TORRES , MARIA
889 SHIPROCK RD
FRISCO TX 75033-0262

TORRES , SHARON
1127 AIRPORT RD
GRAFORD TX 76449-3114

TYLER , BRAD
2010 BISHOP ST
GRAND PRAIRIE TX 75050-2105

URBAN , MR STACY
1173 WILLOW RD
GRAFORD TX 76449-3113

VANDUSER , KAY
3133 JUNIPER LN
GRAFORD TX 76449-4555

WARCHESIK , DAWN
9087 COUNTY ROAD 300
GRAHAM TX 76450-5245

WARCHESIK , LEE
9087 COUNTY ROAD 300
GRAHAM TX 76450-5245

WARCHESIK , MR LEE L
3148 ENGLISH CREEK DR
AZLE TX 76020-5222

WARREN , MICHAEL & NANCY
101 HELLS GATE PT
STRAWN TX 76475-2337

WEEMS , CODY J
4710 CHAPEL RD
GRAHAM TX 76450-5863

WILLIAMS , STACI
362 N FM 2353
GRAFORD TX 76449-3106

WILLINGHAM , SHANNON
7504 WESTWIND CT
FORT WORTH TX 76179-2825

WILSON , JO
6428 BARKWOOD LN
DALLAS TX 75248-3909

WOLFE , SHANNON
3929 SUNNYVIEW LN
FLOWER MOUND TX 75022-6834

WOLFE , SHELLEY
3929 SUNNYVIEW LN
FLOWER MOUND TX 75022-6834

WOODALL , MR ANTHONY
1033 BLUFF CREEK PT
STRAWN TX 76475-2374

WOOLERY , SALLY
1167 WILLOW RD
GRAFORD TX 76449-3113

WRIGHT , THOMAS
N-TEX CONSTRUCTION
4630 CHAPEL RD
GRAHAM TX 76450-5844

YOUNG , JEFF
360 COLONIAL DR
GRAFORD TX 76449-5028

YOUNG , LEA
360 COLONIAL DR
GRAFORD TX 76449-5028

TPDES Permit No. WQ0005213000

APPLICATION BY	§	BEFORE THE
CITY OF ABILENE FOR TPDES	§	TEXAS COMMISSION
PERMIT NO. WQ0005213000	§	ON ENVIRONMENTAL
	§	QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (Response or RTC) on the application by the City of Abilene (Applicant) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) permit No. WQ0005213000 and the Executive Director's preliminary decision on the application. As required by Title 30 of the Texas Administrative Code (30 TAC) Section (§) 55.156, before a permit is issued, the Executive Director prepares a response to all timely, significant or relevant and material comments. The Office of the Chief Clerk received timely comments from the individuals and organizations listed in the master appendix. This response addresses all timely public comments received, whether or not withdrawn.

This application is subject to the requirements in Senate Bill (SB) 709, effective September 1, 2015. SB 709 amended the requirements for comments and contested case hearings. One of the changes required by SB 709 is that the Commission may not find that a "hearing requestor is an affected person unless the hearing requestor timely submitted comments on the permit application." Texas Water Code (TWC) § 5.115(a-1)(2)(B). To determine which commenter made a particular comment, please refer to the appendix.

If you need more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found at the following website:

www.tceq.texas.gov.

I. BACKGROUND

A. Description Of Facility

The City of Abilene (Applicant) submitted an application to the TCEQ for a renewal of TPDES Permit No. WQ0005213000 to authorize the discharge of water treatment waste at an annual average flow not to exceed 1,510,000 gallons per day via Outfall 001. The Applicant proposes to operate the Possum Kingdom Raw Water Roughing Facility (RWRF), a reverse osmosis water treatment facility.

Possum Kingdom Lake raw water will be treated with a microfiltration (MF) and reverse osmosis (RO) system and transferred for additional water treatment prior to distribution. A portion of the raw surface water will undergo MF and RO to reduce chloride and total dissolved solids (TDS) levels. A membrane feed pump station will transfer raw water from the raw water storage tank to the MF system. The MF system will consist of a primary recovery system and a tertiary recovery system designed to maximize recovery of raw water through the MF system. The primary and tertiary recovery MF systems will provide a net recovery of raw water of approximately 99%. The MF system will send MF filtrate feed water to a 3-stage RO system designed for 85-90% recovery depending on the season and raw water temperature. The RO permeate and untreated raw surface water will be blended together in the Product Water Storage Tank before being pumped to the City of Abilene Grimes Water Treatment Plant (WTP), the Northeast WTP, or both for complete water treatment. The quality of the product water will generally match raw water quality in Hubbard Creek Reservoir, which the RWRF water supply is intended to replace during the times of dry weather and drought. Reject water will be transferred offsite via approximately 24 miles of 12-inch PVC pipe to proposed Outfall 001 in the Cedar Creek Arm of Possum Kingdom Lake. The outfall will consist of a unidirectional multiport diffuser that is 12 meters long with 10 equally spaced ports.

The ports will be angled upwards at 60 degrees from the horizontal with the diffuser perpendicular to the bank so wastewater will be discharged generally parallel to the bank and toward the main pool of the lake. Each port will use a variable velocity orifice valve arranged in a fanned-out pattern. The port area will vary with effluent flow. Water treatment wastes will be discharged at an annual average flow of 1.09 MGD

(with a daily maximum of 1.38 MGD) during Phase I and at an annual average flow of 1.51 MGD (with a daily maximum of 1.81MGD) during Phase II via Outfall 001.

Other waste streams (tertiary MF backwash waste, MF and RO clean-in-place wastes, plant drains, and domestic wastewater) must be disposed of in an approved manner, such as routing to an authorized third party for treatment and disposal.

This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.

Following facility startup, the treated effluent will be discharged via Outfall 001 directly to Possum Kingdom Lake in Segment No. 1207 of the Brazos River Basin. The designated uses for Segment No. 1207 are primary contact recreation, public water supply, and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

Geographic coordinates of the outfall location in decimal degrees are provided in Table 1. The facility is located at 105 East Elliot Street, in the City of Breckenridge, Stephens County, Texas 76424.

Table 1. Outfall Coordinate Location

Outfall Number	Latitude	Longitude
001	32.886100	-98.588000

The draft permit includes the following proposed effluent limitations and monitoring requirements. All flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU). Concentration values are expressed in milligrams per liter (mg/L).

Table 2. Interim Phase Effluent Limitations: Outfall 001

Parameter/Pollutant	Daily Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L
Flow	1.09 MGD	1.38 MGD	-
Total Dissolved Solids	-	Report	-
Chloride	-	Report	-
Sulfate	-	Report	-
pH, SU	6.0, Daily Min	9.0, Daily Max	-

Table 3. Final Phase Effluent Limitations: Outfall 001

Parameter/Pollutant	Daily Average	Daily Maximum	Single Grab
	mg/L	mg/L	mg/L
Flow	1.51 MGD	1.81 MGD	-
Total Dissolved Solids	-	Report	-
Chloride	-	Report	-
Sulfate	-	Report	-
pH, SU	6.0, Daily Min	9.0, Daily Max	-

B. Procedural Background

The permit application was received on March 7, 2023, and declared administratively complete on June 16, 2023. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on July 26, 2023, in the *Breckenridge American* and on June 22, 2023, in *La Prensa Comunidad*. The Notice of Application and Preliminary Decision (NAPD) was published on February 28, 2024, in the *Breckenridge American* and on March 5, 2024, in *La Prensa Comunidad*.

A Notice of Public Meeting was published on May 15, 2024, in the *Breckenridge American*. A public meeting was held, as scheduled, on June 18, 2024, at the Possum Kingdom Lake Chamber of Commerce in Graford, Texas.

The public comment period ended at the close of the public meeting on June 18, 2024. This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55. The Texas Legislature enacted SB 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in the law.

C. Access to Rules, Laws, and Records

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

- Secretary of State website: www.sos.state.tx.us;
- TCEQ rules in 30 TAC: www.sos.state.tx.us/tac;
- Texas statutes: www.statutes.legis.state.tx.us;
- TCEQ downloadable rules: www.tceq.texas.gov/rules/indxpdf.html;
- Federal rules in Title 40 of the Code of Federal Regulations: <https://www.ecfr.gov/current/title-40>; and
- Federal environmental laws: www.epa.gov/lawsregs.

Commission records for this application are available for viewing and copying and are located at TCEQ's main office in Austin, 12100 Park 35 Circle, Building F, 1st Floor (Office of Chief Clerk). The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the following location: Breckenridge Public Library, 209 North Breckenridge Avenue, Breckenridge, Texas.

II. COMMENTS AND RESPONSES

Comment 1:

The individuals in Appendix A provided comments expressing concern about algal blooms from the discharge of water treatment wastes.

Response 1:

Phosphorus is a key nutrient necessary for algae growth and is often in limited supply in freshwater systems. When Executive Director's staff's analysis of a discharge permit application shows the effluent has the potential to cause nutrient issues that could lead to conditions such as algal blooms in the receiving waters, the usual course of action is to add total phosphorus effluent limits to the draft permit to control nutrient levels entering the receiving waters. For this application, the raw water will be treated with microfiltration and reverse osmosis, therefore no nutrient contribution beyond what is present in the raw water is anticipated. Wastewater originating from human or animal waste is typically what accounts for nutrient concerns and does not apply to this facility.

Comment 2:

The individuals in Appendix B provided comments expressing concern about aquatic life and the designated uses of the receiving segment.

Response 2:

The Texas Surface Water Quality Standards (TSWQS) in 30 TAC Chapter 307 require that discharges may not degrade the receiving waters and may not result in situations that impair existing, attainable or designated uses, and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock, or domestic animals.¹ The effluent limits and monitoring requirements in the draft permit are set to maintain and protect the existing instream uses.

In this case, the designated uses for Segment No. 1207 are primary contact recreation, public water supply, and high aquatic life use.² The Executive Director determined that these uses should be protected if the facility is operated and maintained as required by the proposed permit and regulations. The Executive Director has made a preliminary determination that the draft permit, if issued, meets all statutory and regulatory requirements.

The Texas Parks and Wildlife Department (TPWD) is the state agency that oversees and protects wildlife and their habitat. It can be contacted by calling 1-800-792-1112 or by mail at 4200 Smith School Road, Austin, Texas 78744. TPWD received notice of Applicant's permit application.

Comment 3:

The individuals in Appendix C provided comments expressing concern regarding chemicals commonly found in domestic wastewater such as *Escherichia coli* (*E. coli*).

Response 3:

The Possum Kingdom Raw Water Roughing Facility is a reverse osmosis water treatment facility, which will treat Possum Kingdom Lake water with a microfiltration and reverse osmosis system. Domestic wastewater generated onsite must be disposed

¹ 30 TEX. ADMIN. CODE § 307.6(b)(4).

² Texas Surface Water Quality Standards, 30 TEX. ADMIN. CODE § 307.10.

of in an approved manner, such as routing to an authorized third party for treatment and disposal.

Any bacteria or pollutants typically found in domestic wastewater will not be generated by the Possum Kingdom Raw Water Roughing facility and are not expected to be discharged via Outfall 001. Any discharge of *E. coli* and other pollutants associated with domestic wastewater will already be present in the Possum Kingdom Lake and will not result in a violation of the criteria established in the Texas Surface Water Quality Standards.

Comment 4:

The individuals in Appendix D provided comments expressing concerns about the City of Abilene's compliance with the draft permit, along with monitoring and reporting requirements established therein.

Response 4:

The City of Abilene has reviewed and accepted the draft permit. As a result of the Applicant's acceptance, the Possum Kingdom RWRf must comply with the conditions contained within the draft permit, including all monitoring and reporting requirements established therein.

The Applicant is required to sample and analyze the treated effluent and provide monthly reports to the TCEQ that include the results of the analyses. The Applicant may either collect and analyze the effluent samples itself, or it may contract with a third party for either or both the sampling and analysis. However, all samples must be collected and analyzed according to 30 TAC Chapter 319, Subchapter A, Monitoring and Reporting System. The Applicant is required to further notify the agency if the effluent does not meet the permit limits according to the requirements in the permit. In addition, the TCEQ regional staff may sample the effluent during routine inspections or in response to a complaint.

If the facility is found to be out of compliance with the terms or conditions of the permit, the Applicant may be subject to enforcement. If anyone experiences any suspected incidents of noncompliance with the permit or TCEQ rules, they may report these by calling the TCEQ Environmental Complaint Line at 1-888-777-3186. Calls will be routed automatically to the closest TCEQ regional office. Complaints may also be

filed online at tceq.texas.gov/compliance/complaints. If the Applicant fails to comply with all requirements of the permit, it may be subject to enforcement action.

Comment 5:

The individuals in Appendix E provided comments inquiring as to why the facility has not been constructed since the original permit was issued and whether this permit action would qualify as a new permit.

Response 5:

The timeline for the completion of construction of a permitted facility is up to the permittee. Neither the statute nor the proposed draft permit includes a requirement to start construction of the facility within a certain time period upon obtaining a permit. However, the proposed draft permit includes an expiration date, and the Applicant must apply for a renewal of the permit prior to the expiration date if the Applicant wishes to retain TCEQ authorization. The application for renewal requires the Applicant to submit information concerning the need for the facility if it is not constructed, or for unbuilt phases that have been permitted for more than five years. TCEQ reviews this information and determines if the renewal of the permit is justified or if unbuilt phases should be removed from the permit. While the facility has not completed construction and has not discharged over the course of the permit term, the City of Abilene still retains its authorization to discharge under the conditions established in the existing permit. Therefore, the City of Abilene does not need to apply for a new permit.

Comment 6:

The individuals in Appendix F provided comments expressing concern about perceived discrepancies between the design parameters of the diffuser versus the parameters of the installed diffuser.

Response 6:

It is the Applicant's responsibility to construct and install a diffuser consistent with the information provided in the application for the TCEQ's review of the diffuser, which included a diffuser report covering the design and installation of the diffuser that was stamped and sealed by the Applicant's licensed professional engineer.

As provided by state law, a permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act, Texas Water Code §§ 26, 27, and 28, and the Texas Health and Safety Code § 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under the draft permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.³

Comment 7:

The individuals in Appendix G expressed concerns regarding the use of Possum Kingdom Lake as a public water supply and the protection of drinking water standards.

Response 7:

TCEQ's rules do not require water treatment wastes from reverse osmosis systems to be treated to potable standards before discharging to water in the state. State and federal regulations require that treated effluent maintain the existing uses of the receiving waters as designated within the Texas Surface Water Quality Standards at 30 TAC Chapter 307.

One of the designated uses assigned to Possum Kingdom Lake is Public Water Supply. Compliance with the Public Water Supply designation is evaluated by comparing laboratory analysis of the effluent with the calculated effluent limitations necessary to protect human health. The effluent limitations are calculated based upon the human health criteria to protect drinking water and fish consumption listed within Table 2 of 30 TAC Chapter 307. The human health criteria are derived in accordance with EPA guidance. However, if a calculated criterion is greater than the applicable maximum contaminant level (MCL) in 30 TAC Chapter 290 (relating to Public Drinking Water), then the MCL is used as the criterion. As discussed elsewhere in this response to public comment, the draft permit complies with all applicable statutory and regulatory requirements.

³ City of Abilene Draft Permit, Monitoring and Reporting Requirements, Item 1, page 4.

As the Possum Kingdom Raw Water Roughing Facility has not discharged, no analytical data was available to submit with the application. A retest requirement has been included in the draft permit that requires the City of Abilene to complete analytical testing of the pollutants identified in Other Requirement No. 7 within 60 days of initial discharge and submit the test results to TCEQ within 90 days. Following the receipt of this information, TCEQ staff will conduct a screening to ensure the discharge is protective of the human health criteria to protect drinking water and fish consumption. If any of the pollutants identified exceed 70% of the water quality-based effluent limitations established in the statement of basis for this permit, monitoring requirements or effluent limitations will be implemented in the permit and the permit application will be re-opened via a staff-initiated permit amendment to incorporate revised effluent limitations and or monitoring requirements.

Comment 8:

The individuals in Appendix H provided comments expressing concern about drought and low flow in the receiving segment.

Response 8:

The potential impact of the proposed discharge on instream dissolved oxygen levels is evaluated under hot and dry, low-flow summertime conditions, which are typically the most restrictive conditions in regard to dissolved oxygen levels. Critical low-flow, as defined in 30 TAC § 307.3(a)(16), is a “low-flow condition that consists of the seven-day, two-year flow (7Q2),” which is the lowest seven-day average stream flow with a recurrence interval of two years. The criteria of the Texas Surface Water Quality Standards (30 TAC Chapter 307) are applicable even during critical low-flow, therefore critical low-flow is considered when evaluating the appropriate effluent limits for the proposed discharge.

The effluent limitations in the draft permit will maintain and protect the existing instream uses and comply with the Texas Surface Water Quality Standards and 30 TAC §§ 307.1 - 307.10. The proposed draft permit includes effluent limitations and monitoring requirements to ensure that the proposed wastewater treatment plant meets water quality standards for the protection of surface water quality, even during periods of low flow, according to TCEQ rules and policies.

Comment 9:

The individuals in Appendix I provided comments inquiring as to whether a site suitability study or environmental impact study has been done.

Response 9:

The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions. To meet this requirement, federal agencies must prepare detailed statements which include an environmental assessment and either a finding of no significant impact or environmental impact statement. However, these requirements pertain to a proposed federal action. An environmental impact statement and compliance with NEPA are not required as part of the TPDES wastewater permitting process.

For additional information about NEPA and environmental impact statements, EPA's website has a page about NEPA and how to request information at: <https://www.epa.gov/nepa>.

A site suitability study is conducted by entities to facilitate the decision-making process for a facility site location. This permit action is a renewal for a facility, for which a site has already been reviewed and granted a permit by the TCEQ. Therefore, a site suitability study was not reviewed for the purposes of this application. Additionally, the TCEQ does not utilize site suitability studies for industrial TPDES permitting as it falls beyond the scope of federal and state water quality rules.

As described in Section I.A. (Description of Facility), the Executive Director's staff in the Water Quality Division performed an administrative and technical review of the application and prepared the draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary determination that this permit, if issued, meets all statutory and regulatory requirements.

Comment 10:

The individuals in Appendix J provided comments inquiring whether studies have been done to ascertain the TDS, chloride, sulfate, and flow levels in the receiving

segment; and inquired if such studies would be conducted following the commencement of discharge.

Response 10:

A TDS, chloride, and sulfate screening was performed in compliance with TCEQ procedures using the ambient segment concentration from *The Procedures for the Implementation of the Texas Surface Water Quality Standards* (IPs; June 2010), the segment criterion from Appendix A of the 2022 Texas Water Quality Standards, and the calculated effluent fraction at the edge of the human health mixing zone (i.e., where the segment criterion would apply in the lake beyond the outfall). Using expected effluent TDS, chloride, and sulfate values, the screening determined the proposed discharge to be protective of the receiving waterbody's TDS, chloride, and sulfate criterion. Once the facility is operational and discharging, the facility will be required to report their TDS, chloride, and sulfate effluent values. The reported values will be screened to ensure compliance with segment TDS, chloride, and sulfate criteria. Permit limits may be added to the permit for any of the effluent parameters that exceed the relevant screening values.

Comment 11:

The individuals in Appendix K provided comments concerned about the accuracy and transparency of the application materials provided by the City of Abilene.

Response 11:

The application for this facility has been available for viewing and copying at the Breckenridge Public Library, 209 North Breckenridge Avenue, Breckenridge, Texas since publication of the NORI. The draft permit, the Statement of Basis/Technical Summary, and the Executive Director's preliminary decision have been available for viewing and copying at the same location since publication of the NAPD.

During regular business hours, the public may review or copy the public file for this application, which includes the application, its attachments, the comment letters, this response to public comment, the hearing requests, the responses to hearing requests, and any other communications made during the review of this application, at TCEQ's Office of the Chief Clerk located in Building F, 12100 Park 35 Circle, Austin, Texas.

As provided by state law, a permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act, Texas Water Code §§ 26, 27, and 28, and the Texas Health and Safety Code § 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under the draft permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.⁴

As described in Section I.A. (Description of Facility), the Executive Director's staff in the Water Quality Division performed an administrative and technical review of the application and prepared the draft permit.

An administratively completed application has been determined by the TCEQ to contain complete responses to all required questions in the administrative report, along with all necessary attachments for the administrative review. A technically completed application has been determined by the TCEQ to contain complete responses to all required questions in the technical report, along with all necessary attachments required for a technical review. Based on the aforementioned determinations, the TCEQ has determined that the information submitted with the application was sufficient to make a preliminary and final decision on the renewal application for Permit No. WQ0005213000.

Comment 12:

The individuals in Appendix L provided comments expressing concern regarding potential flooding of the Possum Kingdom Raw Water Roughing Facility.

Response 12:

TCEQ does not have jurisdiction to regulate flooding in the context of a wastewater discharge permit. The permitting process is limited to controlling the discharge of pollutants into water in the state and protecting the water quality of the state's rivers, lakes, and coastal waters. However, to the extent that an issue related to flooding also involves water quality, the Applicant is required to comply with all the

⁴ City of Abilene Draft Permit, Monitoring and Reporting Requirements, Item 1, page 4.

numeric and narrative effluent limitations and other conditions in the proposed permit at all times, including during flooding conditions.

TCEQ does not prohibit the location of a wastewater treatment facility in a floodplain, as long as the facility design adheres to TCEQ rules. According to the application, while the proposed facility is not located above the 100-year flood plain, the wastewater treatment units have been constructed at an elevation at or above the 100-year flood plain. As described under Section I.A (Description of Facility) above, the facility is anticipated to only operate during hydrological drought conditions within the region, which will effectively prevent the occurrence of an unauthorized discharge during the event of a 100-year flood.

Comment 13:

The individuals in Appendix M provided comments questioning the placement of Outfall 001 or requesting the TCEQ consider a different outfall location for the Possum Kingdom Raw Water Roughing Facility.

Response 13:

TCEQ does not have the authority to mandate a different discharge location or wastewater treatment plant location if the applicant's proposed location and discharge route comply with the TWC Chapter 26. TCEQ does not have jurisdiction over zoning.

If the City of Abilene updates the application with a different location or a different discharge route, the Executive Director will reevaluate the discharge route to make sure that the draft permit contains appropriate limits and conditions for the revised discharge location or route. Additionally, new landowners may need to be notified of a change of the facility location or the discharge route.

Comment 14:

The individuals in Appendix N provided comments expressing concern about livestock and other terrestrial wildlife in the region surrounding Possum Kingdom Lake.

Response 14:

The proposed permit was drafted in accordance with 30 TAC § 307.5 and the TCEQ *Procedures for the Implementation of the Texas Surface Water Quality Standards*

(IPs; June 2010). The Texas Surface Water Quality Standards (TSWQS) provide that surface waters cannot be toxic to aquatic or terrestrial organisms.⁵ While the TSWQS and the IPs do not specifically designate criteria for the protection of cattle or livestock, they do designate criteria for the protection of aquatic life that should preclude negative impacts to the health and performance of livestock or wildlife.

The Executive Director has determined that the proposed draft permit for the facility meets the requirements of the TSWQS, which are established to protect human health, terrestrial, and aquatic life.

Comment 15:

The individuals in Appendix O provided comments expressing concern about the impact to aesthetics, ecotourism, and property values the proposed facility would have on Possum Kingdom Lake.

Response 15:

TCEQ does not have the authority to address issues such as ecotourism and property values as part of the wastewater permitting process. TWC Chapter 26 and applicable wastewater regulations do not authorize TCEQ to consider such issues.

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

Concerning aesthetics, as they relate to receiving streams, 30 TAC Section 307.4(b) provides requirements for aesthetic parameters of surface water. These requirements are included in the draft permit in one of the narrative limitations for effluent discharge which states that “there shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.” This requirement is to ensure that the receiving stream is maintained in an aesthetically attractive condition.

⁵ 30 TEX. ADMIN. CODE § 307.4.

Comment 16:

The individuals in Appendix P provided comments regarding the money or revenue generated by granting permits.

Response 16:

There is an application fee for all wastewater disposal permits including new, renewal, or amendment permit actions. The fee is calculated based on the amount of flow and the type of permit. Please see page 2 of the Administrative Report 1.0, TCEQ Form 10053, for the application fees. The fee is due upon submittal of the application. TCEQ does not refund the application fee if a permit is denied.

The consolidated water quality fee authorized by 30 TAC Chapter 21 is a fee collected from entities that have an individual wastewater permit. The fee is assessed based on the discharge parameters of the individual permit and the toxicity of the discharged wastewater.⁶ The fee is assessed on issued wastewater permits, regardless of whether the facility is active. All resulting revenue is deposited in the water resources management account for the purpose of paying the expenses of the Commission in the following programs: water quality administration, including, but not limited to, inspection of wastewater treatment facilities and enforcement of the provisions of TWC, Chapter 26, the rules and orders of the commission related to wastewater discharges and waste treatment facilities, the Texas Clean Rivers Program (TWC § 26.0135) which monitors and assesses water quality conditions that support water quality management decisions necessary to maintain and improve the quality of the state's water resources, and any other water resource management programs reasonably related to the activities of the persons required to pay a fee under TWC, § 26.0291.⁷

Comment 17:

The individuals in Appendix Q provided comments regarding other treatment and disposal options for the Possum Kingdom Raw Water Roughing Facility.

⁶ 30 TEX. ADMIN. CODE § 21.3.

⁷ 30 TEX. ADMIN. CODE § 21.1.

Response 17:

TCEQ does not have the authority to mandate the method of disposal of treated effluent if the applicant adheres to the rules and provisions under TWC Chapter 26 and 30 TAC Chapters 305 and 307.

Treated effluent may also be disposed of via land application. A Texas Land Application Permit (TLAP) authorizes the disposal of treated effluent by means of surface irrigation, subsurface irrigation, or evaporation. The effluent must be treated to the pollutant concentrations prescribed by the executive director. If the Applicant changes the proposed method of disposal, this would require further review by TCEQ and additional public notice.

Further, treated effluent may also be utilized for beneficial use pursuant to 30 TAC Chapter 210, relating to "Use of Reclaimed Water," however this is an authorization beyond the scope of an individual industrial TPDES or TLAP permit.

Comment 18:

The individuals in Appendix R provided comments expressing concern about the oversight, operation, and maintenance of the City of Abilene Water Roughing Facility along with any spills or malfunctions that may occur.

Response 18:

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

TCEQ's Office of Compliance and Enforcement ensures compliance with applicable state and federal regulations. The Region 3 office is required to conduct a mandatory comprehensive compliance investigation (CCI) at minor facilities once every five fiscal years. Additional mandatory investigations can be required if the facility is categorized as significant noncompliance (SNC). SNC is determined by the Compliance Monitoring Section of the TCEQ and is based on self-reported effluent violations.

If the facility is found to be out of compliance with the terms or conditions of the permit, the Applicant may be subject to enforcement. If anyone experiences any suspected incidents of noncompliance with the permit or TCEQ rules, they may report

these by calling the TCEQ Environmental Complaint Line at 1-888-777-3186. Calls will be routed automatically to the closest TCEQ regional office. Complaints may also be filed online at tceq.texas.gov/compliance/complaints. If the Applicant fails to comply with all requirements of the permit, it may be subject to enforcement action.

An unauthorized discharge is a violation of the proposed permit for which an enforcement action can be brought by TCEQ against the Applicant.

However, the proposed permit would not limit anyone's ability to seek legal remedies from the Applicant regarding any potential trespass, nuisance, or other cause of action in response to the proposed facility's activities that may result in injury to human health or property or interfere with the normal use and enjoyment of property.

Comment 19:

Darrin Keys provided a comment expressing concern of potential pharmaceutical discharges from the Possum Kingdom Raw Water Roughing Facility.

Response 19:

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

Accordingly, neither TCEQ nor the EPA have rules on the treatment of contaminants such as pharmaceuticals in domestic wastewater. However, as this facility does not discharge domestic wastewater, and solely conducts microfiltration and reverse osmosis treatment on water withdrawn from Possum Kingdom Lake, there is no risk of the discharge adding PPCPs to the lake. Any PPCPs present in the discharge would be a result of the presence of these pollutants in the source water.

Comment 20:

The individuals in Appendix S provided comments inquiring about the monitoring in the draft permit. Both in how the discharge would be monitored and whether monitoring would be sufficient to protect Possum Kingdom Lake.

Response 20:

TCEQ is responsible for the protection of water quality with federal regulatory authority over discharges of pollutants to Texas surface water, with specific exceptions for oil and gas exploration and development activities. The TCEQ has a legislative responsibility to protect water quality in the State of Texas and to authorize wastewater discharge TPDES permits under TWC Chapter 26, and 30 TAC Chapters 305 and 307.

The proposed draft permit was developed in accordance with the Texas Surface Water Quality Standards to be protective of water quality, provided that the Applicant operates and maintains the proposed facility according to TCEQ rules and the proposed permit's requirements. The methodology outlined in the *Procedures to Implement the Texas Surface Water Quality Standards* (IPs; June 2010) is designed to ensure compliance with the TSWQS (30 TAC Chapter 307).

Specifically, the methodology is designed to ensure that no source will be allowed to discharge any wastewater that: 1) results in instream aquatic toxicity; 2) causes a violation of an applicable narrative or numerical state water quality standard; 3) results in the endangerment of a drinking water supply; or 4) results in aquatic bioaccumulation that threatens human health.

As part of the application process, TCEQ staff must determine the uses of the receiving waters and set effluent limits that are protective of those uses. In order to achieve the goal of maintaining a level of water quality sufficient to protect existing water body uses, the proposed permit contains several water quality specific parameter requirements that limit the potential impact of the discharge on the receiving waters.

As the Possum Kingdom Raw Water Roughing Facility has not discharged, no analytical data was available to submit with the application. A retest requirement has been included in the draft permit that requires the City of Abilene to submit analysis

of the pollutants identified in Other Requirement No. 7 within 60 days of initial discharge. Following the receipt of this information, a screening will be conducted to ensure the discharge is protective of water quality in Possum Kingdom Lake. If any of the pollutants identified exceed 70% of the water quality-based effluent limitations established in the statement of basis for this permit, monitoring requirements or effluent limitations will be implemented in the permit and the permit application will be re-opened. Water quality-based effluent limitations are based on stream standards and waste load allocations for water quality-limited streams as established in the TSWQS and the State of Texas Water Quality Management Plan (WQMP).

Comment 21:

The individuals in Appendix T provided comments expressing concern about the levels of total dissolved solids, chloride, and sulfates discharged from the Possum Kingdom Raw Water Roughing Facility.

Response 21:

The *Procedures for the Implementation of the Texas Surface Water Quality Standards* (IPs; June 2010) require that concentrations and relative ratios of dissolved minerals such as chloride and sulfate that compose TDS be maintained to protect existing and attainable uses. A preliminary total dissolved solids screening was performed with expected effluent salinity values and was determined to be protective of the receiving waterbody and its uses. Additionally, once the facility is operational and discharging, the facility will be required to report their effluent total dissolved solids, chloride, and sulfate effluent values to ensure they are complying with the terms of their permit. A full discussion of the TDS screening procedures can be found in the IPs on page 175.

Comment 22:

The individuals in Appendix U provided comments expressing concern with the variables used for the CORMIX model conducted for this permit action.

Response 22:

Information regarding diffuser design and effluent density characteristics has been provided by the applicant. The current analysis relies, in part, on the applicant's diffuser report and a previous TCEQ diffuser report. Ambient data used for the

analysis is from surface water quality monitoring stations near the discharge location. The analysis is consistent with current standardized TCEQ procedures. However, the results of this evaluation can be reexamined upon receipt of information that conflicts with the information employed in this analysis.

Comment 23:

The individuals in Appendix V provided comments expressing concern with the effectiveness of the diffuser in dispersing the effluent during low flow conditions, which is consistent with current standardized TCEQ procedures.

Response 23:

The water depth is an important parameter used in the analysis. Water body width and depth near the proposed discharge location were provided in the application. Our analysis relies on the information provided by the applicant.

Comment 24:

The individuals in Appendix W provided comments expressing opposition to the draft permit.

Response 24:

The ED has noted these comments.

III. CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENTS

In response to Public Comments, the Executive Director made no changes to the draft permit.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel,
Executive Director

Charmaine Backens, Deputy Director
Environmental Law Division



Aubrey Pawelka, Staff Attorney
Environmental Law Division
State Bar No. 24121770
P.O. Box 13087, MC 173
Austin, Texas 78711-3087
Phone (512) 239-0622
Fax: (512) 239-0606

REPRESENTING THE EXECUTIVE DIRECTOR OF
THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Master Appendix

Organizations

Possum Kingdom Lake Association; from Paul C. Sarahan on behalf of Blake Davis, Jame Sanders, Grady Sanders, Kelly D. Grimes, Jent Burke, Stacy Burke, Rob Pedigo, David Byrge, Jeanine Byrge, Brett Nance, Mert Fewell, Monte Land, Enid Montoya, Sue Cathey, Hank Lattimore, Stacy Urban, and Russell Madden.

Representative Glenn Rogers on behalf of the constituents of Texas House District 60.

Individuals

Janel Bullock, Clayton D. Self, Carol Johnson, Tommy Johnson, Ross Korkmas, Mike Patton, Roger Cockrell, Judy Cockrell, Grady Sanders, Jame Sanders, Carolyn Land, Judi Kannon, Bobette Atwell, Donald Atwell, Britt Stark, Douglas Stark, Stacy Fullford, James Dake, Barry Mitcham, Angela Mitcham, Mark Kannon, Glenn Lattimore, Teri Kramer, Randel Parker, Jay Kidwell, Luann Blay, Julie Lewis, Sam Lewis, Suzette Payne, Mikl Fuqua, Greg Nagle, Shannon Willingham, Eddy Gregory, Marvin Baker, William J. Savage, David Truett Miller, Jim Blay, Jill Gregory, Teresa Kidwell, Peggy Link, Henry Mills, Eileen Mills, Cayler Banks, Kevin Hepfner, Lynne Aldrich, Brent Nance, Patti Tessen, Jeremy Jo Chicko, Curtis John Green, David Byrge, Jeanine Byrge, Sandra K Birdwell, Kelly Korkmas, Maryann Jackson, Les Jackson, Eric Nelson, Lea Young, Peter Gottschling, Sue Cathey, Peggy Pope, Wayne Christian, Stacy Urban, Michelle Davis, Mert Fewell, Kerri French, Luke Lea, Shelley Wolfe, Monte Land, Paul C. Sarahan, Mike Patterson, Deane Durham, Rodney Nunley, Katy Stringer-Katrycz, James Erlemeier, Wayne Pinkston, Vicki Kallestad, Connie Sigel, Dawn Warchesik, Kirk Kennedy, Ed Bradshaw, Ronda Hall, Karen Pace, Neil Hart, Amy Pinkston, Lee Warchesik, Terry Strickland, Sandy Strickland, Anthony Woodall, Jeff Lester, Ronald Payne, John Queralt, Steve Burke, Jame Dawn Sanders, Sally Woolery, John Michael Lewis, Patrick A. Gorman, Tommy McCulloch, Gelasia Bennett, Shawn M. Grisham, Shane Shanafelt, Bettie McQuinn, Jo Wilson, Danny Pace, Michael M. Mikeska, John Reilly, Pam Williams, Greg Hamilton, Carolyn Polston, Tracy Talbot, Kathy Halgriamon, Virginia Pirraglia, Orville Pirraglia, B. K. Mummert, Danny Mummert, Dusty Creel, Kent Sadler, Rodney Polston, Barbara McReynolds, Waley McReynolds, Steve Jordan, Sam Heard, Jan Bowen, Jent Burke, Stacy Burke, Concerned Citizen, Terry Carey, J. Tom Pruett, Wade Roberson, Rock Maserang, Gregory L. Peterson, Jeff Peterson, Thomas Wright, Mark Feighner, Colleen Feighner, Jason Hill, Cody Jordan, Chad Jordan, Shannon J. Mackinnon, William Foster Simmons, Ronald J. Naiser, Chris Beeson, Brad G. Butler, Justin Jackson, Jena Taver Jackson, Robert Chicko, Thomas R. Perkins, Will Lunsford, Edward Rulestead, Debbie Rulestead, Ruth Piland, Foster Simmons, Enid Montoya, James P. Lattimore, Robert Hanna, Tiffany Malzahn, Glenn Rogers, Craig Hamlett, Rebecca Pospisil, Rudy Pospisil, Jutta Oliver, Shannon Wolfe, Grant Nelson, Lisa Jones, Jeff Young, Staci Williams, Cary Green, Mark Jennings, Jan Parker, Mike Streef, Jim Switser, Valerie Naiser, Micky Holmes, Kathy Lea, Jim Switzer, David Holley, John R. Smart, Gary Norman, Steve Gray, Cindy Nagle, William D Moss, Reid Hill, Mary Hill, Carrie Schlehuber, Maria Torres, Kay Merritt, Rosendo J. Ferrer, Randy Ratto, Dewayne Smart, David Fox, Deborah E. Pruitt, Bruce Bender, Jamie Berryhill, Melissa Galvan, Arthur Galvan, Chuck Senter, Linda Hayward, Ric Hayward, Paul Descoteaux, Sharon Torres, Judith Pitts, Michael Pitts, Steve Link, Billie Day, Phillip Day, Dana McKelvain, Burrell McKelvain, Brady Phillips, Sheryl Phillips, Kay Vanduser, Pam Hammond, Mike Hammond, Dennis Cox, Sharon Cox, Rick Schwarz, Cathy Conley, Ricky Conley, Laura MacDonald, Bruce MacDonald, Marsha Bettis, Penny Hart, Bob Hart, Mike Peterson, Christia Peterson, Johnny Gibson, Jolynn Miller, Chris Carlson, Vicki Durham, Angelia Hardin, Danny Hardin, Deborah Burkett, Jim Burkett, Benni Konvicka, Nancy Warren, Michael Warren, Tommy Parkison, Joshua Page, William M. Jasper, Melissa Roberts, Cody J. Weems, Darrin Keys, Blake Hamilton, Craig Conlin, Mona Conlin, Clark Pulliam, Ronnie Miller, Janet Marie Soppe, Brad Tyler, C. Marc Carey, Katie Carey, and Blake Davis.

Appendix A

Sally Woolery, Joshua Page, Darrin Keys, and Brad Tyler.

Appendix B

Janel Bullock, Clayton D. Self, Anthony Woodall, Jeff Lester, John Queralt, Danny Pace, Clark Pulliam, Ross Korkmas, Carolyn Land, Barry Mitcham, Angela Mitcham, Greg Nagle, Kevin Hepfner, Jeremy Jo Chicko, Jame Dawn Sanders, John Michael Lewis, Gregory L. Peterson, Brad G. Butler, Ruth Piland, Enid Montoya, Joshua Page, Mark Feighner, Cody J. Weems, Suzette Payne, Sandra K Birdwell, Mike Patton, Sally Woolery, Luke Lea, Greg Nagle, and Shelley Wolfe.

Appendix C

Ronald Payne, John Michael Lewis, and Darrin Keys.

Appendix D

Brad Tyler, Stacy Fullford, Sandra K. Birdwell, Curtis John Green, Mike Patton, Mikl Fuqua, and Shelley Wolfe.

Appendix E

Possum Kingdom Lake Association, Greg Nagle, Brent Nance, Peggy Pope, Curtis John Green, Lea Young, Peggy Link, Mikl Fuqua, Paul C. Sarahan, Shannon Willingham, Mert Fewell, Katy Stringer-Katrycz, and Wayne Pinkston.

Appendix F

Paul C. Sarahan, Shannon Willingham, Mikl Fuqua, Peggy Link, Lea Young, Curtis John Green, and Brent Nance.

Appendix G

Clayton D. Self, Gelasia Bennett, Danny Pace, Gregory L. Peterson, Melissa Roberts, Cody J. Weems, Clark Pulliam, Janet Marie Soppe, Greg Nagle, Peter Gottschling, Sandra K. Birdwell, Shelley Wolfe, Curtis John Green, and Mike Patterson.

Appendix H

Possum Kingdom Lake Association, Enid Montoya, Sue Cathey, Suzette Payne, Brad Butler, Wayne Christian, Stacy Urban, Barry Mitcham, Angela Mitcham, Mark Kannon, Teri Kramer, Jay Kidwell, Luann Blay, Greg Nagle, Eddy Gregory, Lynne Aldrich, Jeremy Jo Chicko, Sandra K. Birdwell, Mike Patton, James P. Lattimore, William M. Jasper, Paul C. Sarahan, Deane Durham, Katy Stringer-Katrycz, and Douglas Stark.

Appendix I

Julie Lewis, Sam Lewis, Marvin Baker, David Byrge, and Jeanine Byrge.

Appendix J

Curtis John Green, Peggy Link, Mike Patton, William M. Jasper, Wayne Christian, Kerri French, Luke Lea, William J. Savage, and Jeanine Byrge.

Appendix K

Representative Glenn Rogers, Jame Dawn Sanders, Barry Mitcham, Angela Mitcham, Cayler Banks, Brent Nance, Sandra K. Birdwell, Peggy Link, Mikl Fuqua, James P. Lattimore, Gregory L. Peterson, Jeff Peterson, Mert Fewell, Kerri French, Shelley Wolfe, Monte Land, Patrick A Gorman, Pam Williams, Jent Burke, Stacy Burke, Greg Hamilton, Carolyn Polston, Tracy Talbot, Kathy Halgriamon, Virginia Pirraglia, Orville Pirraglia, B. K. Mummert, Danny Mummert, Dusty Creel, Kent Sadler, Concerned Citizen, Rodney Polston, Barbara McReynolds, Waley McReynolds, Steve Jordan, Sam Heard, Michelle Davis, Blake Davis, Dawn Warchesik, Jan Bowen, Terry Carey, J. Tom Pruett, Wade Roberson, Rock Maserang, Mark Feighner, Colleen Feighner, Chris Beeson,

Justin Jackson, Jena Taver Jackson, Grady Sanders, Thomas R. Perkins, Lee L. Warchesik, Sue Cathey, Will Lunsford, Edward Rulestead, Debbie Rulestead, Michael M. Mikeska, John Reilly, Thomas Wright, Cody Jordan, Chad Jordan, Shannon J. Mackinnon, and William Foster Simmons.

Appendix L

Julie Lewis, Sam Lewis, Marvin Baker, David Byrge, Jeanine Byrge, Sally Woolery, and Deane Durham.

Appendix M

Representative Glenn Rogers, Peggy Link, Curtis John Green, Mike Patton, Mikl Fuqua, William M. Jasper, Stacy Urban, Michelle Davis, Kerri French, Suzette Payne, Randel Parker, Luke Lea, Luann Blay, Nagle Greg, Jill Gregory, Jeremy Jo Chicko, Curtis John Green, and Douglas Stark.

Appendix N

Robert Chicko, John Michael Lewis, Mikl Fuqua, Joshua Page, Curtis John Green, Sandra K. Birdwell, Mike Patton, Michelle Davis, and Rodney Nunley.

Appendix O

Possum Kingdom Lake Association, Anthony Woodall, Steve Burke, Jame Dawn Sanders, Bettie McQuinn, Jeff Peterson, Joshua Page, Clark Pulliam, Suzette Payne, Clayton D. Self, Mike Patton, Gregory L. Peterson, Paul C. Sarahan, Patrick A. Gorman, Pam Williams, Jent Burke, Stacy Burke, Greg Hamilton, Carolyn Polston, Tracy Talbot, Kathy Halgriamon, Virginia Pirraglia, Orville Pirraglia, B. K. Mummert, Danny Mummert, Dusty Creel, Kent Sadler, Concerned Citizen, Rodney Polston, Barbara McReynolds, Waley McReynolds, Steve Jordan, Sam Heard, Michelle Davis, Blake Davis, Dawn Warchesik, Jan Bowen, Terry Carey, J. Tom Pruett, Wade Roberson, Rock Maserang, Mark Feighner, Colleen Feighner, Chris Beeson, Justin Jackson, Jena Taver Jackson, Grady Sanders, Thomas R. Perkins, Lee L. Warchesik, Sue Cathey, Will Lunsford, Edward Rulestead, Debbie Rulestead, Michael M. Mikeska, John Reilly, Thomas Wright, Cody Jordan, Chad Jordan, Shannon J. Mackinnon, and William Foster Simmons.

Appendix P

Joshua Page, Suzette Payne, Sandra K. Birdwell, and Michelle Davis.

Appendix Q

Clayton D. Self, Bettie McQuinn, Brad G. Butler, Robert Chicko, Mikl Fuqua, Jeanine Byrge, Joshua Page, Melissa Roberts, Clark Pulliam, Ronnie Miller, Marc Carey, Carey Katie, Roger Cockrell, Judy Cockrell, Grady Sanders, Jame Sanders, Suzette Payne, Jill Gregory, Sally Woolery, William J. Savage, Patrick A. Gorman, Pam Williams, Jent Burke, Stacy Burke, Greg Hamilton, Carolyn Polston, Tracy Talbot, Kathy Halgriamon, Virginia Pirraglia, Orville Pirraglia, B. K. Mummert, Danny Mummert, Dusty Creel, Kent Sadler, Concerned Citizen, Rodney Polston, Barbara McReynolds, Waley McReynolds, Steve Jordan, Sam Heard, Michelle Davis, Blake Davis, Dawn Warchesik, Jan Bowen, Terry Carey, J. Tom Pruett, Wade Roberson, Rock Maserang, Mark Feighner, Colleen Feighner, Chris Beeson, Justin Jackson, Jena Taver Jackson, Grady Sanders, Jame Sanders, Thomas R. Perkins, Lee L. Warchesik, Sue Cathey, Will Lunsford, Edward Rulestead, Debbie Rulestead, Michael M. Mikeska, John Reilly, Thomas Wright, Cody Jordan, Chad Jordan, Shannon J. Mackinnon, William Foster Simmons, Gregory L. Peterson, and Jeff Peterson.

Appendix R

Joshua Page, Darrin Keys, Suzette Payne, Brent Nance, Shannon Willingham, and Shelley Wolfe.

Appendix S

Representative Glenn Rogers, Possum Kingdom Lake Association, John Queralto, Ruth Piland, Brad Butler, Darrin Keys, Carol Johnson, Tommy Johnson, Carolyn Land, Stacy Fullford, Glenn Lattimore, Marvin Baker, Henry Mills, Eileen Mills, Lynne Aldrich, Brent Nance, Lea Young, Peter Gottschling, Sandra K. Birdwell, Curtis John Green, Peggy Link, Mike Patton, Mikl Fuqua, James P. Lattimore, Paul C. Sarahan, and Mert Fewell.

Appendix T

Possum Kingdom Lake Authority, Brad G. Butler, Mikl Fuqua, Foster Simmons, Brent Nance, Sue Cathey, Melissa Roberts, Wayne Christian, Marc Carey, Katie Carey, Judi Kannon, Barry Mitcham, Angela Mitcham, Mark Kannon, Luann Blay, Eddy Gregory, Eric Nelson, Curtis John Green, Mike Patton, Sally Woolery, Paul C. Sarahan, Luke Lea, Mike Patterson, Rodney Nunley, Douglas Stark, Patrick A. Gorman, Pam Williams, Jent Burke, Stacy Burke, Greg Hamilton, Carolyn Polston, Tracy Talbot, Kathy Halgriamson, Virginia Pirraglia, Orville Pirraglia, B. K. Mummert, Danny Mummert, Dusty Creel, Kent Sadler, Concerned Citizen, Rodney Polston, Barbara McReynolds, Waley McReynolds, Steve Jordan, Sam Heard, Michelle Davis, Blake Davis, Dawn Warchesik, Jan Bowen, Terry Carey, J. Tom Pruett, Wade Roberson, Rock Maserang, Mark Feighner, Colleen Feighner, Chris Beeson, Justin Jackson, Jena Taver Jackson, Grady Sanders, Jame Sanders, Thomas R. Perkins, Lee L. Warchesik, Sue Cathey, Will Lunsford, Edward Rulestead, Debbie Rulestead, Michael M. Mikeska, John Reilly, Thomas Wright, Cody Jordan, Chad Jordan, Shannon J. Mackinnon, William Foster Simmons, Gregory L. Peterson, and Jeff Peterson.

Appendix U

Representative Glenn Rogers, Possum Kingdom Lake Association, Sally Woolery, Foster Simmons, Sue Cathey, Brad Butler, Stacy Urban, Carolyn Land, Stacy Fullford, Glenn Lattimore, Marvin Baker, Henry Mills, Eileen Mills, Lynne Aldrich, Brent Nance, Curtis John Green, Peggy Link, Mikl Fuqua, James P. Lattimore, William M. Jasper, Paul C. Sarahan, Stacy Urban, Shannon Willingham, Kerri French, Luke Lea, Monte Land, Paul C. Sarahan, and Rodney Nunley.

Appendix V

Representative Glenn Rogers, Possum Kingdom Lake Association, Gregory L. Peterson, Ruth Piland, Brad Butler, Stacy Urban, Ross Korkmas, Carolyn Land, Glenn Lattimore, Randel Parker, Greg Nagle, Marvin Baker, David Truett Miller, Cayler Banks, Lynne Aldrich, Brent Nance, Lea Young, Sue Cathey, Peggy Pope, Sandra K. Birdwell, Curtis John Green, Peggy Link, James P. Lattimore, William M. Jasper, Shannon Willingham, Luke Lea, Jeremy Jo Chicko, Paul C. Sarahan, Rodney Nunley.

Appendix W

Representative Glenn Rogers, Possum Kingdom Lake Association, Clayton D. Self, Anthony Woodall, Jeff Lester, Ronald Payne, Connie Sigel, Steve Burke, John Michael Lewis, Tommy McCulloch, Gelasia Bennett, Shawn M. Grisham, Shane Shanafelt, Jo Wilson, Jeff Peterson, Sally Woolery, Mark Feighner, Melissa Roberts, Brad Butler, Cody J. Weems, Darrin Keys, Wayne Christian, Craig Conlin, Mona Conlin, Clark Pulliam, Ronnie Miller, Janet Marie Soppe, Marc Carey, Katie Carey, Henry Mills, Eileen Mills, Peggy Link, Paul C. Sarahan, Randel Parker, and Suzette Payne.