



CITY OF SAN ANTONIO

RON NIRENBERG
MAYOR

Laurie Gharis
Chief Clerk

Via Electronic Submission

Texas Commission On Environmental Quantify
12100 Park 35 Circle, Bldg. F
Austin, Texas 78753

RE: Request for Reconsideration of the Executive Director's Decision
Applicant: Municipal Operations, LLC
TPDES Permit No. WQ00161171001

Requestor: Ron Nirenberg, Mayor City of San Antonio
City Hall
100 Military Plaza, San Antonio, TX 78205
Phone: 210-207-7107
FAX: 210-207-4168

Dear Ms. Gharis:

As Mayor of the City of San Antonio, I hereby request that the Executive Director of the Texas Commission on Environmental Quality (hereinafter "TCEQ") reconsider the January 12, 2024, decision in the above referenced permit application. The City of San Antonio (hereinafter "City") may be adversely affected by the discharge emanating from the proposed facility. The proximity to the discharge area in the extraterritorial jurisdiction of the City and the adverse effects arising from any potential accidental or excessive discharges from the facility pose a threat to the City.

The City relies upon the Edwards Aquifer for providing safe water for the City and its residents. As proposed, the facility will be located in the recharge area of the Trinity and Edwards Aquifers. The Trinity Aquifer flows into the Contributing Zone for the Edwards Aquifer. Contamination in this area would have a significant detrimental effect on the quality and availability of water for the City. The integrity and the interconnection of the Trinity and Edwards Aquifers could be severely compromised by this development and the associated treatment facility.

Discharge from the facility, especially in the case of an accident, could result in significant damage to the aquifer systems and compromise the water availability of the San Antonio

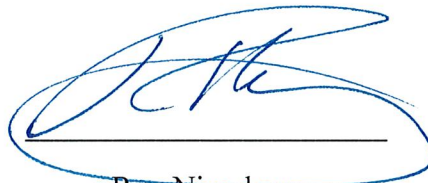
metropolitan area. Locating and operating this facility as proposed presents a potential significant threat that needs to be more fully addressed by the Executive Director and the TCEQ Commissioners. Contamination, whether intentional or accidental, is a significant threat that must be fully vetted before this process proceeds further.

As proposed, the development, and associated treatment facility, will be built over the Trinity Aquifer and Edwards Aquifer Contributing Zones. The discharge of wastewater into the environment is not the only environment threat posed by building high-density developments over critical areas of the watershed located in the Contributing Zone. Increases in impervious cover in those locations will also lead to degraded runoff (and recharge) in addition to adding to the risk by flooding. Both factors increase threats to health and safety. These are local consequences facing each watershed. This effect on the watershed will exacerbate the effect of the discharge into Helotes Creek on the environmentally sensitive Edwards Aquifer Contributing Zones.

All flows in Helotes Creek, San Geronimo Creek, and their tributaries recharges the Trinity Aquifer in the Edwards Aquifer Contributing Zone. Once recharged, groundwater flows to the Edwards Aquifer. Given that both are karstic carbonate aquifers, groundwater can flow with higher velocities and arrive at San Antonio Water Systems and other water-supply wells in a matter of days. This is less time than needed for pathogens to be diluted and for the natural filtration process of the carbonate aquifers to occur. This poses a risk to downstream wells used for water supply as well as the aquifers. Attached as Exhibit "A" to this request is a report prepared by the Southwest Research Institute entitled "Comparative Evaluation of Wastewater Disposal Practices in the Contributing Zone of the Edwards Aquifer." This report was prepared at the request of the City of San Antonio, Parks and Recreation Department, Edwards Aquifer Protection Program, and the San Antonio River Authority. The report specifically addresses the Helotes Creek watershed and the potential impact development thereupon may have on the Edwards Aquifer.

The unique nature of the geographic and geological structures in the proposed area of development and location for the treatment facility dictates the extreme care that must be exercised in the review of this permit application. Protection of the Edwards Aquifer is of paramount importance to the City and should be equally important to the State of Texas. I ask that the Executive Director reconsider the decision in this matter and reopen the analysis by the TCEQ.

Please feel free to reach out to me or my staff if you should need additional information or would like to discuss this matter further.



Ron Nirenberg

Mayor