

Barry R. McBee, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Dan Pearson, *Executive Director*



RECEIVED

FEB 20 1998

COUNTY ROAD DEPT.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

February 19, 1998

Mr. William H. Borchers
Oakwood Estates, Inc.
251 S. Sequin
New Braunfels, TX 78130

Re: EDWARDS AQUIFER, Comal County
PROJECT: Oakwood Estates Commercial, Project number 837, Located at Lop 337 and California Blvd., New Braunfels, Texas
TYPE: Request for Approval of Organized Sewage Collection System (SCS); 30 Texas Administrative Code (TAC) §213.5(c); Edwards Aquifer Protection Program

Dear Mr. Borchers:

The Texas Natural Resource Conservation Commission (TNRCC) has completed its review of the SCS application for the referenced project that was submitted by S. Craig Hollmig, Inc. on behalf of Oakwood Estates, Inc. to the San Antonio Regional Office on February 2, 1998. The SCS proposed in the application is in general compliance with 30 TAC § 213.5(c) and 30 TAC § 317; therefore, approval of the plan is hereby granted subject to applicable state rules and the conditions in this approval letter. *This approval expires two (2) years from the date of this approval unless, prior to the expiration date, construction has commenced on the referenced project or an extension of time has been requested.*

PROJECT DESCRIPTION

The proposed sewage collection system consists of 1,296.13 linear feet of 6-inch, PVC (SDR 26) gravity sewer line with appurtenances. The proposed sewage collection system will provide disposal service for future commercial development of 7.5 acres. The site is located within the City of New Braunfels, and must conform with applicable codes and requirements of the City of New Braunfels.

The system will be connected to an existing City of New Braunfels wastewater line for conveyance to the Kuehler Avenue wastewater treatment plant for treatment and disposal.

GEOLOGY ON SITE

According to the geologic assessment submitted with the application, there are no sensitive or possibly sensitive features located on the path of the proposed sewage collection system or within 50' of it. The San Antonio Regional Office site investigation conducted on February 18, 1998, revealed no sensitive nor possibly sensitive features on the site.

SPECIAL CONDITIONS

If any potential sensitive features are encountered during sewer line trenching a geologist shall evaluate the significance of the features. The evaluation shall include representative photographs and a description of the feature forwarded to the San Antonio Regional Office. Engineering plans must be submitted by a Texas Registered Professional Engineer which insure the structural integrity of the sewage collection system crossing the features. Construction in the vicinity of the features may only continue with written approval from the TNRCC.

STANDARD CONDITIONS

1. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213 and Chapter 317. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity, upon which that person or entity shall assume responsibility for all provisions and conditions of this approval.
2. Any modification to the activities described in the referenced SCS and/or lift station application(s) following the date of approval may require the submittal of an SCS and/or a lift station application(s) to amend this approval, including the payment of appropriate fees and all information necessary for its review and approval.
3. Prior to commencing any regulated activity, the applicant or his agent must notify the San Antonio Regional Office in writing of the date on which the regulated activity will begin.
4. All contractors conducting regulated activities at the project location shall be provided a copy of this notice of approval. At least one complete copy of the approved SCS application and this notice of approval shall be maintained at the project location until all regulated activities are completed.
5. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved SCS application, must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. The TNRCC may monitor storm water discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.
6. If any geologic feature is discovered during construction, excavation, or installation of a sewer line, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the San Antonio Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the structural integrity of the pipe, and the feature and the aquifer from potential adverse impacts to water quality.

Mr. William H. Borchers

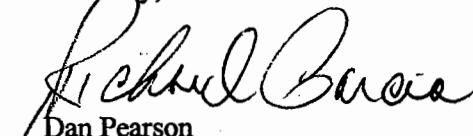
February 19, 1998

Page 3

7. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.
8. Certification by a Texas Registered Professional Engineer of the testing of sewage collection systems required by 30 TAC Chapter 213 shall be submitted to the San Antonio Regional Office within 30 days of test completion and prior to the use of the new sewer lines and manholes.
9. The proposed sewage collection system shall not be used until the receiving wastewater treatment plant is complete and operational. No part of the system shall be used as a holding tank for a pump-and-haul operation.
10. Every five years after the initial certification, the sewage collection system shall be tested, repaired, certified and reported in accordance with 30 TAC Chapter 213 and Chapter 317.
11. Pursuant to §26.136 of the Texas Water Code, any violations of the requirements in 30 TAC §213 may result in administrative penalties.

If you have any questions or require additional information, please contact Mr. Philip J. Farrell with the Edwards Aquifer Protection Program at 210/490-3096. Please reference project number 837.

Sincerely,



Dan Pearson
Executive Director

DP/PJFeg

cc: S. Craig Hollmig, S. Craig Hollmig, Inc.
Harry Bennett, City of New Braunfels
Roger Biggers, New Braunfels Utilities
Tom Hornseth, Comal County
Greg Ellis, Edwards Aquifer Authority
TNRCC Field Operations, Austin