

# TEXAS WATER COMMISSION

Paul Hopkins, Chairman  
Ralph Roming, Commissioner  
John O. Houchins, Commissioner



Larry R. Soward, Executive Director  
Mary Ann Hefner, Chief Clerk  
James K. Rourke, Jr., General Counsel

March 13, 1987

Messrs. Steve Dome, Jeronimo J. Jergins  
and Ernesto E. Jergins  
900 N.E. Loop 410  
Suite D-420  
San Antonio, Texas 78209

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OPERATIONS  
DISTRICT 8

Re: Orion Subdivision - Unit 1; Request for Water Pollution Abatement Plan  
Approval; 31 Texas Administrative Code (TAC) Section 313.3

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Dear Messrs. Dome and Jergins and Jergins:

We have completed our review of the water pollution abatement plan dated November 26, 1986 which was submitted to the District 8 Office by S. Craig Hollmig, P.E. As outlined in the application, the proposed development consists of 29.68 acres. Unit 1 consists of 1.051 acres to be developed with a convenience store and gasoline station. Sewage generated by the store will be treated and disposed of through a private sewage facility licensed by the City of New Braunfels Health Department.

Although the water pollution abatement plan was submitted for the entirety of Orion Subdivision, we note that land uses have not been determined for 28.629 acres of the property. Therefore, this letter of approval applies only to the activities proposed within Unit 1.

The plan for this development has been reviewed for compliance with 31 TAC Section 313.3 which sets forth the required pollution abatement activities for construction activities on the recharge zone of the Edwards Aquifer. The proposed pollution abatement activities are in general compliance with 31 TAC Section 313.3 and approval for this phase of the development is hereby granted with the following conditions:

1. The private sewage facility shall be used solely for the treatment and disposal of domestic sewage.
2. If any solution openings (such as caves or pipes) or sinkholes are discovered on the site during land clearing, excavation or blasting, the developer or his agent shall immediately notify the District 8 Office in San Antonio. Construction in the vicinity of such a feature shall cease pending approval by the District 8 manager of the proposed method to prevent pollutants from entering the area(s).

During the course of development of this property, the developers shall comply with all applicable provisions of 31 TAC Section 313.3. Additionally, you shall remain responsible for the aforementioned provisions and special conditions until such responsibility is legally transferred to another entity or person.

Messrs. Dome and Jergins and Jergins

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Please be reminded that 31 TAC Section 313.3(e) requires your to: (1) record in the county deed records that this property is subject to the approved water pollution abatement plan, (2) submit to the Executive Director proof of this recordation of notice no less than ten days prior to commencing construction, and (3) prior to beginning construction, notify the District 8 Office in San Antonio when the construction will commence. Also, 31 TAC Section 313.3(g) requires that, during construction, you submit quarterly progress reports on the status of construction to the District 8 Office. Please note that 31 TAC Section 313.3(h) states that this approval expires two years from this date unless, prior to the expiration date, construction has commenced on the development. Enclosed is a suggested format you may wish to use for deed recording your approved water pollution abatement plan.

If you have any questions or require additional information, please contact Ms. Jeffie McAuley at (512) 226-3297 in San Antonio or Ms. Liska Mercer at (512) 463-7743 in Austin.

Sincerely,

*Res. G. McDonnell, Jr., P.E.*  
for Larry R Soward  
Executive Director

LLM:kas

ccs: Mr. S. Craig Hollmig, P.E.  
City of New Braunfels  
County of Comal  
Edwards Underground Water District  
Texas Water Commission District 8 Office