

**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#)  
**Cc:** [Brent Lundmark](#); [Firoj Vahora](#); [Jose Alfonso Martinez](#)  
**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone  
**Date:** Thursday, June 4, 2020 1:19:13 PM

---

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if the anerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance requirements specified in this paragraph during the time effluent is disposed by irrigation. (While the treatment units are not lagoons the anerobic and anoxic treatment systems are subject to the 500-foot requirement.)*

Can you provide me additional information about the locations of the proposed anerobic and anoxic basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#)  
**Cc:** [Brent Lundmark](#); [Firoj Vahora](#)  
**Subject:** WQ0010232002 City of New Braunfels - Administrative Order 2014-1097-MWD-E  
**Date:** Wednesday, June 17, 2020 9:30:33 AM  
**Attachments:** [image002.png](#)  
**Importance:** High

---

Mr. Bell,

Thank you very much for the revised maps of the site locations and the buffer zone.

I was reviewing the compliance history for this facility and found Administrative Order 2014-1097-MWD-E, which indicates that the permittee had exceedances in the permit effluent limits of 5 mg/l for CBODs back in December 2013, and in January, March and April 2014.

Questions for the permittee:

1. What has been done to resolve the issues in Administrative Order 2014-1097-MWD-E?
2. Can you provide information that might help explain the causes of the violations that include exceedances of the permit effluent limits for CBODs in December 2013, and in January, March and April 2014? What corrective actions were taken?
3. Is there anything the permittee would like the ERC committee to consider related to the facility's ability to comply with the permit?

Thank you in advance for this information. Please provide this information to me as soon as possible, so as to prevent any delays in issuing the renewal of this permit.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <CBell@trccompanies.com>  
**Sent:** Monday, June 15, 2020 4:38 PM  
**To:** Gordon Cooper <gordon.cooper@tceq.texas.gov>  
**Cc:** Brent Lundmark <blundmark@nbutexas.com>; Firoj Vahora <firoj.vahora@tceq.texas.gov>; Jose Alfonso Martinez <Jose.Martinez@tceq.texas.gov>  
**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone

Gordon, please see attached revised attachments A and B. Let me know if this is sufficient or if you

need any modifications.

Regards,

H. Craig Bell, P.E.  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
T 512.454.8716 | C 512.924.4999 | F 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](#)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Thursday, June 4, 2020 1:19 PM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>  
**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Buffer Zone

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if the anerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance requirements specified in this paragraph during the time effluent is disposed by irrigation. (While the treatment units are not lagoons the anerobic and anoxic treatment systems are subject to the 500-foot requirement.)*

Can you provide me additional information about the locations of the proposed anerobic and anoxic basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#)  
**Cc:** [Brent Lundmark](#); [Firoj Vahora](#)  
**Subject:** RE: WQ0010232002 City of New Braunfels  
**Date:** Wednesday, June 24, 2020 12:03:12 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Craig,

My responses are below.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <CBell@trccompanies.com>  
**Sent:** Wednesday, June 24, 2020 10:34 AM  
**To:** Gordon Cooper <gordon.cooper@tceq.texas.gov>  
**Cc:** Brent Lundmark <blundmark@nbutexas.com>; Firoj Vahora <firoj.vahora@tceq.texas.gov>  
**Subject:** WQ0010232002 City of New Braunfels

Gordon, for the draft permit, I have the following questions/comments:

1. Under "Other Requirements", for item no. 4, buffer zone, the only buffer area not within the permittee's property is the TxDOT right-of-way (Hwy 46/Loop 337). Is "evidence of legal restriction" required for the TxDOT right-of-way? [No](#).
2. Under "Other Requirements", For item no. 7, summary submittal letter, this has been submitted for Interim Phase II and we received an approval letter from TCEQ. [Please forward a copy of that letter](#).
3. In the cover letter to Mr. Lundmark, item no. 10, closure plan, this has been submitted and we received an approval letter from TCEQ. [Please forward a copy of that letter](#).

Thanks for your assistance on this.

Regards,

**H. Craig Bell, P.E.**  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](#)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Wednesday, June 17, 2020 9:30 AM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Administrative Order 2014-1097-MWD-E  
**Importance:** High

**This is an EXTERNAL email. Do not click links or open attachments unless you validate the sender and know the content is safe.**

Mr. Bell,

Thank you very much for the revised maps of the site locations and the buffer zone.

I was reviewing the compliance history for this facility and found Administrative Order 2014-1097-MWD-E, which indicates that the permittee had exceedances in the permit effluent limits of 5 mg/l for CBODs back in December 2013, and in January, March and April 2014.

Questions for the permittee:

1. What has been done to resolve the issues in Administrative Order 2014-1097-MWD-E?
2. Can you provide information that might help explain the causes of the violations that include exceedances of the permit effluent limits for CBODs in December 2013, and in January, March and April 2014? What corrective actions were taken?
3. Is there anything the permittee would like the ERC committee to consider related to the facility's ability to comply with the permit?

Thank you in advance for this information. Please provide this information to me as soon as possible, so as to prevent any delays in issuing the renewal of this permit.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Monday, June 15, 2020 4:38 PM

**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>

**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone

Gordon, please see attached revised attachments A and B. Let me know if this is sufficient or if you need any modifications.

Regards,

**H. Craig Bell, P.E.**

Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752

**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Thursday, June 4, 2020 1:19 PM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>

**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Buffer Zone

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if the anerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance requirements specified in this paragraph during the time effluent is disposed by irrigation. (While the treatment units are not lagoons the anerobic and anoxic treatment systems are subject to the 500-foot requirement.)*

Can you provide me additional information about the locations of the proposed anerobic and anoxic

basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430



**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#)  
**Cc:** [Brent Lundmark](#); [Firoj Vahora](#)  
**Subject:** RE: WQ0010232002 City of New Braunfels  
**Date:** Thursday, June 25, 2020 8:22:12 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[WQ0010232002\\_Copy.pdf](#)

---

Craig,

Based on the comments you provided, I have revised Other Requirements Nos. 4 and 7 as follows:

4. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area and by legal restrictions for the TxDOT right-of-way on the south side of the facility site, the permittee shall comply with the requirements of 30 TAC § 309.13(e). (See Attachment B.) ***{FYI-The TxDOT right-of-way was mentioned due to their legal restrictions for construction.}***

7. Prior to construction of the Final phase of the treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 217.6(c). If requested by the Domestic Wastewater Permitting Section, the permittee shall submit plans, specifications, and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Page 2b of this permit.

With the changes that I have made above, is the permittee ready to approve the draft permit? For the sake of convenience and reference I have attached a copy of the draft permit with the changes indicated above. To avoid any unnecessary delays in processing and issuing the draft permit, please provide an approval to the draft permit to me as soon as possible, preferably by Friday, June 26, 2020.

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <CBell@trccompanies.com>  
**Sent:** Wednesday, June 24, 2020 10:34 AM  
**To:** Gordon Cooper <gordon.cooper@tceq.texas.gov>  
**Cc:** Brent Lundmark <blundmark@nbutexas.com>; Firoj Vahora <firoj.vahora@tceq.texas.gov>  
**Subject:** WQ0010232002 City of New Braunfels

Gordon, for the draft permit, I have the following questions/comments:

1. Under "Other Requirements", for item no. 4, buffer zone, the only buffer area not within the permittee's property is the TxDOT right-of-way (Hwy 46/Loop 337). Is "evidence of legal restriction" required for the TxDOT right-of-way?
2. Under "Other Requirements", For item no. 7, summary submittal letter, this has been submitted for Interim Phase II and we received an approval letter from TCEQ.
3. In the cover letter to Mr. Lundmark, item no. 10, closure plan, this has been submitted and we received an approval letter from TCEQ.

Thanks for your assistance on this.

Regards,

**H. Craig Bell, P.E.**

Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752

**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Wednesday, June 17, 2020 9:30 AM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>

**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Administrative Order 2014-1097-MWD-E

**Importance:** High

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Bell,

Thank you very much for the revised maps of the site locations and the buffer zone.

I was reviewing the compliance history for this facility and found Administrative Order 2014-1097-MWD-E, which indicates that the permittee had exceedances in the permit effluent limits of 5 mg/l for CBODs back in December 2013, and in January, March and April 2014.

Questions for the permittee:

1. What has been done to resolve the issues in Administrative Order 2014-1097-MWD-E?
2. Can you provide information that might help explain the causes of the violations that include

exceedances of the permit effluent limits for CBODs in December 2013, and in January, March and April 2014? What corrective actions were taken?

3. Is there anything the permittee would like the ERC committee to consider related to the facility's ability to comply with the permit?

Thank you in advance for this information. Please provide this information to me as soon as possible, so as to prevent any delays in issuing the renewal of this permit.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Monday, June 15, 2020 4:38 PM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>  
**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone

Gordon, please see attached revised attachments A and B. Let me know if this is sufficient or if you need any modifications.

Regards,

H. Craig Bell, P.E.  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
T 512.454.8716 | C 512.924.4999 | F 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Thursday, June 4, 2020 1:19 PM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>  
**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Buffer Zone

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

---

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anaerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if the anaerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance requirements specified in this paragraph during the time effluent is disposed by irrigation. (While the treatment units are not lagoons the anaerobic and anoxic treatment systems are subject to the 500-foot requirement.)*

Can you provide me additional information about the locations of the proposed anaerobic and anoxic basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#)  
**Cc:** [Brent Lundmark](#); [Firoj Vahora](#)  
**Subject:** RE: [EXTERNAL] RE: WQ0010232002 City of New Braunfels  
**Date:** Thursday, June 25, 2020 3:25:48 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Craig,

Thank you very much for the approval of the draft permit TPDES WQ0010232002 for City of New Braunfels.

The permit file will be processed and sent down to the TCEQ Chief Clerk's Office, where instructions and documents will be sent to the person responsible for publishing the NAPD (2nd notice). If you have questions about that process call the TCEQ Chief Clerk's Office at 512-239-3300 and they should be able to connect you to someone that can help you out or you can contact me and I will try to assist you.

Please note that because the operations at TCEQ have been scaled-back due to the response to the corona virus, additional time may elapse before the NAPD notice and related documents are mailed to the person responsible for publishing the notice. During this time of quarantine and closures for COVID-19, the permittee has opted to use alternative measures for providing an alternative place or medium to make the application and draft permit available for viewing and copying by the general public. Additional information will follow this e-mail that will notify the permittee what is expected by the TCEQ.

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <CBell@trccompanies.com>  
**Sent:** Thursday, June 25, 2020 3:02 PM  
**To:** Gordon Cooper <gordon.cooper@tceq.texas.gov>  
**Cc:** Brent Lundmark <blundmark@nbutexas.com>; Firoj Vahora <firoj.vahora@tceq.texas.gov>  
**Subject:** RE: [EXTERNAL] RE: WQ0010232002 City of New Braunfels

Gordon, NBU and myself are good with the revised draft.

Thank you,

[H. Craig Bell, P.E.](#)

Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752

T 512.454.8716 | C 512.924.4999 | F 512.454.2433

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](#)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Thursday, June 25, 2020 8:12 AM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>

**Subject:** [EXTERNAL] RE: WQ0010232002 City of New Braunfels

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Craig,

Based on the comments you provided, I have revised Other Requirements Nos. 4 and 7 as follows:

4. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area and by legal restrictions for the TxDOT right-of-way on the south side of the facility site, the permittee shall comply with the requirements of 30 TAC § 309.13(e). (See Attachment B.) ***{FYI-The TxDOT right-of-way was mentioned due to their legal restrictions for construction.}***

7. Prior to construction of the Final phase of the treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 217.6(c). If requested by the Domestic Wastewater Permitting Section, the permittee shall submit plans, specifications, and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Page 2b of this permit.

With the changes that I have made above, is the permittee ready to approve the draft permit? For the sake of convenience and reference I have attached a copy of the draft permit with the changes indicated above. To avoid any unnecessary delays in processing and issuing the draft permit, please provide an approval to the draft permit to me as soon as possible, preferably by Friday, June 26, 2020.

Thank you very much,

Gordon Cooper

Environmental Permit Specialist

TCEQ Municipal Wastewater Permits Team

Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Sent:** Wednesday, June 24, 2020 10:34 AM

**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>

**Subject:** WQ0010232002 City of New Braunfels

Gordon, for the draft permit, I have the following questions/comments:

1. Under "Other Requirements", for item no. 4, buffer zone, the only buffer area not within the permittee's property is the TxDOT right-of-way (Hwy 46/Loop 337). Is "evidence of legal restriction" required for the TxDOT right-of-way?
2. Under "Other Requirements", For item no. 7, summary submittal letter, this has been submitted for Interim Phase II and we received an approval letter from TCEQ.
3. In the cover letter to Mr. Lundmark, item no. 10, closure plan, this has been submitted and we received an approval letter from TCEQ.

Thanks for your assistance on this.

Regards,

**H. Craig Bell, P.E.**

Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752

**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Wednesday, June 17, 2020 9:30 AM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>

**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Administrative Order 2014-1097-MWD-E

**Importance:** High

**This is an EXTERNAL email. Do not click links or open attachments unless you validate the sender and know the content is safe.**

Mr. Bell,

Thank you very much for the revised maps of the site locations and the buffer zone.

I was reviewing the compliance history for this facility and found Administrative Order 2014-1097-MWD-E, which indicates that the permittee had exceedances in the permit effluent limits of 5 mg/l for CBODs back in December 2013, and in January, March and April 2014.

Questions for the permittee:

1. What has been done to resolve the issues in Administrative Order 2014-1097-MWD-E?
2. Can you provide information that might help explain the causes of the violations that include exceedances of the permit effluent limits for CBODs in December 2013, and in January, March and April 2014? What corrective actions were taken?
3. Is there anything the permittee would like the ERC committee to consider related to the facility's ability to comply with the permit?

Thank you in advance for this information. Please provide this information to me as soon as possible, so as to prevent any delays in issuing the renewal of this permit.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Monday, June 15, 2020 4:38 PM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>  
**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone

Gordon, please see attached revised attachments A and B. Let me know if this is sufficient or if you need any modifications.

Regards,

**H. Craig Bell, P.E.**  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)



**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Thursday, June 4, 2020 1:19 PM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>

**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Buffer Zone

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if the anerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance requirements specified in this paragraph during the time effluent is disposed by irrigation. (While the treatment units are not lagoons the anerobic and anoxic treatment systems are subject to the 500-foot requirement.)*

Can you provide me additional information about the locations of the proposed anerobic and anoxic basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#)  
**Cc:** [Brent Lundmark](#); [Firoj Vahora](#)  
**Subject:** RE: [EXTERNAL] RE: WQ0010232002 City of New Braunfels  
**Date:** Friday, June 26, 2020 8:58:30 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Craig,

As I stated previously, The TCEQ is allowing applicants to post their NAPD notice, (complete) TPDES permit application, and draft permit on a webpage for viewing and copying by the general public.

As previously acknowledged by Brent Lundmark, a note with the website link must be posted on the door of the building that was indicated in the NORI and NAPD notices. The complete application must be available and that will include copies of any e-mail communication between (or on behalf of) the permittee and the TCEQ. The NAPD notice, (complete) TPDES permit application, and draft permit must be available until the date the public comment period ends.

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Gordon Cooper  
**Sent:** Thursday, June 25, 2020 3:26 PM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[Firoj.Vahora@tceq.texas.gov](mailto:Firoj.Vahora@tceq.texas.gov)>  
**Subject:** RE: [EXTERNAL] RE: WQ0010232002 City of New Braunfels

Craig,

Thank you very much for the approval of the draft permit TPDES WQ0010232002 for City of New Braunfels.

The permit file will be processed and sent down to the TCEQ Chief Clerk's Office, where instructions and documents will be sent to the person responsible for publishing the NAPD (2nd notice). If you have questions about that process call the TCEQ Chief Clerk's Office at 512-239-3300 and they should be able to connect you to someone that can help you out or you can contact me and I will try to assist you.

Please note that because the operations at TCEQ have been scaled-back due to the response to the corona virus, additional time may elapse before the NAPD notice and related documents are mailed to the person responsible for publishing the notice. During this time of quarantine and closures for COVID-19, the permittee has opted to use alternative measures for providing an alternative place or medium to make the application and draft permit available for viewing and copying by the general public. Additional information will follow this e-mail that will notify the permittee what is expected by the TCEQ.

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Thursday, June 25, 2020 3:02 PM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** RE: [EXTERNAL] RE: WQ0010232002 City of New Braunfels

Gordon, NBU and myself are good with the revised draft.

Thank you,

H. Craig Bell, P.E.  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
T 512.454.8716 | C 512.924.4999 | F 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Thursday, June 25, 2020 8:12 AM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** [EXTERNAL] RE: WQ0010232002 City of New Braunfels

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Craig,

Based on the comments you provided, I have revised Other Requirements Nos. 4 and 7 as follows:

4. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area and by legal restrictions for the TxDOT right-of-way on the south side of the facility site, the permittee shall comply with the requirements of 30 TAC § 309.13(e). (See Attachment B.) ***{FYI-The TxDOT right-of-way was mentioned due to their legal restrictions for construction.}***

7. Prior to construction of the Final phase of the treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 217.6(c). If requested by the Domestic Wastewater Permitting Section, the permittee shall submit plans, specifications, and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Page 2b of this permit.

With the changes that I have made above, is the permittee ready to approve the draft permit? For the sake of convenience and reference I have attached a copy of the draft permit with the changes indicated above. To avoid any unnecessary delays in processing and issuing the draft permit, please provide an approval to the draft permit to me as soon as possible, preferably by Friday, June 26, 2020.

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Wednesday, June 24, 2020 10:34 AM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** WQ0010232002 City of New Braunfels

Gordon, for the draft permit, I have the following questions/comments:

1. Under "Other Requirements", for item no. 4, buffer zone, the only buffer area not within the permittee's property is the TxDOT right-of-way (Hwy 46/Loop 337). Is "evidence of legal restriction" required for the TxDOT right-of-way?
2. Under "Other Requirements", For item no. 7, summary submittal letter, this has been submitted for Interim Phase II and we received an approval letter from TCEQ.
3. In the cover letter to Mr. Lundmark, item no. 10, closure plan, this has been submitted

and we received an approval letter from TCEQ.

Thanks for your assistance on this.

Regards,

**H. Craig Bell, P.E.**

Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752

**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Wednesday, June 17, 2020 9:30 AM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>

**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Administrative Order 2014-1097-MWD-E

**Importance:** High

**This is an EXTERNAL email. Do not click links or open attachments unless you validate the sender and know the content is safe.**

Mr. Bell,

Thank you very much for the revised maps of the site locations and the buffer zone.

I was reviewing the compliance history for this facility and found Administrative Order 2014-1097-MWD-E, which indicates that the permittee had exceedances in the permit effluent limits of 5 mg/l for CBODs back in December 2013, and in January, March and April 2014.

Questions for the permittee:

1. What has been done to resolve the issues in Administrative Order 2014-1097-MWD-E?
2. Can you provide information that might help explain the causes of the violations that include exceedances of the permit effluent limits for CBODs in December 2013, and in January, March and April 2014? What corrective actions were taken?
3. Is there anything the permittee would like the ERC committee to consider related to the facility's ability to comply with the permit?

Thank you in advance for this information. Please provide this information to me as soon as possible, so as to prevent any delays in issuing the renewal of this permit.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Monday, June 15, 2020 4:38 PM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>  
**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone

Gordon, please see attached revised attachments A and B. Let me know if this is sufficient or if you need any modifications.

Regards,

**H. Craig Bell, P.E.**  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Thursday, June 4, 2020 1:19 PM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>  
**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Buffer Zone

**This is an EXTERNAL email. Do not click links or open attachments unless you validate the sender and know the content is safe.**

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if

the anerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance requirements specified in this paragraph during the time effluent is disposed by irrigation. (While the treatment units are not lagoons the anerobic and anoxic treatment systems are subject to the 500-foot requirement.)*

Can you provide me additional information about the locations of the proposed anerobic and anoxic basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

**From:** [Gordon Cooper](#)  
**To:** [Bell, Craig](#); [Brent Lundmark](#)  
**Cc:** [Firoj Vahora](#)  
**Subject:** FW: WQ0010232002 City of New Braunfels - Alternate Viewing-Copying for COVID  
**Date:** Friday, June 26, 2020 12:56:21 PM

---

Craig and Brent,

When you have received the NAPD notice package, please update the new Braunfels Planning webpage with the application NAPD notice, and draft permit and let me know when you get this done so I can notify Dierdre Sheppard and get the TCEQ website updated with this information.

Thanks,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Deirdre Sheppard <[deirdre.sheppard@tceq.texas.gov](mailto:deirdre.sheppard@tceq.texas.gov)>  
**Sent:** Friday, June 26, 2020 10:39 AM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** RE: WQ0010232002 City of New Braunfels - Alternate Viewing-Copying for COVID

Good morning,

I didn't find the information for WQ0010232002 on the website. I see 001 and 003.  
Please have the applicant make the info available. Once I'm able to verify that its there, I will post to the COVID 19 webpage.

Thanks,  
Dee

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Friday, June 26, 2020 8:49 AM  
**To:** Deirdre Sheppard <[deirdre.sheppard@tceq.texas.gov](mailto:deirdre.sheppard@tceq.texas.gov)>  
**Cc:** Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** WQ0010232002 City of New Braunfels - Alternate Viewing-Copying for COVID  
**Importance:** High

Dierdre,

The applicant was not able to find an open public viewing location in the county where their facility is located; and therefore, requests that it may post the application and NAPD on the website below. Please have the following application for the subject permit posted to the TCEQ's COVID-19 disaster page.

1. Applicant name and permit number: City of New Braunfels – Gruen Road WWTP, TPDES Permit No. WQ0010232002
2. Link provided by applicant: [www.nbutexas.com/planning](http://www.nbutexas.com/planning)
3. Screenshot





Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

**From:** [Gordon Cooper](#)  
**To:** [Brent Lundmark](#)  
**Cc:** [Firoj Vahora](#)  
**Subject:** RE: WQ0010232002 City of New Braunfels  
**Date:** Wednesday, July 22, 2020 3:56:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Brent,

This is the correct NAPD notice that references the posting on the website indicated in the notice. Be sure that the approved draft permit, the application, and all correspondence with TCEQ that is related to the development of the draft permit are available for viewing on the webpage.

Thanks,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>  
**Sent:** Wednesday, July 22, 2020 3:36 PM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Subject:** FW: WQ0010232002 City of New Braunfels

Gordon,  
I received the Notice of application and preliminary decision letter for this permit today in the mail. Can I post this attachment now on our website or was there an updated copy?  
Thanks,  
Brent

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Thursday, June 25, 2020 8:12 AM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** RE: WQ0010232002 City of New Braunfels

Craig,

Based on the comments you provided, I have revised Other Requirements Nos. 4 and 7 as follows:

4. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area and by legal restrictions for the TxDOT right-of-way on the south side of the facility site, the permittee shall comply with

the requirements of 30 TAC § 309.13(e). (See Attachment B.) ***{FYI-The TxDOT right-of-way was mentioned due to their legal restrictions for construction.}***

7. Prior to construction of the Final phase of the treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 217.6(c). If requested by the Domestic Wastewater Permitting Section, the permittee shall submit plans, specifications, and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Page 2b of this permit.

With the changes that I have made above, is the permittee ready to approve the draft permit? For the sake of convenience and reference I have attached a copy of the draft permit with the changes indicated above. To avoid any unnecessary delays in processing and issuing the draft permit, please provide an approval to the draft permit to me as soon as possible, preferably by Friday, June 26, 2020.

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Sent:** Wednesday, June 24, 2020 10:34 AM  
**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** WQ0010232002 City of New Braunfels

Gordon, for the draft permit, I have the following questions/comments:

1. Under "Other Requirements", for item no. 4, buffer zone, the only buffer area not within the permittee's property is the TxDOT right-of-way (Hwy 46/Loop 337). Is "evidence of legal restriction" required for the TxDOT right-of-way?
2. Under "Other Requirements", For item no. 7, summary submittal letter, this has been submitted for Interim Phase II and we received an approval letter from TCEQ.
3. In the cover letter to Mr. Lundmark, item no. 10, closure plan, this has been submitted and we received an approval letter from TCEQ.

Thanks for your assistance on this.

Regards,

H. Craig Bell, P.E.  
Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752  
T 512.454.8716 | C 512.924.4999 | F 512.454.2433  
[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](#)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>  
**Sent:** Wednesday, June 17, 2020 9:30 AM  
**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>  
**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>  
**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Administrative Order 2014-1097-MWD-E  
**Importance:** High

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Bell,

Thank you very much for the revised maps of the site locations and the buffer zone.

I was reviewing the compliance history for this facility and found Administrative Order 2014-1097-MWD-E, which indicates that the permittee had exceedances in the permit effluent limits of 5 mg/l for CBODs back in December 2013, and in January, March and April 2014.

Questions for the permittee:

1. What has been done to resolve the issues in Administrative Order 2014-1097-MWD-E?
2. Can you provide information that might help explain the causes of the violations that include exceedances of the permit effluent limits for CBODs in December 2013, and in January, March and April 2014? What corrective actions were taken?
3. Is there anything the permittee would like the ERC committee to consider related to the facility's ability to comply with the permit?

Thank you in advance for this information. Please provide this information to me as soon as possible, so as to prevent any delays in issuing the renewal of this permit.

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430

---

**From:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Sent:** Monday, June 15, 2020 4:38 PM

**To:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>

**Subject:** WQ0010232002 City of New Braunfels - Buffer Zone

Gordon, please see attached revised attachments A and B. Let me know if this is sufficient or if you need any modifications.

Regards,

H. Craig Bell, P.E.

Austin CES Practice Leader



505 E. Huntland Drive, Suite 250, Austin, TX 78752

**T** 512.454.8716 | **C** 512.924.4999 | **F** 512.454.2433

[LinkedIn](#) | [Twitter](#) | [Blog](#) | [TRCcompanies.com](http://TRCcompanies.com)

---

**From:** Gordon Cooper <[gordon.cooper@tceq.texas.gov](mailto:gordon.cooper@tceq.texas.gov)>

**Sent:** Thursday, June 4, 2020 1:19 PM

**To:** Bell, Craig <[CBell@trccompanies.com](mailto:CBell@trccompanies.com)>

**Cc:** Brent Lundmark <[blundmark@nbutexas.com](mailto:blundmark@nbutexas.com)>; Firoj Vahora <[firoj.vahora@tceq.texas.gov](mailto:firoj.vahora@tceq.texas.gov)>; Jose Alfonso Martinez <[Jose.Martinez@tceq.texas.gov](mailto:Jose.Martinez@tceq.texas.gov)>

**Subject:** [EXTERNAL] WQ0010232002 City of New Braunfels - Buffer Zone

This is an **EXTERNAL** email. Do not click links or open attachments unless you validate the sender and know the content is safe.

Mr. Bell,

I was reviewing the application and drafting the permit, when I noticed that there are anerobic and anoxic treatment units that are proposed in the Interim II and Final phases treatment system.

Using the buffer zone map that is in the application and in the current permit, it is difficult to tell if the anerobic and anoxic treatment units will meet the rule in 30 TAC § 309.13(e)(1), which states: *Lagoons with zones of anaerobic activity (e.g., facultative lagoons, un-aerated equalization basins, etc.) may not be located closer than 500 feet to the nearest property line. All other wastewater treatment plant units may not be located closer than 150 feet to the nearest property line. Land used to treat primary effluent is considered a plant unit. Buffer zones for land used to dispose of treated effluent by irrigation shall be evaluated on a case-by-case basis. The permittee must hold legal title or have other sufficient property interest to a contiguous tract of land necessary to meet the distance*

*requirements specified in this paragraph during the time effluent is disposed by irrigation.* (While the treatment units are not lagoons the anerobic and anoxic treatment systems are subject to the 500-foot requirement.)

Can you provide me additional information about the locations of the proposed anerobic and anoxic basins in relation to their distances to the property lines and how that meets the 500-foot requirement in 30 TAC § 309.13(e)(1). **OR** Did (or will) the permittee submit a nuisance odor request to TCEQ WQ Division in accordance with 30 TAC § 309.13(e)(2), prior to discharging in the Interim II and Final phases?

Thank you very much,

Gordon Cooper  
Environmental Permit Specialist  
TCEQ Municipal Wastewater Permits Team  
Direct 512-239-1963; FAX 512-239-4430