

SOAH DOCKET NO. 582-22-0585

ED-10

Executive Directors Response to Comments

TCEQ PERMIT NO. WQ0015821001

| | | |
|-------------------------|----------|------------------------------|
| APPLICATION BY | § | BEFORE THE |
| | § | TEXAS COMMISSION ON |
| CITY OF GRANBURY | § | 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 on the application by The City of Granbury (Applicant) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015821001. As required by Title 30 Texas Administrative Code (30 TAC) Section (§) 55.156, before a permit is issued, the Executive Director prepares a response to all timely, relevant and material, or significant comments. A virtual public meeting was held on this Application on September 10, 2020. The Office of Chief Clerk received timely comments from the persons in Attachment 1. This response addresses all timely public comments received, whether or not withdrawn. The individuals who provided formal oral comment at the public meeting are noted in Attachment 2.

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). The Executive Director received comments from over 200 persons; to determine which commenter made a particular comment, please see Attachments 3-13.

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 Granbury has applied to the TCEQ for new TPDES Permit No. WQ0015821001 to authorize the discharge of treated domestic wastewater at an annual average flow not to exceed 2,000,000 gallons per day. TCEQ received this application on September 19, 2019. The City of Granbury East Wastewater Treatment Facility will be a Membrane Bioreactor (MBR) process operated in the continuous flow mode. Treatment units in the Interim phase will include bar screens, grit chamber, fine screens, anaerobic basin, anoxic basin, aeration basin, membrane basins, ultraviolet disinfection system, solid storage tank and solid dewatering system. Treatment units

in the Final phase will include mechanical bar screens, manual bar screen, grit chambers, fine screens, anaerobic basins, anoxic basins, aeration basins, membrane basins, ultraviolet disinfection system, solid storage tanks and solid dewatering system. The facility has not been constructed.

The effluent limitations and monitoring requirements for those parameters that are limited in the draft permit are as follows:

INTERIM PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 1.0 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 2,083 gallons per minute (gpm).

| <u>Parameter</u> | <u>30-Day Average</u> | | <u>7-Day</u> | <u>Daily Maximum</u> |
|--|-----------------------|----------------|----------------|----------------------|
| | <u>mg/l</u> | <u>lbs/day</u> | <u>Average</u> | <u>mg/l</u> |
| CBOD ₅ | 5 | 42 | 10 | 20 |
| TSS | 12 | 100 | 20 | 40 |
| NH ₃ -N | 1.6 | 13 | 5 | 10 |
| Total Phosphorus (P) | 1.0 | 8.3 | 2 | 3 |
| DO (minimum) | 6.0 | N/A | N/A | N/A |
| <i>E. coli</i> , CFU or MPN per 100 ml | 126 | N/A | N/A | 399 |

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

FINAL PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 2 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 4,167 gpm.

| <u>Parameter</u> | <u>30-Day Average</u> | | <u>7-Day</u> <u>Average</u> | <u>Daily Maximum</u> |
|---------------------------------------|-----------------------|----------------|--------------------------------|----------------------|
| | <u>mg/l</u> | <u>lbs/day</u> | <u>mg/l</u> | <u>mg/l</u> |
| CBOD ₅ | 5 | 83 | 10 | 20 |
| TSS | 12 | 200 | 20 | 40 |
| NH ₃ -N | 1.0 | 17 | 5 | 10 |
| Total Phosphorus | 0.5 | 8.3 | 1.0 | 2 |
| DO (minimum) | 6.0 | N/A | N/A | N/A |
| <i>E. coli</i> , CFU or MPN/100 ml | 126 | N/A | N/A | 399 |

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

The facility will be located at 3121 Old Granbury Road, Granbury, in Hood County, Texas 76049. The treated effluent will be discharged to an unnamed tributary of Rucker Creek; thence to Rucker Creek; thence to Lake Granbury in Segment No. 1205 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for an unnamed tributary of Rucker Creek and high aquatic life use for Rucker Creek. The designated uses for Segment No. 1205 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 TAC § 307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Rucker Creek or Lake Granbury, which have been identified as having high aquatic life uses. Existing uses will be maintained and protected.

B. Procedural Background

The permit application was received on September 19, 2019, and declared administratively complete on November 12, 2019. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published in English on November 16, 2019, in *The Hood County News* and in Spanish on November 25, 2019, in *La Prensa*

Comunidad. The Executive Director completed the technical review of the application on March 18, 2020. The Notice of Application and Preliminary Decision (NAPD) was published in English on May 9, 2020, in *The Hood County News* and in Spanish on May 11, 2020, in *La Prensa Comunidad*. The Notice of Public Meeting was published on August 5, 2020, in *The Hood County News*. A Public meeting was held on September 10, 2020, via webcast. The public comment period ended at the close of the Public Meeting.

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 Chapter 39, 50, and 55. 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:

- to access the Secretary of State website: www.sos.state.tx.us;
- for TCEQ rules in 30 TAC: www.sos.state.tx.us/tac/ (select “TAC Viewer” on the right, then “Title 30 Environmental Quality”);
- for Texas statutes: <http://www.statutes.legis.state.tx.us/>;
- to access the TCEQ website: <https://www.tceq.texas.gov/rules/index.html> (for downloadable rules in Microsoft Word or Adobe PDF formats, select “Rules,” then “Current Rules and Regulations,” then “Download TCEQ Rules”);
- for Federal rules in Title 40 of the Code of Federal Regulations: <https://www.epa.gov/laws-regulations/regulations>; and
- for Federal environmental laws: <http://www.epa.gov/lawsregs/>.

In light of directives to protect public health, to obtain documents located in the Office of the Chief Clerk, please leave a voice mail at (512) 239-3300 and someone will return your call the same day. Some documents located in the Office of the Chief Clerk may be located on the Commissioners’ Integrated Database at: <https://www14.tceq.texas.gov/epic/eCID/>.

II. COMMENTS

A. Water Quality Concerns

COMMENT 1: Anita Branch, Jerry Cigainero, Sue Cigainero, Bob Coleman, Vickie Coleman, Bart Cox, Carol Cox, Michael Drake, Sandra Drake, Daniel Linebarger, David Siedal, Patricia Siedal, and Donna Smith expressed concern about water quality generally.

RESPONSE 1: The proposed draft permit was developed in accordance with the Texas Surface Water Quality Standards (TSWQS) 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* (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. The designated uses for Segment No. 1205 are high aquatic life use, public water supply, and primary contact recreation. The TSWQS require that discharges may not degrade the receiving waters and may not result in situations that impair existing, attainable or designated uses and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock or domestic animals. The effluent limits in the draft permit are set to maintain and protect the existing instream uses.

The Executive Director has made a preliminary determination that the draft permit, if issued, meets all statutory and regulatory requirements. The TCEQ also submitted the draft permit to the U.S. Environmental Protection Agency (EPA) Region 6 for review. The EPA reviewed the draft permit and did not have any objections to the issuance of the draft permit (letter received June 5, 2020).

COMMENT 2: The persons listed in Attachment 3 expressed concern about negative impacts on well and drinking water.

RESPONSE 2: The Water Quality Division has determined that if the surface water quality is protected in accordance with the TSWQS, then the groundwater quality in the vicinity will not be impacted by the discharge. Therefore, the permit limits given in the draft permit are intended to maintain the existing uses of the surface waters and preclude degradation, which will also protect groundwater.

Further, 30 TAC § 309.13(c) states that a wastewater treatment plant unit may not be located closer than 500 feet from a public water well nor 250 feet from a private water well. Public water supply systems in Texas are regulated by the TCEQ's Water Supply Division. Please contact the Water Supply Division at 512-239-4691 for more information.

COMMENT 3: Anita Branch, Victoria Calder, David Schatte, Pattie Schatte, and Patrick Sullivan expressed the opinion that the permit ignores and/or goes against the watershed protection plan put in place for Lake Granbury. David Schatte, Patti Schatte,

and Patrick Sullivan specifically asked about a portion of the watershed protection plan that states: “ambient water quality monitoring data in the canals reveals that the canal areas exhibit little or no circulation and mix slowly with the main body of the reservoir. This data collection effort has identified bacteria impairments...”

RESPONSE 3: The draft permit does not ignore or go against The Lake Granbury Watershed Protection Plan (WPP), which was developed by the Lake Granbury WPP Stakeholders Committee and prepared by the Brazos River Authority and Espey Consultants, Inc. in response to water quality concerns in Lake Granbury. The overall objective of the Lake Granbury WPP is to improve and protect the chemical, physical and biological integrity of Lake Granbury and its designated uses. The primary goal of the WPP is to address concerns about elevated bacteria levels in applicable areas of the lake. The main body of the lake does not typically experience elevated bacteria levels on a frequent or prolonged basis. High bacteria concentrations have been observed to occur mostly in coves and subdivision canals that have limited circulation and connectivity with the main body of the reservoir. Correspondingly, the WPP is focused on those areas.

In many of these areas, the main source of existing bacteria issues is on-site sewage facilities (OSSFs) (failing septic systems), with other bacteria sources including livestock, wildlife, and pets also representing significant contributions in some areas. The WPP states that local soils are generally not well-suited for septic tanks and absorption fields.

The WPP has a long-term stakeholder goal to maintain geometric mean *Escherichia Coli* (*E. coli*) concentrations in all parts of the lake at or below 53 Most Probable Number (MPN) per 100 mL. This concentration is lower than the statewide contact recreation standard of 126 MPN of *E. coli* per 100 mL, which is the applicable criterion for Lake Granbury, Segment No. 1205.

The WPP is focused on addressing bacteria issues originating primarily from non-point sources, such as aging and leaking OSSFs, livestock, wildlife, and pets. The WPP indicates that regional wastewater treatment systems are a preferred alternative to OSSFs, and that these types of projects are encouraged. There are a number of existing wastewater treatment facilities in the watershed of Lake Granbury. These facilities have *E. coli* effluent limits of 126 MPN/100 mL. The WPP does not include any recommendations that *E. coli* limits for wastewater treatment facilities be reduced to a lower limit. The WPP is focused on finding solutions to address the bacteria contributions from non-point sources, primarily old and failing OSSFs.

According to the WPP, there were an estimated 9,000 OSSFs located around Lake Granbury with absorption fields installed on small lots in close proximity to the lake at the time the WPP was developed. Most of the inhabited areas around the lake exist on man-made coves and canals, which are shallow, dead-end bodies of water with little mixing or interaction with the main body of the reservoir. New development in areas

without collection and treatment systems relies on individual OSSFs and absorption fields.

The WPP further states that while measures to improve circulation within coves and canals may reduce bacteria concentrations and be beneficial to related water quality conditions, available funding sources should first target reduction of bacteria sources. Actions to address or improve water movement through or circulation within coves or subdivision canals of Lake Granbury are outside the scope of this TPDES wastewater permit application.

The WPP notes elevated bacteria levels in the Rucker Creek section of the lake, as well as recommendations for percent reductions in *E. coli* levels, however it does not provide guidance specific to this area for how to achieve those reductions. The WPP focuses more on the subdivision canals, which in many cases have very limited circulation or interaction with the main body of the reservoir and little to no contributing flow sources other than direct runoff from the adjacent properties. The proposed facility would provide supplemental flow into the Rucker Creek channel and the Rucker Creek arm of the lake, composed of highly treated wastewater effluent.

The WPP provides estimates concerning the percent reduction in bacteria levels in various sections of the lake that would result from servicing the area with regional wastewater treatment. Lake wide, these results vary considerably, but for some areas in the study this reduction was as high as 99 percent.

The WPP indicates specific low dispersion values derived from dye study data in some of the subdivision canals. Natural coves would likely have higher dispersion, though not under all conditions. The WPP document did not include specific dispersion values applicable to the Rucker Creek section of the lake. Though not used for an evaluation of *E. coli* levels or effluent limits, the dissolved oxygen (DO) modeling analysis incorporated conservative dispersion values for the Rucker Creek arm of the lake and its backwaters that are comparable to those low values indicated by the WPP for the dead-end subdivision canals.

B. General Environmental Concerns

COMMENT 4: The persons listed in Attachment 4 expressed concern about hazards to aquatic life contaminating the fish caught for consumption and/or leading to fish kills and about hormones in the effluent effecting the reproductive development of fish.

RESPONSE 4: The TSWQS 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 in the draft permit are set to maintain and protect the existing instream uses. In this case, the designated uses for Segment No. 1205 are primary contact recreation, public water supply, and high aquatic life use.

¹ 30 TEX. ADMIN. CODE § 307.6(b)(4).

The Executive Director determined that these uses should be protected if the proposed facility is operated and maintained as required by the proposed permit and regulations. Additionally, the treated effluent will be disinfected prior to discharge to protect human health.

The TCEQ has not investigated the potential effects of emerging contaminants, which includes Pharmaceutical and Personal Care Products (PPCPs), in effluent. Neither the TCEQ nor the EPA has promulgated rules or criteria limiting emerging contaminants in wastewater. The EPA is investigating emerging contaminants and has stated that scientists have not found evidence of adverse human health effects from emerging contaminants in the environment. Removal of some emerging contaminants has been documented during municipal wastewater treatment; however, standard removal efficiencies have not been established. In addition, there are currently no federal or state effluent limits for emerging contaminants. 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 the TCEQ nor the EPA has rules on the treatment of contaminants such as pharmaceuticals in domestic wastewater.

30 TAC § 307.6 of the TSWQS provide that water in the state cannot be toxic to aquatic or terrestrial organisms. The rule further states that water in the state must be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water, or any combination of the three. Water in the state with sustainable fisheries or public drinking water supply uses must not exceed applicable human health toxic criteria. Rucker Creek and Lake Granbury are considered to be sustainable fisheries and Lake Granbury has public water supply uses. The draft permit went through a rigorous series of technical reviews that culminated in the drafting of a permit with appropriate effluent limitations to ensure compliance with the TSWQS, including 30 TAC § 307.6 regarding toxic pollutants to ensure that the receiving water uses, which include public drinking water, fish consumption, and recreational use, are maintained.

To address toxic pollutants, the TCEQ permit writer performed water quality screenings using the critical conditions information, local water quality information for Lake Granbury (Segment 1205), and expected pollutant loading from the discharge. These screenings (called TexTox screening) determine compliance with TSWQS and permit limits are given when screening calculations indicate a need in order to meet TSWQS. Water quality-based effluent limitations for toxic pollutants are assessed using TexTox, and are determined, in part, by using the critical low flow statistic (7Q2) for assessing aquatic life criteria. A copy of the TexTox screening is available in the Statement of Basis/Technical Summary provided with the draft permit.

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 and terrestrial and aquatic life.

The Executive Director expects that human health and the environment will be protected if the Applicant operates and maintains the facility as permitted and in accordance with TCEQ rules. Any noncompliance with the terms of the draft permit could result in enforcement action against the Applicant.

COMMENT 5: The persons listed in Attachment 5 expressed concern about algae blooms with particular concerns for Golden Algae.

RESPONSE 5: Phosphorus is a key nutrient necessary for algae growth and is often in limited supply in freshwater systems. By restricting the amount of phosphorus in the treated wastewater, the likelihood of the discharge stimulating excessive growth of algae or other aquatic vegetation is reduced significantly. To ensure the effluent from the proposed facility will not cause an excessive accumulation of algae, the Executive Director performed a nutrient screening which indicated that because of the high clarity of the water column, lack of shade along the banks, and minimal dilution, a total phosphorus limit is needed in the draft permit. The Executive Director included a total phosphorus limit of 1.0 mg/L in the Interim Phase and 0.5 mg/L in the Final Phase to preclude the excessive accumulation of algae.

Narrative criteria to prevent the excessive accumulation of algae was considered for Lake Granbury and Rucker Creek. Therefore, a nutrient screening consistent with TCEQ's Procedures to Implement the Texas Surface Water Quality Standards (2010) was performed, which resulted in a total phosphorus effluent limit of 1.0 mg/L during the 1.0 million gallons per day (MGD) interim phase and a 0.5 mg/L total phosphorus effluent limit during the 2.0 MGD final phase to minimize change in total phosphorus loading in Lake Granbury and the Rucker Creek backwater cove. Total phosphorus limits are expected to preclude excessive algal growth, including golden algae.

COMMENT 6: Carol Behrens, Doug Behrens, George Bradford, Victoria Calder, Jerry Cigainero, Sue Cigainero, Brenda Darby, Jeremiah Davis, Monica Davis, Harvey Ewing, Leona Ewing, George Griffin, Cynthia Griffin, Bud Lowack, Kay Lowack, Alan Murray, Laura Murray, Jason Nolte, David Porcher, William Poulos, Walter Shaw, Jeff Trawick, Carolyn Sue Veale, James Veale, and Roger Wiley expressed concern about raw sewage dumps (SSOs), spills, overflows, and/or discharges.

RESPONSE 6: The proposed permit prohibits unauthorized discharge of wastewater or any other waste and includes appropriate requirements. For example, the permittee must maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater. In addition, the plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by TCEQ. All of these permit provisions are designed to help prevent unauthorized discharges of raw sewage. Except as allowed by 30 TAC § 305.132, the Applicant will be required to report an unauthorized discharge to the TCEQ within 24 hours. Finally, the Applicant

could be subject to potential enforcement action for failure to comply with TCEQ rules or the permit.

COMMENT 7: KT Anderson, Judith Gagliardo, and Donna Williams expressed concerns relating to the loss of naturally occurring animal preserve, negative impact on wildlife, and development of green space. Carol Behrens, Doug Behrens, Jeremiah Davis, Monica Davis, Brenda Morgan, and Parrish Osborn further stated that endangered and threatened species such as the Brazos River Snake and Bald Eagle are found in and near the area.

RESPONSE 7: The TSWQS require that discharges may not degrade the receiving waters and may not result in situations that impair existing, attainable, or designated uses and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock, or domestic animals. The methodology outlined in the *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010) is designed to ensure compliance with the TSWQS. 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.

The application went through a rigorous series of technical reviews that culminated in the drafting of a permit with appropriate effluent limitations to ensure compliance with the TSWQS. This process involves identification of the waterbodies receiving the effluent, determination of the appropriate aquatic life uses of those waterbodies, calculation of critical conditions which are the conditions in which the waterbody is most vulnerable to pollutant inputs, dissolved oxygen modeling to ensure that dissolved oxygen criteria in the receiving waterbodies will be met, and calculation of water quality-based effluent limitations based on the critical conditions calculated for the receiving stream.

In order to achieve the goal of maintaining a level of water quality sufficient to comply with TSWQS after taking all of the above factors into account, the proposed permit contains several water quality specific parameter requirements that limit the potential impact of the discharge on the receiving waters.

The Executive Director has made a preliminary determination that the draft permit, if issued, meets all statutory and regulatory requirements and expects that human health and the environment will be protected if the Applicant operates and maintains the facility as permitted and in accordance with TCEQ rules. Any noncompliance could result in enforcement action.

While the TSWQS do not specifically designate criteria for the protection of wildlife, they do designate criteria for the protection of aquatic life that should preclude negative impacts to the health and performance of wildlife. The Texas Parks and Wildlife Department (TPWD) is the state agency that oversees and protects wildlife and

their habitat. TPWD can be contacted by phone at 1-800-792-1112 or by mail at 4200 Smith School Road, Austin, Texas 78744. TPWD received notice of Applicant's permit application. The TCEQ also submitted the draft permit to the EPA Region 6 for review. The EPA reviewed the draft permit and did not have any objections to the issuance of the draft permit (letter received June 5, 2020).

COMMENT 8: The persons listed in Attachment 6 expressed general health concerns, including concern for the welfare of employees working close to the plant.

RESPONSE 8: The TSWQS require that discharges may not degrade the receiving waters and may not result in situations that impair existing, attainable, or designated uses and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock, or domestic animals. The effluent limits in the draft permit are set to maintain and protect the existing instream uses. In this case, the designated uses for Segment No. 1205 are primary contact recreation, public water supply, and high aquatic life use.

The proposed draft permit was developed in accordance with the TSWQS to be protective of water quality, provided that 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* (June 2010) is designed to ensure compliance with the TSWQS. 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.

The Executive Director determined that these uses should be protected if the proposed facility is operated and maintained as required by the proposed permit and regulations. Additionally, the treated effluent will be disinfected prior to discharge to protect human health.

COMMENT 9: Carolyn Bean, Roger Bean, Victoria Calder, Ray Carson, Sandra Carson, Debra Cook, Peter Cook, Bart Cox, Carol Cox, Harvey Ewing, Leona Ewing, Cynthia Gookins, Norman Gookins, Cynthia Griffin, George Griffin, Daniel Linebarger, Bud Lowack, Kay Lowack, John Meche, Alan Murray, Laura Murray, Colleen Nielsen, Keith Nielson, William Poulos, David Schatte, Patti Schatte, Walter Shaw, Patrick Sullivan, Carolyn Sue Veale, and James Veale expressed concern about using the water from Rucker Creek and Cove to irrigate personal gardens and property that kids and pets play on.

RESPONSE 9: The draft permit was developed to protect aquatic life and human health in accordance with the Texas Surface Water Quality Standards. As part of the application review process, the TCEQ must determine the uses of the receiving water and set effluent limitations that are protective of those uses which include primary contact recreation. To maintain and protect the primary contact recreation uses, the

Executive Director has included bacteria limits and the requirement to disinfect the treated effluent. Furthermore, the Executive Director has determined that the proposed draft permit for the facility meets the requirements of the Texas Surface Water Quality Standards, which are established to protect human health and terrestrial and aquatic life.

The TCEQ does not evaluate issues such as water drawn from a waterbody in the discharge route to irrigate personal gardens and property adjacent to the discharge route that kids and pets play on as part of the wastewater permitting process. However, the TSWQS 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, livestock, or domestic animals. The effluent limits in the draft permit are set to maintain and protect the existing instream uses. The Executive Director determined that these uses should be protected if the proposed facility is operated and maintained as required by the proposed permit and regulations. Additionally, the treated effluent will be disinfected prior to discharge to protect human health.

COMMENT 10: The persons listed in Attachment 7 expressed concern about carcinogens and contaminants such as Listeria, E. Coli and other bacteria, pharmaceuticals, estrogen, and prions causing illness (especially for the elderly and those with preexisting conditions), death, birth defects, and infertility. There was an emphasis by commenters on pharmaceuticals, with Carolyn Bean, Roger Bean, David Schatte, Patti Schatte, Patrick Sullivan, Lewis Walker, and Rachel Walker notably stating that pharmaceuticals are only partially removed in conventional wastewater treatment processes and even extremely diluted concentrations can affect fish and human health.

RESPONSE 10: The Water Quality Division has determined that the draft permit is in accordance with the TSWQS, which ensures that the effluent discharge is protective of aquatic life, human health, and the environment.

The rules in 30 TAC § 309.3(g)(1) require that disinfection of domestic wastewater must be protective of both public health and aquatic life, however the rules do not require a specific method of disinfection. A permittee may disinfect domestic wastewater through use of chlorination, ultra-violet (UV) light, or an equivalent method of disinfection with prior approval of the Executive Director.

In this case, the Applicant has chosen to utilize a UV light system for disinfection purposes, and must comply with the design requirements in 30 TAC Chapter 217, Subchapter L. Specifically, 30 TAC §§ 217.291-300 specify the requirements for the sizing, configuration, dosage, system details, controls, cleaning, safety, and minimum replacement parts for UV light disinfection units.

Additionally, 30 TAC § 217.37 requires a disinfection system to include a backup power system capable of providing sufficient power to operate continuously during all power outages. The draft permit also includes bacteria limits and monitoring

requirements to verify proper disinfection. The treated effluent shall meet a daily average bacteria limit of 126 colony-forming units or most probable number of *Escherichia coli* (*E. Coli*) per 100 ml. The effluent shall be sampled for bacteria daily.

As previously discussed in Response No. 4, there is currently no clear regulatory regime available to address the treatment of PPCPs in domestic wastewater. Accordingly, neither the TCEQ nor the EPA has rules on the treatment of contaminants such as pharmaceuticals in domestic wastewater.

COMMENT 11: Carol Behrens, Doug Behrens, Victoria Calder, Jeremiah Davis, Monica Davis, Donna Dixon, Harvey Ewing, Leona Ewing, Alisha Green, George Griffin, Cynthia Griffin, Bud Lowack, Kay Lowack, Walter Shaw, Carolyn Sue Veale, and James Veale expressed concern about the presence of Covid-19 in the water.

RESPONSE 11: The Water Quality Division has determined that the draft permit is in accordance with the TSWQS, which ensures that the effluent discharge is protective of aquatic life, human health and the environment.

The rules in 30 TAC § 309.3(g)(1) require that disinfection of domestic wastewater must be protective of both public health and aquatic life; however, the rules do not require a specific method of disinfection. A permittee may disinfect domestic wastewater through use of chlorination, UV light, or an equivalent method of disinfection with prior approval of the Executive Director.

As previously discussed, the Applicant has chosen Ultraviolet (UV) Light for disinfection. UV light is an acceptable and effective means of disinfection because it can kill indicator bacteria (*E. coli*) during the disinfection process of wastewater treatment. The permit requires that the permittee monitor the level of indicator bacteria (*E. coli*) daily to ensure the effluent limits for *E. coli* are not being exceeded and the UV light system is properly operating. This treatment requirement effectively deals with eliminating or reducing the levels of indicator bacteria in discharges to water in the state to levels that are protective of both public health and aquatic life.

The TCEQ has not investigated the potential effects of emerging viruses, which includes the presence of COVID-19, in effluent and neither the TCEQ nor the EPA have promulgated rules or criteria limiting COVID-19 in wastewater.

C. Applicant and Permit Concerns

COMMENT 12: Wayne Bennett, Victoria Calder, Judith Gagliardo, Stacy Rist, and Kyle Wells expressed concern about the use of a 150-foot buffer zone rather than a 500-foot buffer zone.

RESPONSE 12: For the purpose of controlling and abating odors, TCEQ rules require domestic wastewater treatments plants to meet buffer zone requirements for the abatement and control of nuisance odor according to 30 TAC § 309.13(e). This rule provides three options for applicants to satisfy the nuisance odor abatement and control requirements. An applicant can comply with the rule by: (1) owning the buffer

zone area; (2) receiving a restrictive easement from the adjacent property owners for any part of the buffer zone not owned by an applicant; or (3) providing nuisance odor controls. According to its application, the Applicant intends to and will be able to comply with the requirement to abate and control nuisance of odor by locating the treatment units at least 150 feet from its nearest property line. This requirement is incorporated in the draft permit. Nuisance odor conditions to adjacent areas of the proposed Facility are not expected to occur as a result of the permitted activities at the facility, as long as the permittee operates the facility in compliance with TCEQ's rules and the terms and conditions of the draft permit.

COMMENT 13: Victoria Calder, Ray Carson, Sandra Carson, Jeremiah Davis, Monica Davis, Harvey Ewing, Leona Ewing, Cynthia Griffin, George Griffin, Judy Irwin, Paul Irwin, Bud Lowack, Kay Lowack, John Meche, Walter Shaw, Carolyn Sue Veale, and James Veale expressed concern about discharge passing through cow pastures and commented that the "receiving waters" are in the middle of a pasture and should be categorized as an open field.

RESPONSE 13: 30 TAC § 307.3(70) of the Texas Surface Water Quality Standards broadly defines surface water in the state as follows: "Surface water in the state--Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state as defined in the Texas Water Code, § 26.001, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems that are authorized by state or federal law, regulation, or permit, and that are created for the purpose of waste treatment are not considered to be water in the state."

The entire discharge route described in the permit application appears to have defined bed and banks, per USGS maps and aerial imagery, which qualifies the route as waters in the state and thus eligible for permitted discharges.

COMMENT 14: Anita Branch, Kathy Bairefoot, Wayne Bennett, Jack Ginn, Lois Peterson, and Kyle Wells asked what the backup plans are when things go wrong, for example, power outages or human error.

RESPONSE 14: The proposed permit prohibits unauthorized discharge of wastewater or any other waste and includes appropriate requirements. For example, a permittee must maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater. In addition, the plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by TCEQ. All of these permit provisions are designed to help prevent unauthorized discharges of raw

sewage. Except as allowed by 30 TAC § 305.132, the Applicant will be required to report an unauthorized discharge to the TCEQ within 24 hours.

COMMENT 15: Joseph Blakeman, Jill Brown, Amy Ingold, and Brett Ingold commented that the application does not provide sufficient mitigation methods or assurances. Amy Ingold and Brett Ingold would also like to know whether test reports will be available to the public.

RESPONSE 15: The TCEQ issues permits that describe the conditions under which the wastewater facility must operate. All facilities must be designed, operated, and maintained consistent with applicable TCEQ rules. These provisions require that a facility is properly operated and maintained at all times.

The TCEQ's Office of Compliance and Enforcement ensures compliance with applicable state and federal regulations. The Region 4 office is required to conduct a mandatory comprehensive compliance investigation at minor facilities (facilities with permitted flow less than 1 million gallons per day) 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.

Spills and accidental unauthorized discharge are violations of the proposed permit for which an enforcement action can be brought by the TCEQ against the applicant. Any mitigation of these violations must meet the rules and requirements and would be under the direction of the TCEQ local regional office.

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 to the TCEQ by calling the toll-free number, 1-888-777-3186, or the TCEQ Region 4 Office in Fort Worth Texas (817) 588-5700, Citizen complaints may also be filed on-line at

<https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaints.html>.

If the Applicant fails to comply with all requirements of the permit, it may be subject to enforcement action.

Investigation or compliance reports are available through the TCEQ region 4 office located at 2309 Gravel Drive, Fort Worth, Texas 76118-6951.

COMMENT 16: Woody Frossard expressed concern about the permit addressing ammonia only in the form of nitrogen and not nitrates. Mr. Frossard also commented that "the impact to Rucker Creek Cove would be detrimental to the DO during the summer as any additional BOD load could impact the fisheries within the state."

RESPONSE 16: Rucker Creek is indicated to be a perennial stream according to United States Geologic Survey (USGS) topographic maps and the City of Granbury's permit application. Available aerial imagery supports this classification. The unnamed

tributary was assessed as intermittent with perennial pools based on aerial imagery and the USGS topographic map. An uncalibrated QUAL-TX model was constructed to evaluate potential DO impacts in the unnamed tributary, Rucker Creek, and the Rucker Creek arm of Lake Granbury by oxygen-demanding constituents (5-day Carbonaceous Biochemical Oxygen Demand (CBOD₅) and ammonia-nitrogen) in the proposed discharge. The Standards Implementation Team assigned specific DO criteria to each of these water bodies, corresponding to the water body characteristics (intermittent or perennial, presence of perennial pools, lake, etc.) and presumed or designated uses. The unnamed tributary was assigned a limited aquatic life use (3.0 mg/L DO criterion) and Rucker Creek and Lake Granbury were each assigned a high aquatic life use (5.0 mg/L DO criterion). Applicable criteria for Lake Granbury (classified Segment No. 1205) are prescribed in the TSWQS and apply up to the classified segment's defined normal pool elevation of 693 feet above mean sea level. This upstream extent includes any coves, arms, or backwater sections of the lake.

Adequate DO levels are critical to the protection of aquatic life. Effluent limits for components of a wastewater discharge that have a direct impact on instream DO levels are evaluated and recommended for inclusion in TPDES permits to ensure that these DO criteria will be met and that aquatic life will consistently be protected, even during periods when water body conditions are highly unfavorable for maintenance of DO concentrations, such as during hot and dry summertime conditions.

Based on QUAL-TX model results, the effluent limits included in the draft permit for CBOD₅, ammonia-nitrogen, and minimum effluent DO are predicted to be adequate for both proposed flow phases to ensure that DO levels in these water bodies will be maintained above the criteria established by the Standards Implementation Team. Specifically, these effluent sets are 5 mg/L CBOD₅, 1.6 mg/L ammonia-nitrogen, and 6.0 mg/L minimum effluent DO for the proposed 1.0 MGD Interim Phase and 5 mg/L CBOD₅, 1.0 mg/L ammonia-nitrogen, and 6.0 mg/L minimum effluent DO for the proposed 2.0 MGD Final Phase. These effluent sets are among the most stringent effluent limits for any wastewater discharge permit in the entire state and are expected to be protective of fish and other aquatic life throughout the proposed discharge route.

Potential impacts from nutrients such as total nitrogen were considered according to the 2010 Procedures to Implement the Texas Surface Water Quality Standards. Total nitrogen is not typically the nutrient of concern in freshwater systems. Algal growth is typically limited by the availability of phosphorus in these systems and thus narrative criteria for total phosphorus to prevent the excessive accumulation of algae was considered for Lake Granbury and Rucker Creek. Therefore, a nutrient screening consistent with TCEQ's Procedures to Implement the Texas Surface Water Quality Standards (2010) was performed which resulted in a total phosphorus effluent limit of 1.0 mg/L during the 1.0 MGD Interim Phase and a 0.5 mg/L effluent limit during the

2.0 MGD Final Phase to minimize change in total phosphorus loading in Lake Granbury and the Rucker Creek backwater cove.

COMMENT 17: Victoria Calder, Geneva Cass, Samuel Cass, Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, and Walter Shaw commented that the Applicant's compliance history justifies denial or modification of the permit application. Anita Branch and Patrick Sullivan expressed concern about the Applicant's compliance history, citing previous violations of not submitting Discharge Monitoring Reports.

RESPONSE 17: The Applicant applied for a new TPDES permit for a new facility. The compliance history for this proposed site is considered unclassified because it has not been built and has therefore never been through an inspection by TCEQ Region 4 staff. The compliance rating for the City (the CN number) is on the high end of the Satisfactory rating of 0.10.

With regard to the Applicant's other facility, information from the EPA Integrated Compliance Information System queried for the period of September 2015 through October 2020 indicates that the permittee submitted all of the required Discharge Monitoring Reports (DMR) information to be compliant with TCEQ and EPA requirements. A review of the permittee's compliance history for the review period of September 01, 2015 to August 31, 2020 does not indicate any violations with regard to not submitting DMR.

COMMENT 18: The RV Ranch, Anita Branch, Fred Britton, Karen Britton, Victoria Calder, Geneva Cass, Samuel Cass, William Davenport, Woody Frossard, Judith Gagliardo, Michael Hall, Hugh Harbour, Amy Ingold, Brett Ingold, Crystal Lehman, Dick Lehman, John Meche, David Montgomery, Kathy Montgomery, Stacy Rist, Rebecca Thomas, and James Veale commented that the City of Granbury was not transparent and/or did not communicate well during the process and generally provided false, misleading, and/or incomplete information in its application such as labeling Rucker Creek as a lake rather than a tributary.

RESPONSE 18: With respect to Rucker Creek, the technical analysis of the draft permit included assessment of three specific water bodies along the proposed discharge route. The initial receiving water is an unnamed tributary, assessed as intermittent with perennial pools with a limited aquatic life use designation. The unnamed tributary flows into Rucker Creek, which is considered to be a perennial stream down to the point where it transitions into the backwaters of the Rucker Creek arm of Lake Granbury (a distance of approximately 2000 feet (600 meters)). This portion of Rucker Creek is designated as having a high aquatic life use. The defined upstream extent of Lake Granbury (classified Segment No. 1205) into the Rucker Creek channel is determined by the defined normal pool elevation of the lake, which is 693 feet above mean sea level. Lake Granbury (Segment No. 1205), including this backwater portion of

the Rucker Creek arm of the lake, is also assigned a high aquatic life use in the Texas Surface Water Quality Standards.

COMMENT 19: Victoria Calder commented that the application shows that it is not for a renewal, however the phases identified for the project indicate that the date for Phase 1 estimated construction has already passed.

RESPONSE 19: Though the proposed start of construction date for the Interim Phase indicates the start date for construction has already passed, the proposed facility has not yet been constructed. The plans and specifications in the Interim and Final Phases for the Facility will be required to undergo an engineering review by the TCEQ Water Quality Plans and Specification Team and receive approval prior to construction of the Facility.

COMMENT 20: Victoria Calder commented that the original project description indicates that the plant will initially handle 1 million gallons a day, with expansion to 2 million a day, yet they are only building for half capacity to start and would like to know whether the permit covers the entire 3 million capacity or whether it will need to be modified to do so.

RESPONSE 20: The flow limits for each phase are not cumulative. The Interim Phase of the proposed Facility will have an annual average flow limit of 1.0 MGD. That same facility will be expanded in the Final Phase and the final flow limit for the facility will be 2.0 MGD and not 3.0 MGD.

COMMENT 21: Carol Behrens, Doug Behrens, Victoria Calder, Jeremiah Davis, Monica Davis, Harvey Ewing, Leona Ewing, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Walter Shaw, Carolyn Sue Veale, and James Veale commented that “the City of Granbury did not conduct an environmental field study for this project and has not adequately described how protecting the public welfare by preserving our natural resources, through preventing a negative environmental impact from this project, will be ensured.” Anita Branch also submitted a series of comments relating to an Environmental Information Document (EID) prepared by the Applicant.

RESPONSE 21: 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 an 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. The EID that the commenter is referencing was not submitted to the TCEQ and was not reviewed as part of the permit application process. The EID was submitted to the Texas Water Development Board.

The draft permit went through a rigorous series of technical reviews that culminated in the drafting of a permit with appropriate effluent limitations to ensure compliance with the TSWQS, including 30 TAC § 307.6 regarding toxic pollutants to ensure that the receiving water uses, which include public drinking water, fish consumption, and recreational use, are maintained. The extensive technical reviews performed resulted in permit limits to ensure the permitted discharge is consistent with applicable laws, rules, and procedures and protective of the Texas Surface Water Quality Standards which includes the antidegradation policy and designated and presumed uses. Therefore, the permit is expected to be protective of the receiving water uses.

COMMENT 22: Robert Brown commented that “the plans do not address monitoring quality of the wastewater, testing requirements or fines for violations.”

RESPONSE 22: The draft permit contains numeric and non-numeric effluent limits and monitoring frequencies for each type of pollutant. There are additional requirements in the draft permit that provide additional information of what is needed and required for meeting requirements in the draft permit. Fines for non-compliance are assessed by the Commissioners on a case-by-case basis and are not included in the draft permit.

COMMENT 23: Anita Branch, Victoria Calder, Geneva Cass, Samuel Cass, Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, and Walter Shaw commented that Applicant has not adequately defined the discharge point/outfall location. Anita Bryant stated that without an exact location, the Applicant may be tempted to adjust the location of the outfall in the event that difficulties are encountered, or alignment changes are desired. This is not acceptable since the location of the outfall is critical with respect to the project and impacts on Rucker Creek. Data from the WPP show the Rucker Creek had e-coli concentrations ranging from 4 to 6100 units per 100ml sample - quite different from those in Lake Granbury.

RESPONSE 23: The draft permit states a discharge point by longitude and latitude at 32.453406, -97.739542. If an applicant updates its 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.

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 to the TCEQ by calling the toll-free number, 1-888-777-3186, or the TCEQ Region 4 Office in Fort Worth Texas (817) 588-5700, Citizen complaints may also be filed on-line at

<https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaints.html>.

COMMENT 24: Victoria Calder, Geneva Cass, Samuel Cass, Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, and Walter Shaw commented that Applicant has not demonstrated that all applicable state water quality standards will be met. Specifically, commenters expressed concern about standards related to nutrients and bacteria and compliance with applicable anti-degradation requirements. Thomas Call also asked what measures the City of Granbury will take to ensure that a nutrient build-up in the narrow, shallow cove or Rucker Creek won't happen again.

RESPONSE 24: The proposed draft permit was developed in accordance with the TSWQS to be protective of water quality, provided that Applicant operates and maintains the proposed Facility according to TCEQ rules and the proposed permit's requirements.

In accordance with 30 TAC § 307.5 and the TCEQ *Procedures for the Implementation of the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Rucker Creek or Lake Granbury, which have been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

If the permittee complies with the terms of the draft permit, all applicable state water quality standards will be met including standards related to nutrients and bacteria limited in the permit and the Applicant will have demonstrated its compliance with all applicable anti-degradation requirements.

COMMENT 25: Victoria Calder, Geneva Cass, Samuel Cass, Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, and Walter Shaw commented that Applicant has not demonstrated that all applicable state water quality standards will be met. Specifically, commenters expressed concern about nuisance odors and compliance with applicable odor control requirements.

RESPONSE 25: All wastewater treatment facilities have the potential to generate odors. To control and abate odors the TCEQ rules require domestic Wastewater Treatment Plants (WWTPs) to meet buffer zone requirements for the abatement and control of nuisance odor according to 30 TAC § 309.13(e), which provides three options for applicants to satisfy the nuisance odor abatement and control requirements. An applicant can comply with the rule by: (1) owning the buffer zone area; (2) receiving a restrictive easement from the adjacent property owners for any part of the buffer zone not owned by an applicant; or (3) providing nuisance odor control.

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

If anyone experiences nuisance odor conditions or any other suspected incidents of noncompliance with the permit or TCEQ rules, they may be reported to TCEQ by calling toll-free 1-888-777-3186, or the TCEQ Region 4 Office in Fort Worth at (817) 588-5800.

COMMENT 26: Victoria Calder, Geneva Cass, Samuel Cass, Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, and Walter Shaw commented that the Applicant has not demonstrated that all applicable state water quality standards will be met. Specifically, commenters expressed concern about whether the permit includes adequate monitoring and reporting requirements, including monitoring of water quality impacts and toxicity to aquatic species.

RESPONSE 26: The 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 TPDES permits under TWC Chapter 26 and 30 TAC Chapters 305, 307, and 309, including specific statutes regarding wastewater treatment systems under 30 TAC Chapters 217 and 309. The proposed draft permit was developed in accordance with the TSWQS 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.

As specified in the TSWQS, water in the state must be maintained to preclude adverse toxic effects on human health, aquatic or terrestrial life, livestock, and domestic animals resulting from contact, consumption of aquatic organisms, consumption of water, or any combination of the three.

The Executive Director's review of an application for a TPDES permit focuses on controlling the discharge of pollutants into water in the state, which includes both navigable and non-navigable water bodies. The TWC defines "water" or "water in the state" to mean groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state."

The draft permit includes provisions to ensure that the TSWQS will be maintained. Conventional domestic sewage does not typically contain toxic compounds in measurable quantities that might result in toxic effects in the receiving waterbodies, unless there are significant industrial users contributing to the waste stream.

COMMENT 27: Victoria Calder and Walter Shaw commented that the Applicant has not demonstrated compliance with all facility design requirements and that water quality standards will be met in the mixing zones.”

RESPONSE 27: The plans and specifications of the plant design must be in compliance with 30 TAC Chapter 217, relating to Design Criteria for Domestic Wastewater Systems. The permittee shall at all times ensure that the proposed Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Consequently, a health hazard as a result of pests should not occur.

According to 30 TAC § 307.8(b), a reasonable mixing zone is allowed at the discharge point of permitted discharges into surface water in the state. However, the following portions of the standards do not apply within mixing zones: (A) site-specific criteria, as defined in § 307.7 and listed in Appendices A, D, E, F, and G of § 307.10; (B) numerical chronic aquatic life criteria for toxic materials as established in § 307.6; (C) total chronic toxicity restrictions as established in § 307.6; (D) maximum temperature differentials as established in § 307.4(f); (E) dissolved oxygen criteria for unclassified waters, as established in § 307.4(h); (F) dissolved oxygen criteria for intermittent streams, as established in § 307.4(h)(4); (G) aquatic recreation criteria for unclassified waters, as established in §§ 307.4(j) and 307.7(b)(1); and (H) specific human health criteria for concentrations in water to prevent contamination of drinking water, fish and shellfish so as to ensure safety for human consumption, as established in § 307.6.

The draft permit requires toxicity testing which uses a series of dilutions of treated effluent with receiving waters to test the effluent for toxic effects on test organisms determined to be representative of those living in the receiving waters (the water flea (*Ceriodaphnia dubia*) and the fathead minnow (*Pimephales promelas*)). One of these tests required in the draft permit uses 100 percent effluent for a 24-hour acute toxicity test. This test is required to ensure protection of aquatic life passing through the mixing zone. The purpose of biomonitoring is to ensure that the discharge is not lethal to aquatic organisms. To ensure this standard is met, the draft permit requires the Applicant to perform a Toxicity Reduction Evaluation (TRE) if the toxicity tests demonstrate significant lethality. If the Applicant complies with all the requirements of the permit, water quality standards for mixing zones will be met.

D. Notice and Procedural Concerns

COMMENT 28: The persons listed in Attachment 8 commented that the City of Granbury used improper notification, that the notification was insufficient, and/or didn't properly notify all the affected persons. Many commenters asserted that the City of Granbury got around the requirement to notify affected landowners by falsely

labeling the creek as a lake. Victoria Calder also commented that the Applicant failed to publish in Spanish. George Griffin, David Schatte, Patti Schatte, and Patrick Sullivan further commented that notification via newspaper is inadequate in modern times.

RESPONSE 28: For wastewater treatment facilities, the TCEQ follows the notice requirements found in 30 TAC § 39.551. Specifically, the Notice of Receipt of Application and Intent to Obtain Permit (NORI) is required to be published no later than 30 days after the Executive Director deems the application administratively complete until the Commission has taken final action. An applicant is required to post a copy of the NORI at a place convenient and readily accessible to the public in the administrative offices of the political subdivision in the country in which the discharge is located. The NORI is mailed to adjacent and downstream landowners.

Additionally, the Notice of Permit and Preliminary Decision (NAPD) is required to be published after the Chief Clerk has mailed the preliminary decision and the NAPD to the applicant. An applicant is required to publish the NORI and NAPD at least once in a newspaper regularly published or circulated within each county where the proposed facility or discharge is located and in each county that is affected by the discharge. The appropriate counties are provided by the Executive Director to the Applicant.

In some cases, an applicant must also publish notice in a language other than English. These cases, as well as the related requirements, are listed out in 30 TAC § 29.405(h).

TCEQ is bound by the requirements in 30 TAC and is therefore required to follow the process listed above.

The Applicant met all of the above notice requirements. As previously stated, The NORI was published in English on November 16, 2019, in *The Hood County News* and in Spanish on November 25, 2019, in *La Prensa Comunidad*. The Executive Director completed the technical review of the application on March 18, 2020. The NAPD was published in English on May 9, 2020, in *The Hood County News* and in Spanish on May 11, 2020, in *La Prensa Comunidad*. The Notice of Public Meeting was published on August 5, 2020, in *The Hood County News*. A Public meeting was held on September 10, 2020 via webcast. The public comment period ended at the close of the Public Meeting.

COMMENT 29: Victoria Calder would like to know what recourse or formal means of protest through the TCEQ are available to those effected by this permit.

RESPONSE 29: As per 30 TAC Chapter 55, Subchapter E, while a permit is pending, the public is encouraged to submit comments on a proposed facility. The public may also request a Public Meeting in its comments. After the comment period ends (typically 30 days after the last NAPD is filed or at the end of a Public Meeting - whichever comes later), the Executive Director responds to all timely, relevant and material, or significant comments in a Response to Comments Letter such as this.

As per 30 TAC § 55.251, in addition to making comments, affected persons (defined in 30 TAC § 55.103) may also request a contested case hearing until 30 days after the

Chief Clerk mails this Response to Comments. A contested case hearing request must be submitted in writing and should include: (1) your name, mailing address and phone number; (2) the applicant's name and proposed permit number; (3) the location and distance of your property/activities relative to the proposed facility; (4) a specific description of how you would be adversely affected by the facility in a way not common to the general public; (5) a list of all disputed issues of fact that you submitted during the comment period; and (6) the statement "[I/We] request a contested case hearing."

If the request for a contested case hearing is filed on behalf of a group or association, the request must also: (1) designate the group's representative; (2) identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; (3) provide the information discussed above regarding the affected member's location and distance from the facility or activity; (4) explain how and why the member would be affected; and (5) explain how the interests the group seeks to protect are relevant to the group's purpose.

If a hearing requests are filed, the Chief Clerk's Office will forward the application and hearing requests to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Written requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel (MC 103) at the same address.

E. General Comments

COMMENT 30: Wayne Bennett, Donna Dixon, Jack Ginn, Bailey Graham, Bobby Graham, Dianne Hasty, Ronnie Hasty, Mark Hogan, Nita Merritt, Eric Tomlin, Judy Trivett, and Kyle Wells expressed their general opposition to the permit. William Resch and Carl Greer expressed support for the application.

RESPONSE 30: The Executive Director acknowledges the comments both in opposition and support of the application and appreciates the involvement of so many residents. The Executive Director evaluates applications for wastewater treatment plants based on the information provided in the application. The Executive Director can recommend issuance or denial of an application based on whether the application complies with the Texas Water Code and TCEQ regulations. TCEQ's permitting authority does not include the authority to mandate a different location for the facility if the location in the application complies with 30 TAC Chapter 309, Subchapter B relating to Location Standards, and specifically 30 TAC § 309.13, relating to Unsuitable Site Characteristics for a treatment facility.

The Executive Director evaluated the City of Granbury's application according to all applicable statutory and regulatory requirements and determined that, if properly operated, the facility will not negatively impact human health or the environment.

COMMENT 31: Kathy Bairefoot, Wayne Bennett, Victoria Calder, Geneva Cass, Samuel Cass, Donna Dixon, Judith Gagliardo, Kevin Gapinski, Jack Ginn, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, Lois Peterson, Stacy Rist, Walter Shaw, William Stone, Kyle Wells, Donna Williams, and Lindy Wilson commented that the Applicant has not demonstrated that all applicable state water quality standards will be met. Specifically, commenters expressed concern about the construction and operation of the facility causing a nuisance, including noise and light. Anita Branch asked what the decibel levels associated with backup power units will be.

RESPONSE 31: TCEQ acknowledges and appreciates this comment. The TCEQ does not have the authority to address these types of issues as part of the wastewater permitting process. TWC Chapter 26 and applicable wastewater regulations do not authorize the TCEQ to consider issues such as noise and light pollution. 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 32: The persons listed in Attachment 9 expressed concern about air pollution and quality. Wayne Bennet, Lauren Burton, and Donna Dixon also expressed air quality concerns including airborne fecal matter and chemicals.

RESPONSE 32: TCEQ is the agency responsible for enforcing air pollution laws. The Texas Clean Air Act provides that certain facilities may be exempt from the requirements of an air quality permit if, upon review, it is found that those facilities will not make a significant contribution of air contaminants to the atmosphere and that human health and the environment will be protected. According to 30 TAC § 106.532, wastewater treatment plants have undergone this review and are permitted by rule, provided the wastewater treatment plant only performs the functions listed in the rule.

In its application, the Applicant indicated that the treatment process of the proposed facility would use a MBR process operated in the continuous flow mode. This treatment process will not make a significant contribution of air contaminants to the atmosphere pursuant to the THSC Texas Clean Air Act §§ 382.057 and 382.05196 and is therefore permitted by rule.

COMMENT 33: The persons listed in Attachment 10 expressed concern about noxious odors and related issues such as headaches, unusual tiredness, and concentration difficulties.

RESPONSE 33: TCEQ is the agency responsible for enforcing air pollution laws. The Texas Clean Air Act provides that certain facilities may be exempt from the requirements of an air quality permit if, upon review, it is found that those facilities will not make a significant contribution of air contaminants to the atmosphere and that human health and the environment will be protected. According to 30 TAC

§ 106.532, wastewater treatment plants have undergone this review and are permitted by rule, provided the wastewater treatment plant only performs the functions listed in the rule. In its application, the Applicant indicated that the treatment process of the proposed facility would use an MBR process operated in the continuous flow mode. This treatment process will not make a significant contribution of air contaminants to the atmosphere pursuant to the THSC Texas Clean Air Act §§ 382.057 and 382.05196 and is therefore permitted by rule.

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

According to its application, the Applicant intends to comply with the requirement to abate and control nuisance of odor by locating the treatment units at least 150 feet from the nearest property line. This requirement is incorporated in the draft permit.

Further, the Applicant proposes in its application that the facility will be an MBR process operated in the continuous flow mode. The activated sludge process is the most frequently used biological wastewater treatment process for treating domestic wastewater and the use of the extended aeration variation has been known to produce highly treated effluent with low biosolids production. When properly treated by the proposed wastewater treatment process, the effluent is not expected to have an offensive odor.

COMMENT 34: Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Walter Shaw, Carolyn Sue Veale, and James Veale expressed concern about an increase of pests and insects such as flies, roaches, rats, buzzards, etc.

RESPONSE 34: The plans and specifications of the plant design must be in compliance with 30 TAC Chapter 217, relating to Design Criteria for Domestic Wastewater Systems. The permittee shall at all times ensure that the proposed Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Consequently, a health hazard as a result of pests should not occur.

The TCEQ's Office of Compliance and Enforcement ensures compliance with applicable state and federal regulations. The Region 4 office is required to conduct a mandatory comprehensive compliance investigation at minor facilities (facilities with permitted flow less than 1 million gallons per day) 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.

Spills and accidental unauthorized discharge are violations of the proposed permit for which an enforcement action can be brought by the TCEQ against the applicant. Any mitigation of these violations must meet the rules and requirements and would be under the direction of the TCEQ local regional office.

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 to the TCEQ by calling the toll-free number, 1-888-777-3186, or the TCEQ Region 4 Office in Fort Worth Texas (817) 588-5700, Citizen complaints may also be filed on-line at

<https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaints.html>. If the Applicant fails to comply with all requirements of the permit, it may be subject to enforcement action.

Investigation or compliance reports are available through the TCEQ region 4 office located at 2309 Gravel Drive, Fort Worth, Texas 76118-6951.

COMMENT 35: Anita Branch, Jill Brown, Blair Pierce, Daniel Richardson, and Jason Richardson expressed concern about negative impacts to the water treatment plant downstream.

RESPONSE 35: 30 TAC § 307.6 of the TSWQS provide that water in the state cannot be toxic to aquatic or terrestrial organisms. The rule further states that water in the state must be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water or any combination of the three. Water in the state with sustainable fisheries or public drinking water supply uses must not exceed applicable human health toxic criteria. Rucker Creek and Lake Granbury are considered to be sustainable fisheries and Lake Granbury has public water supply uses. The draft permit went through a rigorous series of technical reviews that culminated in the drafting of a permit with appropriate effluent limitations to ensure compliance with the TSWQS, including 30 TAC § 307.6 regarding toxic pollutants to ensure that the receiving water uses, which include public drinking water, fish consumption, and recreational use, are maintained.

COMMENT 36: Jill Brown, Victoria Calder, Ronnie Clark, and Walter Shaw commented that hundreds of families who will be negatively impacted reside outside the bounds of the City of Granbury and therefore have no say in the election of city officials who are pushing the project through.

RESPONSE 36: The TCEQ acknowledges and appreciates this comment. This issue is outside the scope of the TCEQ's review of the application for a new wastewater treatment plant.

COMMENT 37: Stacy Rist commented that the permit is against public interest as Hood County is a major location in Texas for archeological relics and that the City of

Granbury has a proven history of poor stewardship of protecting the Hood County archeological and historical treasures.

RESPONSE 37: TCEQ rules require that all applications for wastewater discharge permits include mailed notice of both the NORI and NAPD to the entities listed at 30 TAC § 39.413, which includes government agencies such as the Texas Department of Health, the Texas Parks and Wildlife Department, and the Texas Railroad Commission. As part of the TPDES permitting process, the Applicant must submit a Supplemental Permit Information Form (SPIF). This completed form is subsequently sent to the Texas Historical Commission, Texas Parks and Wildlife Department, U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers. The application and the draft permit were also reviewed by the EPA.

In this case the Texas Historic Commission (THC) reviewed the proposed project and issued correspondence stating that no historic properties, archeological sites or cultural resources are present or affected by the project as proposed. THC stated that if any historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area and THC should be contacted.

COMMENT 38: Fred Britton, Bradley Hall, and Tiffany Meyer commented that the Brazos River Authority (BRA) should have been involved.

RESPONSE 38: TCEQ rules do not require that BRA be sent individual notice. The rules require that all applications for wastewater discharge permits include mailed notice of both the NORI and the NAPD to the entities listed at 30 TAC § 39.413, which includes government agencies such as the Texas Department of Health, the Texas Parks and Wildlife Department, and the Texas Railroad Commission. As part of the TPDES permitting process, Applicant must submit a Supplemental Permit Information Form (SPIF). This completed form is subsequently sent to the Texas Historical Commission, Texas Parks and Wildlife Department, U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers. The application and the draft permit were also reviewed by the EPA.

In addition, notice was published in accordance with TCEQ rules as discussed in Response number 32.

COMMENT 39: The persons listed in Attachment 11 expressed concern about negative impacts on contact and non-contact water recreation such as swimming, kayaking, and fishing and expressed the opinion that the application wrongfully states that Rucker Creek is non-recreational. Many commenters own boat docks along Rucker Creek where the discharge will occur.

RESPONSE 39: Assigning recreational uses to classified and unclassified water bodies is defined in § 307.4(j) of the Texas Surface Water Quality Standards. Contact recreation is presumed for all unclassified waterbodies except where site specific standards have been changed. The receiving waters, including Rucker Creek, were assigned the highest category of recreation use (primary contact recreation 1) which

results in the most stringent bacteria limits assigned to the draft permit to ensure those uses are maintained. The permit requirements also include provisions such as the requirement to disinfect the treated effluent in order to protect these uses.

COMMENT 40: Anita Branch, Blair Pierce, Stacy Rist, Rebecca Thomas, and James Veale expressed concern about negative impacts on land recreation such as RV parks, nature parks, and playgrounds and expressed the opinion that the application wrongfully states there is no impact on recreation. Kathy Bairefoot, Donna Dixon, Judith Gagliardo, Jack Ginn, and Kyle Wells expressed concerns about the location of the plant being next to a recreational area.

RESPONSE 40: As mentioned in response number 3 above, the permit requirements include provisions such as bacteria limits and the requirement to disinfect the treated effluent in order to protect recreational uses.

COMMENT 41: The persons listed in Attachment 12 expressed concern about the flow (and/or lack thereof) of effluent during times of drought and flooding and believe that the topography is wrong for this extent of discharge. Regarding drought, there was concern about Rucker Cove blocking the flow to Lake Granbury and that fact that Rucker Creek is “bone dry” for extended periods of time. Regarding flood, there was concern about sewage waste encroaching on lawns and boat docks.

RESPONSE 41: The 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, an applicant is required to comply with all the numeric and narrative effluent limitations and other conditions in the proposed permit at all times, including during flooding conditions.

The proposed permit includes Other Requirement No. 5, which requires the permittee to provide protection for the proposed Facility from a 100-year flood. The TCEQ does not prohibit the location of a wastewater treatment facility in a floodplain as long as the facility design adheres to TCEQ rules. The proposed Facility shall be subject to plans and specifications review prior to construction. Part of this review will include adherence to 30 TAC § 217.35, relating to One Hundred-Year Flood Plain Requirements. The draft permit requires that the Facility design must provide protection from inundation during a 100-year flood event.

The potential impact of the proposed discharge on DO levels in the unnamed tributary, Rucker Creek, and Rucker Cove was evaluated under hot and dry, low-flow summertime conditions, when potential impacts on instream DO levels are typically expected to be most critical. The model includes minimal dispersion throughout the Rucker Cove and Rucker Creek lake backwater reaches. The effluent limitations included in the draft permit are based on these model results and are predicted to be adequate to ensure that DO levels will be maintained above the criteria established for

these water bodies, to ensure that aquatic life will be protected under these restrictive environmental conditions as well as during periods when streamflow, temperature, and circulation conditions are more favorable.

COMMENT 42: Anita Branch, Crystal Lehman, and Dick Lehman expressed concern about erosion due to the additional flow in the creek.

RESPONSE 42: The TCEQ does not have jurisdiction to address flooding or erosion issues in the wastewater permitting process. 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. For flooding concerns, please contact the local floodplain administrator for this area.

COMMENT 43: Anita Branch, Victoria Calder, Jeremiah Davis, Monica Davis, Steve Davis, Vicki Davis, Harvey Ewing, Leona Ewing, Jack Ginn, Cynthia Griffin, George Griffin, Marloy Hatch, Steve Hatch, Bud Lowack, Kay Lowack, Lois Peterson, Walter Shaw, Carolyn Sue Veale, and James Veale expressed concern about Possum Kingdom Dam releasing water during regional rain events causing Rucker Creek to back up and be held for an extended period. There was also concern about the lack of mitigation plans for these times of drought and/or flood.

RESPONSE 43: The TCEQ does not have jurisdiction to address flooding or erosion issues in the wastewater permitting process. 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. For flooding concerns, please contact the local floodplain administrator for this area.

COMMENT 44: Sam Beasley, Sandy Beasley, Carol Behrens, Doug Behrens, Victoria Calder, Jerry Cigainero, Sue Cigainero, Debra Cook, Peter Cook, Jeremiah Davis, Monica Davis, Harvey Ewing, Leona Ewing, Cynthia Griffin, George Griffin, Daniel Linebarger, Bud Lowack, Kay Lowack, James Mitchell, David Schatte, Pattie Schatte, Keifer Schokey, Walter Shaw, Howard Thompson, Patricia Thompson, Jeff Trawick, Carolyn Sue Veale, and James Veale expressed the opinion that the "North Alternative," or an underground pipeline alternative, should be used instead.

RESPONSE 44: Routing of a collection line is not considered in the permitting process for TPDES permits authorizing the treatment and discharge of municipal wastewater. TCEQ does not mandate a different or alternative pipeline route if an applicant's proposed location and route comply with TCEQ rules and engineering practices, based on an engineering review by the Water Quality Plans and Specifications Team.

COMMENT 45: Victoria Calder, Geneva Cass, Samuel Cass, Kevin Gapinski, Cynthia Griffin, George Griffin, Bud Lowack, Kay Lowack, Colleen Nielsen, Keith Nielson, and Walter Shaw commented that Applicant has not demonstrated that all applicable state water quality standards will be met. Specifically, commenters expressed concern about compliance with applicable location standards including construction in wetlands and floodplains.

RESPONSE 45: TCEQ does not have the authority to mandate a different discharge location or wastewater treatment plant location if an applicant's proposed location and discharge route comply with the TWC Chapter 26 and 30 TAC Chapter 309, relating to Domestic Wastewater Effluent Limitations and Plant Siting. The TCEQ does not have jurisdiction over zoning.

The TCEQ does not prohibit the location of a wastewater treatment facility in a floodplain as long as the facility design adheres to TCEQ rules. The proposed facility shall be subject to plans and specifications review prior to construction. Part of this review will include adherence to 30 TAC § 217.35, relating to One Hundred-Year Flood Plain Requirements. The draft permit requires that the Facility design must provide protection from inundation during a 100-year flood event. The Applicant has indicated that the proposed facility will be located above the 100-year frequency flood level.

With respect to concerns expressed about wetlands, TCEQ rules clearly state that a wastewater treatment plant may not be located in wetlands (this prohibition does not apply to constructed wetlands). The Applicant has indicated that no wetlands or parts of wetlands will be filled during the construction or operation of the proposed project. The Applicant also indicated they have not applied to the US Army Corps of Engineers for a permit to fill wetlands.

COMMENT 46: Anita Branch, Victoria Calder, and Dave Rawls stated that the existing plant should be upgraded instead of building this new plant.

RESPONSE 46: Texas Water Code § 26.081 enumerates the state's regionalization policy which states that the policy should "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state." In furtherance of that policy, TWC § 26.0282 authorizes the TCEQ, when considering the issuance of a permit to discharge waste, to deny or alter the terms and conditions of a proposed permit based on need and the availability of existing or proposed area-wide or regional waste collection, treatment, and disposal systems.

In the case of an applicant building a new plant to replace an outdated one, the applicant has determined that upgrading the existing plant would not meet its future needs for providing service to the City of Granbury. TCEQ supports the policy of the Texas Water Code to "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state."

COMMENT 47: The RV Ranch, Collier Albright, K T Anderson, Anita Branch, Robert Brown, Victoria Calder, James Ellis, Lauren Ellis, Jacqueline English, Kevin Gapinski, Bradley Hall, John Meche, Dave Rawls, Daniel Richardson, Jason Richardson, Stacy Rist, Walter Shaw, David Schatte, Pattie Schatte, Keifer Shockey, Patrick Sullivan, Jeff

Trawick, and Samuel Weir expressed concern about the economy, local businesses, and the effects on tourism.

RESPONSE 47: TCEQ acknowledges and appreciates this comment. The TCEQ does not have the authority to address these types of issues as part of the wastewater permitting process. TWC Chapter 26 and other applicable wastewater regulations do not authorize the TCEQ to consider issues such as the local economy and tourism.

COMMENT 48: The persons listed in Attachment 13 expressed concern about property values and taxes. Breck Gifford commented that the city can pay the premium price for his property, and Bri Mahanna asked how those who live just outside of the 1-mile radius will be compensated for the decreased home values.

RESPONSE 48: TCEQ acknowledges and appreciates this comment. The TCEQ does not have the authority to address these types of issues as part of the wastewater permitting process. TWC Chapter 26 and other applicable wastewater regulations do not authorize the TCEQ to consider issues such as property values and taxes.

COMMENT 49: Victoria Calder, on behalf of the residents of Mallard Pointe HOA, requested that the comment period be extended by another month due to Covid-19. Specifically, the extension was requested due to: (1) inability to access materials in the public library due to Covid-19; (2) delayed return of PIR from the City of Granbury; (3) inability to hold a townhall meeting for the elderly community; (4) inability to notify neighbors due to Covid-19 stay at home orders; and (5) delays in receiving information from TCEQ. Woody Frossard commented that information was not available to access due to Covid-19 protocols.

RESPONSE 49: A staff attorney responded to this request via email and by phone and explained that TCEQ was unable to extend the comment period. However, a virtual public meeting was requested and granted by the TCEQ which extended the comment period through September 10, 2020.

COMMENT 50: Geneva Cass, Samuel Cass, George Griffin, Michael Hall, Dave Rawls, Stacy Rist, and John Ryan commented that a virtual meeting is inadequate. Eric Allmon stated that technical difficulties prevented some people from participating in the virtual public meeting and that many barriers inhibited the ability of the public to provide comments on this application.

RESPONSE 50: Due to the Covid-19 Global Pandemic, the Texas Governor, Greg Abbott, declared a State of Disaster on March 13, 2020. Due to this Proclamation, as well as public health directives from the United States Centers for Disease Control and Prevention, the TCEQ has instructed the majority of its employees to work from home and has put multiple other Covid-19 protocols in place. One of these protocols has been to host virtual public meetings. This protocol has allowed the TCEQ to continue hosting Public Meetings while also following directives such as avoiding gatherings greater than ten people. While members of the public do occasionally experience technical difficulties, TCEQ staff is always online to help assist participants with their

issues. TCEQ also provides a phone conference line, which participants may call into to provide their comments. In the event that neither of these options provide a participant the opportunity to present his or her public comments, TCEQ reminds the public that the written comment period remains open through the close of the Public Meeting. In this case, the TCEQ received over 400 comments online.

Comment 51: Anita Branch commented that if the permit is granted, the Applicant will have two sewage plants to staff and maintain and asked if the new facility will have staff onsite 24 hours a day, 7 days per week, 365 days a year.

Response 51: The TCEQ issues permits that describe the conditions under which the wastewater facility must operate. All facilities must be designed, operated, and maintained consistent with applicable TCEQ rules. These provisions require that a facility is properly operated and maintained at all times.

In accordance with 30 TAC § 30.350, the draft permit requires the wastewater treatment facility be operated by a chief operator or an operator holding a Category C license or higher (Figure: 30 TAC § 30.350(e)). The wastewater treatment facility must be operated a minimum of five days a week by the licensed chief operator or an operator holding the required level of license or higher. A Class C operator must have a high school diploma (or equivalent), two years of work experience and 60 hours of training. It is The Applicant's responsibility to hire the appropriate operator.

Comment 52: Anita Branch asked if a future expansion would require a new permit from the TCEQ and what the approval process would be for such an expansion.

Response 52: Any future expansion of a permitted site which involves changing a substantive term, provision, requirement or a limiting parameter of the permit is considered a major amendment to the permit under 30 TAC Chapter 305. A major amendment would require a new application (not a new permit) which would be subject to public participation requirements.

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

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

Respectfully submitted,

Texas Commission on Environmental Quality

Toby Baker
Executive Director

Robert Martinez, Deputy Director
Environmental Law Division



Anthony Tatu, Staff Attorney
Environmental Law Division
State Bar No. 00792869
P.O. Box 13087, MC 173
Austin, Texas 78711-3087
Phone (512) 239-5778
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Mattie Isturiz
By: _____

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Phone: (512) 239-2253
Fax: (512) 239-0606

REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Attachment 1

Persons who commented on The City of Granbury Application

| | | |
|-----------------------|---------------------|---------------------|
| Adams, Cheryl | Cigainero, Jerry | Ewing, Leona |
| Albright, Collier | Cigainero, Sue | Faber, Dorris |
| Alverson, Susie | Clark, Faith | Faber, John |
| Anderson, KT | Clark, Mark | Feletto, Jaime |
| Askins, James | Clark, Ronny | Fermite, John |
| Askins, Wendy | Clower, Cindy | Fish, Karen |
| | Clower, Douglas | Fisher, Teresa |
| Bairefoot, Kathy | Cobb, Mia | Flatt, Kathy |
| Balasaygun, Betul | Colbert, Anita | Fralin, Scharlene |
| Balasaygun, Oray | Coleman, Bob | Franzmathes, Donna |
| Ballinger, Shay | Coleman, Vickie | Frazier, Tamara |
| Bean, Carolyn | Connell, Judith | Fowler, Ken |
| Bean, Roger | Connor, Pete | Frossard, Woody |
| Beasley, Sam | Cook, Debra | |
| Beasley, Sandy | Cook, Peter | Gapinski, Kevin |
| Behrens, Carol | Cook, Scott | Gagliardo, Judith |
| Behrens, Doug | Cox, Bart | Gaines, Leslie |
| Bell, John | Cox, Carol | Gaines, Andrew |
| Bellamy, Carrie | Cruz, Kathy | Gallegos Mike |
| Bezanson, Janice | | Galloway, Will |
| Billings, Douglas | Darby, Brenda | Gifford, Breck |
| Billings, Sherry | Darouse, Miles | Gifford, Callum |
| Birkner, Samuel | Dailey, Jimmy | Ginn, Jack |
| Blakeman, Joseph | Davenport, William | Ginn, Darlene |
| Bostic, Michael | Davis, Jeremiah | Gookins, Cynthia |
| Bradford, George | Davis, Jerry | Gookins, Norman |
| Bramlett, John | Davis, Kathleen | Graham, Bobby |
| Bramlett, Julie | Davis, Monica | Graham, Bailey |
| Branch, Anita | Davis, Steve | Green, Alisha |
| Bredenkamp, Christina | Davis, Vicki | Greer, Carl |
| Britt, Charles | Dillingham, Roy | Greenberg, Jennifer |
| Britton, Fred | Dixon, Donna | Griffin, Cynthia |
| Britton, Karen | Dixon, Linda | Griffin, George |
| Brown, Jill | Dixon, William | Griffith, Gina |
| Brown, Robert | Dornak, Nick | Guajardo, Jorge |
| Burke, Krissy | Drake, Michael | Gutowski, Kelly |
| Burton, Lauren | Drake, Sandra | |
| | Duvall, Sherman | Hager, Alison |
| Cabey, Sherry | | Hager, Richard |
| Calder, Victoria | Eakins, Brooke | Hale, Ginger |
| Caldwell, Janet | Easley, Heidi | Hale, Ron |
| Call, Thomas | Eldredge, Carolyn | Hall, Bradley |
| Camp, Larry | Ellis, Beverly | Hall, Keith |
| Camp, Sylvia | Ellis, James | Hall, Michael |
| Carson, Ray | Ellis, Lauren | Hanna, James |
| Carson, Sandra | English, Jacqueline | Hancock, Tonya |
| Cass, Geneva | Espinosa, Ricardo | Harbour, Hugh |
| Cass, Samuel | Ewing, Harvey | |

Attachment 1

Persons who commented on The City of Granbury Application

| | | |
|---------------------|--------------------|-----------------------|
| Harmon, Derrell | Martin, Joe | Porter, Laurie |
| Hasty, Ronnie | Meche, John | Porter, David |
| Hasty, Dianne | Meece, Stacey | Poston, David |
| Hatch, Marloy | Mercer, Mariah | Poulos, William |
| Hatch, Steve | Merritt, Nathan | Powell, Thomas |
| Hawkins, Cynthia | Merritt, Nita | |
| Hawkins, Gary | Metcalfe, Kathy | Radyuk, Svetlana |
| Hodges-Cook, Megan | Meyer, Tiffany | Ramcharan, Irvin |
| Hoefs, Richard | McLean, Joe | Rawls, David |
| Hogan, Mark | McLean, Sheila | Resch, William |
| Horne, Michael | McBrayer, David | Reza, Donny |
| Howell, James | McDaniel, Lura | Richardson, Daniel |
| Howton, Jolyn | Mills, Lauren | Richardson, Jason |
| Hoxie, Catherine | Mitchell, James | Richardson, Jessica |
| Humphrey, Jeannie | Moore, Leigh | Riley, Carolyn |
| Hutto, Teri | Moore, Margaret | Rist, Stacy |
| | Morgan, Brenda | Roberts, Christy |
| Ingold, Amy | Morgan, Henry | Ross, Michael |
| Ingold, Brett | Morrison, Jennifer | Rositas, Amy |
| Irwin, Judy | Montgomery, Kathy | Ryan, John |
| Irwin, Paul | Moss, Joe | Ryan, Nancie |
| | Murphy, George | |
| Jampsa, Paula | Murray, Alan | Sanford-Fisher Brandi |
| Jenks, Kathy | Murray, David | Schatte, David |
| Johnson, Shana | Murray, Laura | Schatte, Patti |
| Jones, William | Myrick, Matt | Schokey, Keifer |
| | | Scoggins, Michael |
| Kelleher, Donna | Nappier, Teresa | Sewell, Carrie |
| Kelley, Tammy | Nesloney, Trey | Shaw, Walter |
| Kirk, Tracy | Newman, Becky | Sherrod, Audie |
| | Newman, Michael | Sherrod, Shelly |
| Lang, Mike | Nielsen, Keith | Sewell, Carrie |
| Larson, Randy | Nielsen, Colleen | Siedal, David |
| Lehman, Crystal | Niswender, Elena | Siedal, Patricia |
| Lehman, Dick | Nolte, Jason | Skaggs, Becky |
| Lind, Gracie | Norton, Jim | Skrei, Sandra |
| Lindsey, Lori | Norton, Susan | Smith, Donna |
| Linebarger, Daniel | | Southern, Alex |
| Loveless, Susan | Osborn, Parrish | Sparks, Kim |
| Lowack, Bud | Owens, Anna | Stacy, Ann |
| Lowack, Kay | | Stacks, Sara |
| Lustgarten, Rebecca | Peterson, Lois | Strain, Gamze |
| Lynch, Andrea | Patterson, Charles | Strain, Todd |
| Mahanna, Bri | Patterson, Glynda | Standridge, Amber |
| Maloney, Stephanie | Perrenoud, Jeffrey | Stroud, Micheal |
| Maroney, Jenica | Pierce, Blair | Stockard, Jennifer |
| Marshall, Alan | Pierce, Waylon | Stone, Beverly |
| Marshall, Lola | Porcher, David | Stone, William |
| Martin, Suzanne | Porter, Kristi | Stovall, Brittany |

Attachment 1

Persons who commented on The City of Granbury Application

| | | |
|-----------------------|-------------------|-----------------|
| Sullivan, Patrick | Veale, James | Williams, Linda |
| Sullivan, Velesa | | Williams, Paul |
| Sursely, Judy | Walker, Lewis | Williams, Wade |
| | Walker, Rachel | Wilsey, Rob |
| Templin, Kelly | Ward, Deborah | Wilson, Walter |
| Thomas, Rebecca | Ware, Randy | Wilson, Karen |
| Thompson, Patricia | Ware, Elizabeth | Wilson, Lindy |
| Thompson, Howard | Webb, Terry | Wofford, Sondra |
| Thurmond, Julie | Weir, Samuel | Wofford, Thomas |
| Tibljias, Audrie | Wells, Kyle | Wright, Vicki |
| Titterington, Richard | West, Kerry | |
| Tomli, Eric | Wessels, John | Yeager, Patrick |
| Trawick, Jeff | Wiley, Roger | Yocham, Ronnie |
| Trivett, Judy | Whitby, Anthony | |
| | Williams, Christi | Zimmerle, Colin |
| Van Horn, Delwyn | Williams, Darrell | |
| Veale, Carolyn Sue | Williams, Donna | |

Groups, Governmental Entities & Organizations

Attachment Number 2
Public Meeting Commenters

Bradford, George
Branch, Anita
Britton, Fred
Beasley, Sam

Calder, Victoria
Cass, Geneva and Sam
Cigainero, Jerry

Davenport, William
Dixon, Linda

Frossard, Woody

Griffin, George

Hager, Alison
Hall, Bradley
Hall, Michael
Hancock, Tonya
Harbour, Hugh
Hawkins, Gary

Meyer, Tiffany
Montgomery, Kathy

Nolte, Jason

Pierce, Blair
Porcher, David
Poulos, Bill

Rawls, Dave
Rist, Stacy
Ryan, John

Shaw, Walter
Sherrod, Sherry
Strain, Gamze

Thomas, Rebecca
Trawick, Jeff

Veale, James

Yocham, Ronnie

Attachment 3
RTC Comment 2
Persons Concerned about Well Water and Drinking Water

| | | |
|------------------|---------------------|--------------------|
| Adams, Cheryl | Ellis, Lauren | Newman, Michael |
| Behrens, Carol | English, Jacqueline | Nolte, Jason |
| Behrens, Doug | Ewing, Harvey | Osborn, Parrish |
| Brown, Jill | Ewing, Leona | Poston, David |
| Calder, Victoria | Frazier, Tamar | Richardson, Daniel |
| Clark, Ronny | Griffin, Cynthia | Richardson, Jason |
| Coleman, Bob | Griffin, George | Schatte, David |
| Coleman, Vickie | Hagar, Richard | Schatte, Patti |
| Cook, Debra | Hale, Ginger | Shaw, Walter |
| Cook, Peter | Hale, Ron | Stone, Beverley |
| Cox, Bart | Hall, Keith | Sullivan, Patrick |
| Cox, Carol | Hanna, James | Van Horn, Delwyn |
| Darby, Brenda | Harbour, Hugh | Veale, Carolyn Sue |
| Davis, Jeremiah | Lowack, Bud | Veale, James |
| Davis, Jerry | Lowack, Kay | Walker, Lewis |
| Davis, Monica | Morgan, Brenda | Walker, Rachel |
| Dixon, Donna | Morgan, Henry | Williams, Paul |
| Dixon, Linda | Newman, Becky | Williams, Wade |
| Dixon, William | | |
| Ellis, James | | |

Groups, Governmental Entities & Organizations

Attachment 4
RTC Comment 4
Persons Generally Concerned about Aquatic Life Hazards

| | | |
|------------------|-------------------|-------------------|
| Bean, Carolyn | Drake, Sandra | Newman, Becky |
| Bean, Roger | | Nielsen, Colleen |
| Behrens, Carol | Ewing, Harvey | Nielsen, Keith |
| Behrens, Doug | Ewing, Leona | |
| Brown, Jill | | Osborn, Parrish |
| Brown, Robert | Gookins, Cynthia | |
| | Gookins, Norman | Pierce, Waylon |
| Calder, Victoria | Griffin, Cynthia | Poulos, William |
| Call, Thomas | Griffin, George | |
| Carson, Ray | | Rawls, Dave |
| Carson, Sandra | Hale, Ginger | |
| Cigainero, Jerry | Hale, Ron | Schatte, David |
| Cigainero, Sue | Hancock, Tonya | Schatte, Patti |
| Coleman, Bob | | Shaw, Walter |
| Coleman, Vickie | Larson, Tonya | Siedal, David |
| Cook, Debra | Lowack, Bud | Siedal, Patricia |
| Cook, Peter | Lowack, Kay | Sullivan, Patrick |
| Cox, Bart | | |
| Cox, Carol | Meche, John | Trey Nesloney |
| | Montgomery, David | |
| Darby, Brenda | Montgomery, Kathy | Walker, Lewis |
| Davis, Jeremiah | Moore, Leigh | Walker, Rachel |
| Davis, Monica | Morgan, Brenda | Wiley, Roger |
| Drake, Michael | | |

Groups, Governmental Entities & Organizations

Attachment 5
RTC Comment 5
Persons Generally Concerned about Algae Blooms

| | | |
|------------------|------------------|--------------------|
| Adams, Cheryl | Davis, Monica | Montgomery, David |
| Bean, Carolyn | Davis, Steve | Montgomery, Kathy |
| Bean, Roger | Davis, Vicki | Morgan, Brenda |
| Behrens, Carol | Drake, Michael | Nielsen, Colleen |
| Behrens, Doug | Drake, Sandra | Nielsen, Keith |
| Brown, Jill | Ewing, Harvey | Osborn, Parrish |
| Brown, Robert | Ewing, Leona | Schatte, David |
| Calder, Victoria | Gookins, Cynthia | Schatte, Patti |
| Carson, Ray | Gookins, Norman | Shaw, Walter |
| Carson, Sandra | Griffin, Cynthia | Siedal, David |
| Coleman, Bob | Griffin, George | Siedal, Patricia |
| Coleman, Vickie | Hatch, Marloy | Sullivan, Patrick |
| Cook, Debra | Hatch, Steve | Veale, Carolyn Sue |
| Cook, Peter | Lowack, Bud | Veale, James |
| Cox, Bart | Lowack, Kay | Walker, Lewis |
| Cox, Carol | Meche, John | Walker, Rachel |
| Davis, Jeremiah | | |
| Davis, Jerry | | |

Groups, Governmental Entities & Organizations

Attachment 6
RTC Comment 8
Persons Generally Concerned about Human Health

Anderson, KT
Adams, Cheryl

Beasley, Sam
Beasley, Sandy
Behrens, Carol
Behrens, Doug
Blakeman, Joseph

Caldwell, Janet
Carson, Ray
Carson, Sandra
Colbert, Anita

Davis, Jerry
Dixon, Linda
Dixon, William

Ellis, James
Ellis, Lauren
English, Jacqueline

Fralin, Scharlene

Gallegos, Mike
Gifford, Breck
Gookins, Cynthia
Gookins, Norman
Greenberg, Jennifer

Hancock, Tonya
Hatch, Marloy
Hatch, Steve

Ingold, Amy
Ingold, Brett

Lind, Gracie
Lynch, Andrea

Moore, Leigh

Nappier, Teresa
Newman, Michael

Niswender, Elena

Patterson, Charles
Patterson, Glynda
Porter, Kristi
Poston, David

Shaw, Walter
Stovall, Brittany

Titterington, Richard
Tomlin, Eric

Ward, Deborah
Wiley, Roger
Williams, Linda
Williams, Paul
Williams, Wade
Wilson, Karen Yancy
Wilson, Walter

Groups, Governmental Entities & Organizations

Attachment 7
RTC Comment 10
Persons Generally Concerned about Contaminants in the Water Including
Pharmaceuticals

| | | |
|--|---|--|
| Adams, Cheryl | Ewing, Harvey Ewing, Leona | Murray, Alan Murray, Laura |
| Bean, Carolyn Bean, Roger Behrens, Carol Behrens, Doug Branch, Anita | Frazier, Tamar Gapinski, Kevin Gifford, Breck Gookins, Cynthia Gookins, Norman Griffin, Cynthia Griffin, George | Nolte, Jason Osborn, Parrish Porter, Kristi Poulos, William |
| Calder, Victoria Caldwell, Janet Carson, Ray Carson, Sandra Cigainero, Jerry Cigainero, Sue Cook, Debra Cook, Peter | Hancock, Tonya Hanna, James Hatch, Marloy Hatch, Steve Hawkins, Gary | Ramcharan, Irvin Ryan, John Shaw, Walter Sullivan, Patric |
| Davis, Jeremiah Davis, Jerry Davis, Monica Davis, Steve Davis, Vicki Drake, Michael Drake, Sandra | Larson, Randy Lowack, Bud Lowack, Kay Meche, John Morgan, Brenda | Veale, Carolyn Sue Veale, James Walker, Lewis Walker, Rachel Wiley, Roger Wright, Vicki |

Groups, Governmental Entities & Organizations

Attachment 8
RTC Comment 28
Persons Generally Concerned about Notification

Bean, Carolyn
Bean, Roger
Bennett, Wayne
Brown, Robert

Calder, Victoria
Carson, Ray
Carson, Sandra

Dixon, Linda
Dixon, William

Ellis, James
Ellis, Lauren

Frossard, Woody

Gookins, Cynthia
Gookins, Norman
Griffin, George

Hale, Ginger
Hale, Ron

Irwin, Judy
Irwin, Paul

Meche, John
Montgomery, David
Montgomery, Kathy
Murray, Alan
Murray, Laura

Nielsen, Colleen
Nielsen, Keith
Niswender, Elena

Sanford-Fischer, Brandi
Schatte, David
Schatte, Patti
Shaw, Walter
Stacy, Ann
Sullivan, Patrick

Wier, Samuel
Wilson, Karen Yancy
Williams, Paul

Groups, Governmental Entities & Organizations

Attachment 9
RTC Comment 32
Persons Generally Concerned about Air Quality

| | | |
|------------------|--------------------|-------------------------|
| Anderson, KT | Davis, Vicki | Murray, Laura |
| Ballinger, Shay | Ellis, James | Nappier, Teresa |
| Beasley, Sam | Ellis, Lauren | Osborn, Parrish |
| Beasley, Sandy | Ewing, Harvey | Porcher, David |
| Behrens, Carol | Ewing, Leona | Richardson, Daniel |
| Behrens, Doug | Gapinski, Kevin | Richardson, Jason |
| Bradford, George | Green, Alisha | Rist, Stacy |
| Branch, Anita | Griffin, Cynthia | Sanford-Fischer, Brandi |
| Britton, Kare | Griffin, George | Schokey, Keifer |
| Brown, Robert | Hager, Alison | Shaw, Walter |
| Calder, Victoria | Hall, Keith | Smith, Donna |
| Caldwell, Janet | Hatch, Marloy | Veale, Carolyn Sue |
| Cass, Geneva | Hatch, Steve | Veale, James |
| Cass, Samuel | Linebarger, Daniel | Wiley, Roger |
| Coleman, Bob | Lowack, Bud | Williams, Linda |
| Coleman, Vickie | Lowack, Kay | |
| Cox, Bart | Mitchell, James | |
| Cox, Carol | Morgan, Brenda | |
| Davis, Jeremiah | Morgan, Henry | |
| Davis, Jerry | Murray, Alan | |
| Davis, Monica | | |
| Davis, Steve | | |

Groups, Governmental Entities & Organizations

Attachment 10
RTC Comment 33
Persons Generally Concerned about Odors

Adams, Cheryl
Albright, Collier
Alverson, Susie

Ballinger, Shay
Bean, Carolyn
Bean, Roger
Beasley, Sam
Beasley, Sandy
Behrens, Carol
Behrens, Doug
Branch, Anita
Brown, Jill
Brown, Robert
Burton, Lauren

Calder, Victoria
Caldwell, Janet
Carson, Ray
Carson, Sandra
Cass, Geneva
Cass, Samuel
Cigainero, Jerry
Cigainero, Sue
Clark, Faith
Clark, Ronny
Colbert, Anita
Coleman, Bob
Coleman, Vickie
Cook, Debra
Cook, Peter
Cook, Scott
Cox, Bart
Cox, Carol

Darby, Brenda
Davenport, William
Davis, Jeremiah
Davis, Jerry
Davis, Monica
Davis, Steve
Davis, Vicki
Dixon, Linda
Dixon, William
Drake, Michael
Drake, Sandra

Ellis, James
Ellis, Lauren
English, Jacqueline
Ewing, Harvey
Ewing, Leona

Fish, Karen
Fralin, Scharlene

Gallegos Mike
Gookins, Cynthia
Gookins, Norman
Green, Alisha
Greenberg, Jennifer
Griffin, Cynthia
Griffin, George
Guarjardo, Norman
Gutowski, Kelly

Hager, Alison
Hale, Ginger
Hale, Ron
Hall, Keith
Hall, Michael
Hancock, Tonya
Harbour, Hugh
Hatch, Marloy
Hatch, Steve
Hodges-Cook, Megan

Ingold, Amy
Ingold, Brett
Irwin, Judy
Irwin, Paul

Jenks, Kathy

Larson, Randy,
Lehman, Crystal
Lehman, Dick
Lind, Gracie
Lowack, Bud
Lowack, Kay
Lynch, Andrea

Mahanna, Bri
Meche, John

Metcalf, Kathy
Mitchell, James
Moore, Leigh
Morgan, Brenda
Murray, Alan
Murray, Laura

Nappier, Teresa
Newman, Becky
Newman, Michael
Nolte, Jason

Osborn, Parrish
Owens, Anna

Patterson, Charles
Patterson, Glynda
Perrenoud, Jeffrey
Pierce, Blair
Poston, David
Poulos, William
Powell, Thomas

Richardson, Daniel
Richardson, Jason
Rist, Stacy

Schatte, David
Schatte, Patti
Schokey, Keifer
Shaw, Walter
Siedal, David
Siedal, Patricia
Sparks, Kim
Strain, Gamze
Sullivan, Patrick

Titterington, Richard
Trawick, Jeff

Van Horn, Delwyn
Veale, Carolyn Sue
Veale, James

Walker, Lewis
Walker, Rachel
Ward, Deborah

Attachment 10
RTC Comment 33
Persons Generally Concerned about Odors

| | |
|-------------------|----------------|
| Wiley, Roger | Williams, Paul |
| Williams, Christi | Williams, Wade |
| Williams, Darrell | |
| Williams, Linda | Yocham, Ronnie |

Groups, Governmental Entities & Organizations

Attachment 11
RTC Comment 39
Persons Generally Concerned about Recreation

| | | |
|------------------|--------------------|-------------------------|
| Adams, Cheryl | Frossard, Woody | Patterson, Glynda |
| Bean, Carolyn | Gallegos Mike | Pierce, Blair |
| Bean, Roger | Gapinski, Kevin | Pierce, Waylon |
| Beasley, Sam | Gifford, Breck | Porter, Kristi |
| Beasley, Sandy | Gookins, Cynthia | Poston, David |
| Behrens, Carol | Gookins, Norman | Poulos, William |
| Behrens, Doug | Green, Alisha | Ramcharan, Irvin |
| Branch, Anita | Griffin, Cynthia | Rawls, Dave |
| Britton, Fred | Griffin, George | Ryan, John |
| Britton, Karen | | |
| Brown, Jill | Hale, Ginger | Sanford-Fischer, Brandi |
| | Hale, Ron | Schatte, David |
| Calder, Victoria | Hall, Michael | Schatte, Patti |
| Caldwell, Janet | Hancock, Tonya | Shaw, Walter |
| Call, Thomas | Hanna, James | Siedal, David |
| Carson, Ray | Hatch, Marloy | Siedal, Patricia |
| Carson, Sandra | Hatch, Steve | Smith, Donna |
| Cass, Geneva | Hawkins, Gary | Stacy, Ann |
| Cass, Samuel | | Stone, Beverly |
| Cigainero, Jerry | Ingold, Amy | Stone, William |
| Cigainero, Sue | Ingold, Brett | Sullivan, Patrick |
| Clark, Ronny | Irwin, Judy | |
| Colbert, Anita | Irwin, Paul | Thomas, Rebecca |
| Coleman, Bob | | Thompson, Howard |
| Coleman, Vickie | Larson, Randy | Thompson, Patricia |
| Cox, Bart | Lehman, Crystal | Trawick, Jeff |
| Cox, Carol | Lehman, Dick | |
| | Linebarger, Daniel | Veale, Carolyn Sue |
| Davis, Jeremiah | Lowack, Bud | Veale, James |
| Davis, Jerry | Lowack, Kay | |
| Davis, Monica | | Walker, Lewis |
| Davis, Steve | Meche, John | Walker, Rachel |
| Davis, Vicki | Mitchell, James | Wiley, Roger |
| Dixon, Linda | Montgomery, Kathy | Williams, Christi |
| Dixon, William | Moore, Leigh | Williams, Darrell |
| Drake, Michael | Murray, Alan | Williams, Linda |
| Drake, Sandra | Murray, Laura | Williams, Paul |
| | | Williams, Wade |
| Ellis, James | Newman, Michael | Wilson, Walter |
| Ellis, Lauren | Nielsen, Colleen | Wilson, Karen Yancey |
| Ewing, Harvey | Nielsen, Keith | Wright, Vicki |
| Ewing, Leona | Nolte, Jason | |
| | | |
| Frazier, Tamar | Patterson, Charles | |

Attachment 11
RTC Comment 39
Persons Generally Concerned about Recreation
Groups, Governmental Entities & Organizations

RV Ranch

Attachment 12
RTC Comment 41
Persons Generally Concerned about Drought and Floods

| | | |
|--|---|--|
| Anderson, KT | Ewing, Harvey Ewing, Leona | Nolte, Jason |
| Beasley, Sam Beasley, Sandy Behrens, Carol Behrens, Doug Branch, Anita Britton, Fred Brown, Jill Brown, Robert | Gallegos, Mike Gookins, Cynthia Gookins, Norman Griffin, Cynthia Griffin, George | Pierce, Waylon Porcher, David Rawls, Dave Ryan, John |
| Calder, Victoria Call, Thomas Carson, Ray Carson, Sandra Cigainero, Jerry Cigainero, Sue Clark, Mark Cook, Debra Cook, Peter | Hager, Alison Hale, Ginger Hale, Ron Hall, Michael Hawkins, Gary | Schatte, David Schatte, Patti Shaw, Walter Siedal, David Siedal, Patricia Sullivan, Patrick |
| Davenport, William Davis, Jeremiah Davis, Monica Dixon, Donna Dixon, Linda Dixon, William | Irwin, Judy Irwin, Paul Linebarger, Daniel Lowack, Bud Lowack, Kay Meche, John Mitchell, James Murray, Alan Murray, Laura | Titterington, Richard Trawick, Jeff Veale, Carolyn Sue Veale, James Williams, Christi Williams, Linda Williams, Paul Williams, Wade Wilson, Walter |

Groups, Governmental Entities & Organizations

Attachment 13
RTC Comment 48
Persons Generally Concerned about Property Values

| | | |
|--------------------|--------------------|-----------------------|
| Alverson, Susie | Hager, Richard | Poulos, William |
| Branch, Anita | Harbour, Hugh | Powell, Thomas |
| Brown, Jill | Hatch, Marloy | Richardson, Daniel |
| Calder, Victoria | Hatch, Steve | Richardson, Jason |
| Cass, Geneva | Hodges-Cook, Megan | Schokey, Keifer |
| Cass, Samuel | Ingold, Amy | Siedal, David |
| Clark, Faith | Ingold, Brett | Siedal, Patricia |
| Clark, Ronny | Jenks, Kathy | Sparks, Kim |
| Cook, Scott | Larson, Randy | Stacy, Ann |
| Davenport, William | Linebarger, Daniel | Titterington, Richard |
| Davis, Steve | Mahanna, Bri | Wiley, Roger |
| Davis, Vicki | McDaniel, Laura | Williams, Christi |
| Dixon, Linda | Mitchell, James | Williams, Darrell |
| Dixon, William | Moore, Leigh | Williams, Wade |
| Ellis, James | Newman, Becky | Yocham, Ronnie |
| Ellis, Lauren | Newman, Michael | |
| Fish, Karen | Niswender, Elena | |
| Gapinski, Kevin | Nolte, Jason | |
| Guajardo, Jorge | Perrenoud, Jeffrey | |

Groups, Governmental Entities & Organizations