

*Protect Lake Travis Association*

Lonnie Moore, President

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[www.protectlaketravis.org](http://www.protectlaketravis.org)

November 13, 2009  
TCEQ, Office of Chief Clerk, MC 105  
P. O. Box 13087  
Austin, TX 78711-3087

SUBMITTED ELECTRONICALLY

Re: City of Burnet TPDES Permit No. WQ0010793002, Major Amendment Request  
Submission of Initial Comments

Dear Ms. Castanuela:

Protect Lake Travis Association (PLTA) understands that Senator Kirk Watson and Representative Donna Howard have each requested a public meeting regarding the proposed amendment to Permit No. WQ0010793002, and that the public meeting will be granted by TCEQ.

Protect Lake Travis Association will be providing detailed comments on the proposed amendment as part of the public meeting process. In general, our position is that the discharges that would be allowed by the amended permit would contribute to 1) degradation of Hamilton Creek; 2) potential damage to the Ellenburger aquifer, which provides the drinking water supply to many area residents; and 3) degradation of Lake Travis, particularly in the region near Hamilton Creek.

Protect Lake Travis Association is a 501(c)(3) nonprofit organization formed in 1982. PLTA has been continuously active in water quality issues affecting Lake Travis and its tributaries since that time. Among our members and subscribers are property owners along Hamilton Creek, downstream of the discharge point referenced in the permit.

PLTA promotes beneficial reuse of effluent. PLTA recognizes that, in the past, City of Burnet has wisely utilized land irrigation to provide for safe disposal of effluent and conservation of potable water. However, this amendment request - as written - represents a step in the wrong direction. The requested amendment should be significantly modified to favor land based disposal and beneficial reuse before being considered.

PLTA looks forward to providing detailed comments during the public meeting process. PLTA will reserve the right to request a contested hearing, and to request interested party status, pending the outcome of the public meeting process.

Sincerely,



Lonnie Moore, President



City of Austin

# Law Department

City Hall, 301 W 2nd Street, P.O. Box 1088  
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Writer's Direct Line  
(512) 974-2179

Writer's Fax Line  
(512) 974-6490

November 12, 2009

Ms. LaDonna Castenuela  
Chief Clerk's Office (MC-105)  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087  
Austin, Texas 78711-3087

VIA FACSIMILE  
239-3311

RE: Request for Public Hearing  
Application for Amendment of TCEQ Permit No. WQ0010793002  
City of Burnet

Dear Ms. Castenuela:

The City of Austin requests the permit not be approved as drafted, but be revised to include provisions necessary to protect downstream receiving water quality. The City also requests TCEQ set the above referenced matter for a public meeting. Further, the City of Austin requests a contested case hearing on this matter.

The City of Austin has interests in preventing water quality degradation in Lake Travis downstream from the discharge. We are an affected party in this permit and request that we be included as an affected party in any subsequent correspondence, proceedings, or contested case hearings on this permit. The City has a substantial investment in a new water treatment plant using Lake Travis as source water (Water Treatment Plant No. 4) to be located at the corner of Bullick Hollow Road and RR 620. The water quality obtained from Lake Travis as a public drinking water supply reservoir is one of the primary reasons for locating this plant. If water quality in Lake Travis is diminished, the City of Austin would be adversely affected by this permit in a manner not common to the general public. Also, Austin citizens depend upon the water quality of Lake Travis for a number of recreational pursuits and releases from Tom Miller Dam greatly influence the conditions of Lake Austin and Ladybird Lake which are also relied upon by Austin citizens. The proposed permit to discharge up to 1.7 MGD of wastewater approximately 15 miles upstream from Lake Travis has potential to eventually degrade this source water. Based on the TCEQ Revised Fact Sheet and Executive Director's Preliminary Decision and water quality modeling report submitted by the applicant, the City has the following concerns:

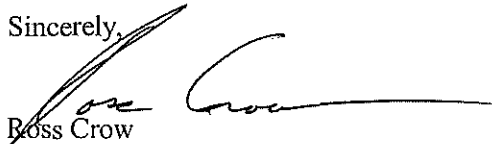
1. The applicant currently operates their plant essentially as a land application facility with irrigation disposal of treated wastewater. The Fact Sheet and Executive Director's preliminary Decision memo states that "No effluent data is available". From this, it appears that enough irrigation needs are present to consume all of the wastewater generated by the facility; therefore, no self reporting data on the discharge would have been submitted to TCEQ. It is unclear why this permit cannot be converted to a Texas

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- Land Application Permit with appropriate storage and safeguards against improper irrigation.
2. The treatment plant is proposed to convert from contact stabilization to conventional activated sludge operation, convert from chlorine to ultraviolet disinfection, and add effluent filtration. This level of treatment will not meet the draft permit limits for nutrient removal in the final phase unless additional units not described in the permit are added including chemical precipitation of phosphorus or biological nutrient removal.
  3. The applicant has not proved the assertion that the discharge will not cause water quality degradation in Hamilton Creek or Lake Travis by more than a de minimis level. The modeling analysis of the effluent is insufficient to show the results of additional nutrient loadings to Hamilton Creek or Lake Travis. The Evaluation of Effluent Discharge Effect Upon Lake Travis August 2009 submitted with the amendment application uses a steady state model at non-critical (higher) upstream stream flows, considering total phosphorus to be a conservative substance, and neglecting nutrient spiraling through algae and macrophytes growth and decay in the discharge route.
  4. Water quality modeling performed for LCRA and documented in Colorado River Environmental Models Phase 2: Lake Travis Final Report May 2009 indicate that conversion of nearby wastewater plants to discharge could have profound impacts on algae blooms and the trophic status of the lake. The final Burnet discharge would be approximately 20% of the total point source nutrient loading if all of the plants less than 10 miles were also contributing. Although modeling with current and future conditions with only Burnet's discharge contributing has not been completed; available evidence supports the anticipated detrimental impact of this plant to Lake Travis and Hamilton Creek.
  5. Emerging contaminants such as personal care products and pharmaceuticals are higher in discharged wastewater than infiltrated water through land application soil. As yet, we do not know the exact effects of these chemicals on the aquatic environment or cumulative impact on humans. In light of this uncertainty, it would not be prudent to discharge these chemicals into our water supply.

We look forward to working out the issues of this permit with you and the applicant through the public hearing process. Thank you for your consideration of these comments. If you have questions or concerns please contact me at 974-2179.

Sincerely,



Ross Crow  
Assistant City Attorney  
City of Austin  
City Hall, 301 W 2nd Street, P.O. Box 1088  
Austin, Texas 78767-1088

RC:ep

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cc: Nancy L. McClintock, Assistant Director, WPDRD  
Tom E. Ennis, P.E., Division Manager, ERM/WPDRD

# LAKEWAY MUNICIPAL UTILITY DISTRICT

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November 13, 2009

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

Re: TPDES Permit # WQ0010793002, City of Burnet  
Amendment to increase discharge of treated effluent to Hamilton Creek and Lake Travis

Dear Ms. Castanuela:

The Lakeway Municipal Utility District (the District) produces drinking water to over 10,000 people using Lake Travis as the source water. The District also operates two wastewater permits totaling 1.2 million gallons per day and reuses and recycles 100% of it by beneficial land application. We do this in full compliance with our TCEQ land application permits, and to protect the exceptional quality of the water in Lake Travis. We believe that the City of Burnet should do the same.

The City of Burnet has applied to increase effluent discharge to an annual average flow of 1,700,000 gallons per day and to remove the current requirements for authorization for beneficial reuse of treated wastewater via irrigation. The District opposes this permit amendment application and requests a public meeting. We will reserve the right to request a contested hearing, pending the outcome of the public meeting process.

The District will be providing detailed comments on the proposed major amendment as part of the public meeting process. In short, our position is that the discharges that would be allowed by the amended permit would, 1) degrade Lake Travis, which is the drinking water supply for Lakeway and one million other people, 2) degrade Hamilton Creek, and 3) degrade the Ellenburger aquifer, which provides the drinking water supply to many area residents.

Thank you for your consideration of our request for a public meeting. We look forward to providing detailed comments during that process.

Sincerely,

Richard W. Eason  
General Manager

Cc: Board of Directors, Lakeway MUD  
Steve Jones, City Manager, City of Lakeway

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Use Water Wisely  Every Drop Counts

[www.Lakewaymud.org](http://www.Lakewaymud.org)

November 13, 2009

LaDonna Castanuela, MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

RE: City of Burnet – Permit Number WQ0010793002

Dear Ms. Castanuela:

As a steward of the lower Colorado River and its tributaries, the Lower Colorado River Authority (LCRA) routinely reviews TCEQ water quality permit applications that may impact water quality in the Colorado River basin. LCRA appreciates the opportunity to provide comments on the proposed amendment for the City of Burnet Water Quality Permit Number WQ0010793002 to discharge treated wastewater to Hamilton Creek in Segment No. 1404 of the Colorado River Basin in Burnet County.

We understand Senator Kirk Waston and Representative Donna Howard have requested a public meeting on behalf of their concerned constituents and that meeting will be granted.

LCRA is currently reviewing the permit application and evaluating preliminary modeling results from LCRA's Colorado River Environmental Model. We are concerned about nutrient impacts, specifically nitrogen and phosphorus, to Hamilton Creek and Lake Travis as a result of this discharge.

We have been in contact and continue to work with the City of Burnet towards a solution to LCRA's concerns. Depending on the continued discussions and results from those discussions LCRA may provide more technical written comments the public meeting.

LCRA is not requesting a contested case hearing at this time, but does reserve the right to request interested party status should a contested case hearing be requested and granted.

Sincerely,

Lisa Hatzenbuehler, Manager  
Water Resource Protection