

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

February 4, 1987

Mr. Scott Turpin, President
T Bar M, Inc.
6060 Dilbeck
Dallas, Texas 75240

Re: T Bar M Country Inn; Request for Water Pollution Abatement Plan Approval;
31 Texas Administrative Code (TAC) Section 313.3

Dear Mr. Turpin:

We have completed our review of the water pollution abatement plan which was submitted to the District 8 Office by Langwith, Wilson & King Associates, Inc. As outlined in the application, the proposed development is comprised of 5.0 acres which will be developed with a 40-room hotel and associated conference room. Sewage generated from the inn will be treated and disposed of through the T Bar M, Inc., wastewater treatment plant (Permit No. 11279-01).

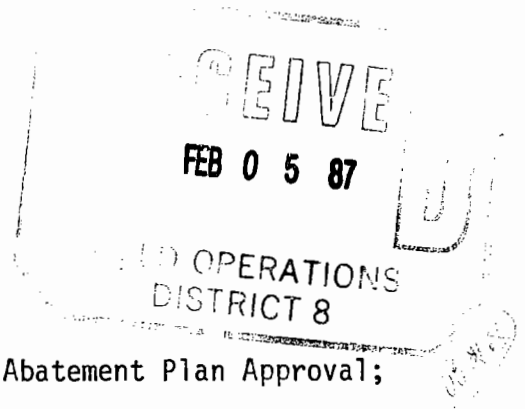
We understand that the inn has already been constructed. This activity is a violation of 31 TAC Section 313.3(a) which states, in part:

For all regulated developments that are proposed to be located on the Recharge Zone, a water pollution abatement plan must be prepared and approval from the Executive Director obtained prior to the commencement of any construction in the development.

This violation is currently under staff review for possible enforcement action. The approval of this water pollution abatement plan shall not be construed by T Bar M, Inc. as having any effect on pending enforcement action.

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 agreement with 31 TAC Section 313.3 and approval for this phase of the development is hereby granted with the following conditions:

1. The plans and specifications for the sewage collection system to serve the inn shall be approved by this agency, in accordance with 31 TAC Section 313.4. This shall include appropriate testing and construction certification, as outlined in 31 TAC Section 313.4(b)(5).



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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).

T Bar M, Inc. shall remain responsible for all applicable provisions of 31 TAC Chapter 313 - Subchapter A and the aforementioned special conditions until such responsibility is legally transferred to another entity or person.

We would remind you that 31 TAC Section 313.3(e) requires you to record in the county deed records that this property is subject to the content of the approved water pollution abatement plan and submit proof of this recordation to the Executive Director no less than ten days prior to commencing construction. In lieu of this requirement, since the development is complete, proof of recordation shall be submitted to the Executive Director within 20 days from the date of this letter. Also, you are reminded that certain changes in the existing development or construction on undeveloped areas of this property will require approval of a modification of the original water pollution abatement plan in accordance with 31 TAC Section 313.3(f) or submittal of additional water pollution abatement plans. 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,

for *Rev. S. McDonnell, Jr., P.E.*
Larry R. Soward
Executive Director

LLM:kas
Enclosure

ccs: Mr. Charles Wilson, Langwith, Wilson & King Associates, Inc.
Mr. Stuart Whitford, Stuart Whitford & Associates
County of Comal
Edwards Underground Water District
Texas Water Commission District 8 Office
Ms. Robin Shaver, Wastewater Enforcement Section