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Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

December 18, 1998

Mr. Scott Turpin
T-Bar-M, Inc.
8201 Preston Road, Suite 310 LB13
Dallas, TX 75225

Re: EDWARDS AQUIFER, Comal County
PROJECT: T-Bar-M, Inc., Project number 1096, Located on south side of Hwy 46
approximately 2 miles west of Loop 334, , New Braunfels, Texas
TYPE: Request for Approval of Water Pollution Abatement Plan (WPAP); 30 Texas
Administrative Code (TAC) §213.5(b); Edwards Aquifer Protection Program

Dear Mr. Turpin:

The Texas Natural Resource Conservation Commission (TNRCC) has completed their review of the request for modification of an approved WPAP for the referenced project that was submitted on behalf of T-Bar-M, Inc. by The Schultz Group and received by the San Antonio office on September 28, 1998.

PROJECT DESCRIPTION

This facility was previously approved by letter dated July 1, 1998. As presented, the proposed modification to the water pollution abatement plan will consist of relocation of buildings and asphalt drives. As presented, the revisions "do not change the approved Temporary Pollution or the Permanent Pollution Abatement Plans that were submitted and approved on July 1, 1998...", and "...there are no changes to the approved Organized Sewer Collection System (Approval letter dated May 28, 1998)."

APPROVAL

The plan for modifying this project has been reviewed for compliance with 30 TAC §213.5(b) which sets forth pollution abatement criteria for any development on the recharge zone of the Edwards Aquifer. The proposed water pollution abatement plan modification is in general agreement with 30 TAC §213.5(b); therefore, approval of the plan is hereby granted subject to the specific conditions listed below. Failure to comply with any of the following conditions, the deed recordation requirement, or any other specific conditions of approval is a violation of these rules. Pursuant to §26.136 of the Texas Water Code, any violations of the Edwards Aquifer Rules may result in administrative penalties of up to \$10,000 for each act of violation and for each day of violation.

REPLY TO: REGION 13 • 140 HEIMER RD., STE. 360 • SAN ANTONIO, TEXAS 78232-5042 • 210/490-3096 • FAX 210/545-4329

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tnrcc.state.tx.us


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SPECIAL CONDITIONS OF APPROVAL

1. If any potential sensitive features are encountered during construction, 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 office. Construction in the vicinity of the features may only continue with written approval from the TNRCC.
2. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter of July 1, 1998.
3. All permanent pollution abatement measures shall be operational prior to completion of construction.
4. After completion of the project, submit as-built plans prepared by a Texas licensed professional engineer.

Should clarification of this letter be desired or if we may be of any other assistance, please contact John Mauser of our San Antonio Regional office at 210/403-4024. Please reference project number 1096.

Sincerely,



for Jeffrey A. Saitas, P.E.
Executive Director
Texas Natural Resource Conservation Commission

JAS/JKM/eg

Enclosure: Deed Recordation Form

cc John Moy, The Schultz Group, Inc.
Harry Bennett, City of New Braunfels
Tom Hornseth, Comal County
Greg Ellis, Edwards Aquifer Authority
TNRCC Field Operations, Austin