

TEXAS WATER COMMISSION



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Allen Beinke, Executive Director

November 20, 1990

Mr. Bob Farmer
Farmco, Inc.
2901 Highway 78 West
Seguin, Texas 78155

NOV 27 1990

Re: Proposed Farmco No. 18 Retail Facility/Convenience Store,
Comal County, Texas - Request for Approval of Water Pollution
Abatement Plan (WPAP); 31 Texas Administrative Code (TAC)
Section 313.4

Dear Mr. Farmer:

We have completed our review of the WPAP that was submitted by S. Craig Hollmig, Inc. on your behalf to the District 8 Office on September 26, 1990, and received by our Water Quality Division in Austin on October 2, 1990. Additional information was received by the Austin Office on November 12, 1990. The proposed regulated development is on the east side of US 281, approximately 2,600 feet north of Cibolo Creek, Comal County.

We are aware that construction had begun on this regulated development prior to receiving approval from the Executive Director of the Texas Water Commission. Section 26.123 (b) of the Texas Water Code authorizes penalties of up to \$10,000 per day for infractions of the Edwards Aquifer protection rules.

There is one 580-foot deep water-supply well completed in the Glen Rose Formation (Trinity Aquifer) on August 30, 1990. If any abandoned wells are found during construction of the proposed development, they shall be plugged in accordance with the local underground water conservation district's plugging procedures, if applicable, or 31 TAC Section 287.50(a) of this title (Relating to Standards for Plugging Wells that Penetrate Undesirable Water Zones), or an equivalent method, as approved by the Executive Director. Pursuant to 31 TAC Section 287.48(e), the person that plugs such a well shall, within 30 days after plugging is complete, submit a Water Well Completion and Plugging Report to the Executive Director, through the District 8 Office.

The site of the proposed project was inspected on August 27, 1990 by the District 8 Office field investigator. No recharge features were noted. A 13-foot deep pit had been excavated for installation of three 10,000-gallon underground storage tanks. The profile of the pit walls contained approximately 2 to 3 feet of black topsoil, underlain by 5 to 6 feet of light red/brown soil, underlain by 4 to

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6 feet of limestone cobbles in a matrix of the light red/brown soil. The backhoe operator reported solid rock at the bottom of the pit. An additional inspection was conducted on September 26, 1990, and no new recharge features were noted.

The proposed development will consist of a 1.293-acre tract for commercial use consisting of a convenience store and gasoline dispensing pumps. There will be a minimum of one person working at all times, and occasionally two or three people will operate the facility. Impervious cover will consist of about 45,000 square feet of asphalt paved surface; about 3,850 square feet of concrete surface; and about 3,034 square feet of roof material - for a total of 51,884 square feet of impervious cover. Parking surface will occupy about 2,800 square feet. The development will contain a private on-site sewage treatment facility in the form of a septic tank and drainage field. Gasoline pumps and storage tanks will occupy the site. Food will not be prepared at the site. No car repair or maintenance services shall be available commercially at the site.

The wastewater produced by this commercial development will be approximately 600 gallons per day of domestic effluent.

Assuming a 100-year storm event, runoff from the proposed site will be about 8.6 cubic feet per second. The character of stormwater runoff will be typical of a site with roofing material, concrete, and asphalt paving. The rear part of the site will be grass covered, and ground cover and landscaping materials will be constructed in areas to the rear of the site behind the building and in the traffic islands at the front of the site.

Potable water will be supplied by a private on-site water well.

During construction hay bales and/or fabric filters shall be placed on the down-gradient slope side of the construction. Grass will be reestablished and/or preserved upon completion of the construction phase.

No significant recharge features were identified in the geologic assessment of the site.

No waste-disposal wells, new confined animal feeding operations, land disposal of Class I wastes, or use of sewage holding tanks as parts of organized collection systems shall be allowed on the recharge zone of this regulated development

The plan for this development has been reviewed for compliance with 31 TAC Section 313.4 which sets forth pollution abatement criteria for development located on the recharge zone of the Edwards Aquifer. The proposed pollution abatement activities are

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in general agreement with 31 TAC Section 313.4, and approval of the development is hereby granted with the specific conditions listed below.

Approval of plans and specifications for the on-site underground storage tanks (UST) must be obtained from the Executive Director prior to completing installation of the UST facility.

During the course of construction related to the referenced regulated development, the owner/developer shall comply with all applicable provisions of 31 TAC Section 313.4. Additionally, Mr. Bob Farmer, applicant, shall remain responsible for the aforementioned provisions and special conditions until such responsibility is legally transferred to another person or entity.

Please be reminded that 31 TAC Section 313.4 (c) requires the owner/developer to: (1) record in the county deed records that this property is subject to the approved WPAP; (2) submit to the Executive Director proof of this application for recordation of notice within 30 days of receiving written notice of approval of the WPAP; and (3) submit to the appropriate district office proof of application for recordation of notice in the county deed records.

Pursuant to 31 TAC Section 313.4 (d) (1), prior to commencing construction the applicant must notify the District 8 Office in San Antonio when the regulated activity will commence.

Also, 31 TAC Section 313.4 (d) (2) requires that if any significant recharge features, such as solution openings or sinkholes, are discovered during construction, all regulated activities near the significant recharge feature must be immediately suspended and may not proceed until the Executive Director has reviewed and approved the methods proposed to protect the aquifer from any potential adverse impacts. Upon discovery of the significant recharge features, the developer shall immediately notify the District 8 Office located at 140 Heimer Road, Suite # 360, San Antonio, Texas, 78232-5028, telephone (512) 490-3096.

Any substantial modification, as outlined in 31 TAC Section 313.4 (e), to this approved WPAP must be reported to the District 8 Office and approved by the Executive Director.

Please note that 31 TAC Section 313.4 (g) states that this approval expires two years from this date unless, prior to the expiration date, construction has commenced on the regulated development. Enclosed is a suggested format you may wish to use to deed record your approved WPAP.

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If you have any questions or require additional information, please contact either the District 8 Office field inspector at (512) 490-3096 in San Antonio or the Edwards Aquifer Coordinator at (512) 463-8497 in Austin.

Sincerely,

for *Rep. B. McDonnell, Jr., P.E.*
Allen Beinke
Executive Director

Enclosure

cc: S. Craig Hollmig, S. Craig Hollmig, Inc.
Fred R. Clark, County Judge, Comal County
Monica M. Wallace, Comal County Office of Environmental
Russell L. Masters, Edwards Underground Water District
Craig Snider, Texas Water Commission, District 8 Office