

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



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COUNTY ENGINEER

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 21, 2009

Dr. Edward M. Wuensch
Wuensch Dental Office
651 S. Walnut Ave., Suite B
New Braunfels, TX 78130-5764

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Wuensch Dental Office, 245 Hunters Village Dr., New Braunfels, Texas
TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program ID No. 1964.05, Investigation No. 708750, Regulated Entity No. RN105651996

Dear Dr. Wuensch:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Application for the above-referenced project submitted to the San Antonio Regional Office by Pawelek & Moy, Inc. on behalf of Wuensch Dental Office on November 18, 2008. Final review of the WPAP was completed after additional material was received on January 14, 2009. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The subject site is Lot 3 of Hunter's Creek Business Park Subdivision which is on the Edwards Recharge Zone. Hunters Village Drive, which bounds the site on the east, and a concrete drainage channel, which is on the site and runs along its southern edge, are accounted for in a WPAP approved July 18, 2006 for Hunter's Creek Business Park Subdivision, Edwards Aquifer Protection Program ID No. 1964.02. The plan for Hunter's Creek Business Park Subdivision shows that up gradient runoff is drained through Lot 3 by the channel. The channel feeds a sedimentation basin located just west of Lot 3.

PROJECT DESCRIPTION

The project will consist of developing approximately 0.72 acres into a dental office with a parking lot, onsite drainage, and a water quality basin. The total plan area, 0.74 acres, includes 0.02 acres of drive and sidewalk which is off-site (along Hunter's Village Drive). The total impervious cover planned is 0.37 acres, 50 percent of the site area. Runoff will drain to a tributary of Bliedler's Creek and the Guadalupe

REPLY TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210-490-3096 • FAX 210-545-4329

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

Dr. Edward M. Wuensch
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River. Project wastewater will be disposed of by conveyance to the existing Gruene Road Wastewater Treatment Plant owned by New Braunfels Utilities.

PERMANENT POLLUTION ABATEMENT MEASURES

Upgradient stormwater is shown diverted from the property by street curbing to a concrete drainage channel. The channel conveys stormwater through the southern edge of the site. These drainage measures are part of the Hunter's Creek Business Park Subdivision WPAP which was approved July 18, 2006. To prevent the pollution of stormwater runoff originating on-site and potentially flowing across and off the site after construction, storm drains and one partial sedimentation/filtration basin (as shown on the site plan) will be constructed. The basin is a variation of the basin shown in the 2005 edition of the TCEQ's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices". It is sized to capture the first 1.16 inches of stormwater run-off from 0.33 acres of impervious cover within the 0.38 acre catchment area of Drainage Area A1. The basin is designed to provide a total capture volume of 1,544 cubic feet (1,301 cubic feet required) to treat 372 pounds of suspended solids (TSS). The filtration system will consist of 132 square feet of sand (130 square feet required for the planned maximum water level), 18 inches thick, and underdrain piping surrounded by gravel. Sand and gravel layers will be separated with filter fabric and contained above an impervious liner. The remaining (uncaptured) 0.04 acre of impervious cover is comprised of 0.03 acre in Drainage Area A4, the storm drain channel discussed above, and 0.1 acre (drive & sidewalk) in the off-site Drainage Area B1, also discussed above. Equivalent protection is provided in Water Quality Basin A1 for 9 pounds of TSS from the 0.04 acre of impervious cover within the 0.36 acre of uncaptured areas. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

GEOLOGY

A Geologic Assessment done for Hunter's Creek Business Park, WPAP approved July 18, 2006, by Boyd V. Dryer, P.G., GeoConsul, includes the subject site, which is Lot 3 of the business park. According to the geologic assessment, the site lies within the Edwards Recharge Zone on the cyclic and marine member of the Person Formation. Clayey and cherty Rumble-Comfort association soils were reported. The Geologic Assessment showed no geologic or manmade features for Lot 3. The San Antonio Regional Office did not conduct a site assessment.

SPECIAL CONDITIONS

- I. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.
- II. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

1. Pursuant to Chapter 7 Subchapter C of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.
2. The holder of the approved Edwards Aquifer protection plan must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the approved plan. Additional and separate approvals, permits, registrations and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, UIC) can be required depending on the specifics of the plan.
3. In addition to the rules of the Commission, the applicant may also be required to comply with state and local ordinances and regulations providing for the protection of water quality.

Dr. Edward M. Wuensch
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Prior to Commencement of Construction:

4. Within 60 days of receiving written approval of an Edwards Aquifer Protection Plan, the applicant must submit to the San Antonio Regional Office, proof of recordation of notice in the county deed records, with the volume and page number(s) of the county deed records of the county in which the property is located. A description of the property boundaries shall be included in the deed recordation in the county deed records. A suggested form (Deed Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.
5. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.
6. Modification to the activities described in the referenced WPAP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
7. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the date on which the regulated activity will commence, the name of the approved plan and program ID number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension.
8. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.
9. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

10. During the course of regulated activities related to this project, the applicant or agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
11. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 6 above.

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Dr. Edward M. Wuensch

January 21, 2009

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COUNTY ENGINEER

12. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the San Antonio Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.
13. No wells are known to exist on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
14. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
15. Intentional discharges of sediment laden storm water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
16. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
17. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

18. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.
19. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. The regulated entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.
20. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new

Dr. Edward M. Wuensch
January 21, 2009
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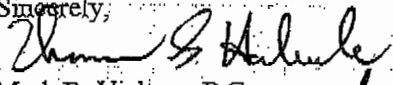
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regulated activity by the executive director is required prior to commencement of the new regulated activity.

21. An Edwards Aquifer protection plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Edwards Aquifer protection plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
22. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact Alan G. Jones of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4074.

Sincerely,

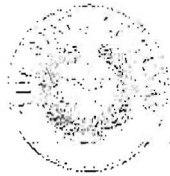

Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

MRV/AGJ/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Daryl D. Pawelek, P.E., Pawelek & Moy, Inc.
Mr. James C. Klein, P.E., City of New Braunfels
Mr. Thomas H. Hornseth, P.E., Comal County
Ms. Velma Reyes Danielson, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212

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January 21, 2009

Dr. Edward M. Wuensch
Wuensch Dental Office
651 S. Walnut Ave., Suite B
New Braunfels, TX 78130-5764

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Edwards Aquifer Protection Program ID No. 1964.05, Investigation No. 708750, Regulated Entity No. RN105651996

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BACKGROUND

The subject site is Lot 3 of Hunter's Creek Business Park Subdivision which is on the Edwards Recharge Zone. Hunters Village Drive, which bounds the site on the east, and a concrete drainage channel, which is on the site and runs along its southern edge, are accounted for in a WPAP approved July 18, 2006 for Hunter's Creek Business Park Subdivision, Edwards Aquifer Protection Program ID No. 1964.02. The plan for Hunter's Creek Business Park Subdivision shows that up gradient runoff is drained through Lot 3 by the channel. The channel feeds a sedimentation basin located just west of Lot 3.

PROJECT DESCRIPTION

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PERMANENT POLLUTION ABATEMENT MEASURES

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GEOLOGY

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SPECIAL CONDITIONS

- I. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.
- II. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

1. Pursuant to Chapter 7 Subchapter C of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.
2. The holder of the approved Edwards Aquifer protection plan must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the approved plan. Additional and separate approvals, permits, registrations and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, UIC) can be required depending on the specifics of the plan.
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Dr. Edward M. Wuensch
January 21, 2009
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Prior to Commencement of Construction:

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During Construction:

10. During the course of regulated activities related to this project, the applicant or agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
11. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 6 above.

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After Completion of Construction:

18. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.
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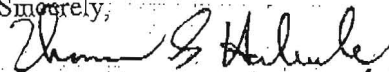
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22. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact Alan G. Jones of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4074.

Sincerely,


Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

MRV/AGJ/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Daryl D. Pawelek, P.E., Pawelek & Moy, Inc.
Mr. James C. Klein, P.E., City of New Braunfels
Mr. Thomas H. Hornseth, P.E., Comal County
Ms. Velma Reyes Danielson, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212



CIVIL ENGINEERING & CONSULTING SERVICES

- RESIDENTIAL DEVELOPMENT
- SITE DEVELOPMENT
- PUBLIC WORKS
- UTILITIES

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RECEIVED TCEQ
 SAN ANTONIO REGION
 2009 JAN 14 PM 2:41

January 14, 2009

Mr. Alan G. Jones
 Field Operations Division
 TCEQ San Antonio Regional Office – Region 13
 14250 Judson Rd.
 San Antonio, Texas 78233-4480

Re: Response to TCEQ Comments dated January 9, 2009
 Edwards Aquifer, Comal County
 NAME OF PROJECT: Wuensch Dental Office, 245 Hunters Village Dr.,
 New Braunfels, Texas.
 TYPE OF PLAN: Request for the Approval of a Water Pollution Abatement Plan
 (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer;
 Edwards Aquifer Protection Program ID No. 1964.05; Investigation No. 708750;
 Regulated Entity No. RN105651996

Dear Mr. Jones,

Pawelek & Moy, Inc. (P&M) has addressed the comments by the TCEQ dated January 9, 2009 for the above mentioned project. P&M has taken the following actions with regards to the comments:

TCEQ – 0602 Comments:

<u>Comment</u>	<u>Response</u>
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1	Attached please find the revisions to Item No. 7, Attachment D.
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TCEQ – 0600 Comments:

<u>Comment</u>	<u>Response</u>
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2	Attached please find the revisions to Item No. 6, TCEQ-0600 changing the "X" to the first choice describing BMPs for upgradient stormwater.
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Attached please find the revisions to Item No. 6, Attachment B.



Protecting Texas
by Reducing and
Preventing Pollution

FAX TRANSMITTAL

DATE: 1/9/09

NUMBER OF PAGES (including this cover sheet): 2

TO: Name Mr. Daryl D. Pawelak, P.E. RECEIVED
Organization Pawelek & Moy, Inc. JAN 26 2009
FAX Number (830) 629-2564 COUNTY ENGINEER

TO: Name Mr. Edward M. Wuensch, D.D.S., P.A.
Organization Wuensch Dental Office
FAX Number (830) 629-0299

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Name Alan G. Jones
Division/Region Field Operations Division, Region 13 (San Antonio)
Telephone Number (210) 403-4074
FAX Number (210) 545-4329

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Wuensch Dental Office, 245 Hunters Village Dr., New Braunfels, Texas
TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program ID No. 1964.05, Investigation No. 708750, Regulated Entity No. RN105651996

We are in the process of technically reviewing the WPAP application you submitted on the above-referenced project. Before we can proceed with our review, the following comments relating to the application must be addressed.

1. Temporary Best Management Practices, Item No. 7, Attachment D. Please correct the discussion by relating that the stormwater that originates up gradient of the site will flow through the site (in the existing concrete channel).
2. Permanent Best Management Practices, Item 6, and Attachment B. Please correct by relating that the stormwater that originates up gradient of the site will flow through the site (in the existing concrete channel).

We ask that you submit one original and three copies of the amended materials to supplement the WPAP application to this office by no later than **14 days from the date of this letter** to avoid denial of the plan. If the response to this notice is not received, is incomplete or inadequate, or provides new

information that is incomplete or inadequate, a second notice will be sent to you requiring a response within 7 days from the notice date. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application will be denied unless you provide written notification that the application is being withdrawn. Please note that the application fee will be forfeited if the plan is not withdrawn. If you have any questions or require additional information, please contact Alan G. Jones of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4074.

Jan 9 2009 16:30

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TO: Name Mr. Daryl D. Pawelak, P.E.
 Organization Pawelak & Moy, Inc.
 FAX Number (830) 629-2584

TO: Name Mr. Edward M. Wuensch, D.D.S., P.A.
 Organization Wuensch Dental Office
 FAX Number (830) 629-0290

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 Name Alan G. Jones
 Division/Region Field Operations Division, Region 13 (San Antonio)
 Telephone Number (210) 403-4074
 FAX Number (210) 545-4328

Re: Edwards Aquifer, Comal County
 NAME OF PROJECT: Wuensch Dental Office, 245 Hunters Village Dr., New Braunfels, Texas
 TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP), 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer Edwards Aquifer Protection Program II No. 1964 05, Investigation No. 708750, Regulated Entity No. RN105651996

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We ask that you submit one original and three copies of the amended materials to supplement the WPAP application to this office by no later than 14 days from the date of this letter to avoid denial of the plan. If the response to this notice is not received, is incomplete or inadequate, or provides new

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FAX TRANSMITTAL

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TO: Name Mr. Daryl D. Pawelak, P.E.
 Organization Pawelek & Moy, Inc.
 FAX Number (830) 629-2564

TO: Name Mr. Edward M. Wuensch, D.D.S., P.A.
 Organization Wuensch Dental Office
 FAX Number (830) 829-0299

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 Name Alan G. Jones
 Division/Region Field Operations Division, Region 13 (San Antonio)
 Telephone Number (210) 403-4074
 FAX Number (210) 646-4329

Re: Edwards Aquifer, Comal County
 NAME OF PROJECT: Wuensch Dental Office, 245 Hunters Village Dr., New Braunfels, Texas
 TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program PD No. 1964 OS, Investigation No. 708/50, Regulated Entity No. KN105651996

We are in the process of technically reviewing the WPAP application you submitted on the above-referenced project. Before we can proceed with our review, the following comments relating to the application must be addressed:

1. Temporary Best Management Practices, Item No. 7, Attachment D. Please correct the discussion by relating that the stormwater that originates up gradient of the site will flow through the site (in the existing concrete channel).
2. Permanent Best Management Practices, Item 6, and Attachment D. Please correct by relating that the stormwater that originates up gradient of the site will flow through the site (in the existing concrete channel).

We ask that you submit one original and three copies of the amended materials to supplement the WPAP application to this office by no later than 14 days from the date of this letter to avoid denial of the plan. If the response to this notice is not received, is incomplete or inadequate, or provides new

5. Attachment C – Sequence of Major Activities

The following is a sequence of major activities which will involve soil disturbance along with an estimate of the area of the site to be disturbed by each activity:

Sequence No.	Description of Soil Disturbing Activity	Estimated Area to be Disturbed by each Activity (Acres ~ Total)
1	Clearing/Grubbing/Construction Staging (Parking, Drives, Buildings & Drainage)	0.72
2	Excavation and Grading (Parking, Drives, Buildings and Drainage)	0.52
3	Installation of Underground Utility Service	0.01
4	Structures (Buildings & Drainage)	0.12

Note the estimated areas to be disturbed in the above table reflect the total areas contained within the 0.72 acre site.

7. Attachment D – Temporary Best Management Practices and Measures

The Temporary Best Management Practices (TBMP) that will be used for this development are rock berms, silt fences, temporary construction entrance/exits and a concrete washout area in accordance with the Site Plan. The temporary controls (i.e. rock berms, silt fences, temporary construction entrance/exit and the concrete washout area) shall be in place prior to construction activities and will be maintained by the contractor during construction. The controls shall be removed by the contractor when vegetation is established on all exposed or disturbed areas.

- a. Upgradient flow is directed through the site in an existing concrete channel from a curb opening located south of the property that was constructed previously per the WPAP for Hunter's Creek Business Park (approval date July 18, 2006).
- b. The stormwater that originates on-site will be controlled and filtered by rock berms and silt fences on the down gradient side of the areas of disturbance. The rock berms and silt fences will reduce the velocity of the water and allow the sediment to settle out and be trapped by the control device. After a significant rainfall event, it will be the contractor's responsibility to remove the sediment and debris that is captured.

recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

- ATTACHMENT A - 20% or Less Impervious Cover Waiver.** This site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is found at the end of this form.
- This site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.
- This site will not be used for multi-family residential developments, schools, or small business sites.

6. **ATTACHMENT B - BMPs for Upgradient Stormwater.**

- A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is identified as **ATTACHMENT B** at the end of this form.
- If no surface water, groundwater or stormwater originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT B** at the end of this form.
- If permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT B** at the end of this form .

7. **ATTACHMENT C - BMPs for On-site Stormwater.**

- A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is identified as **ATTACHMENT C** at the end of this form.
- If permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, an explanation is provided as **ATTACHMENT C** at the end of this form.

8. **ATTACHMENT D - BMPs for Surface Streams.** A description of the BMPs and measures that prevent pollutants from entering surface streams, sensitive features, or the aquifer is provided at the end of this form. Each feature identified in the Geologic Assessment as "sensitive" or "possibly sensitive" has been addressed.

9. The applicant understands that to the extent practicable, BMPs and measures must maintain flow to naturally occurring sensitive features identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction.

- The permanent sealing of or diversion of flow from a naturally-occurring "sensitive"

PERMANENT STORMWATER SECTION

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5. **Attachment A- 20% or Less Impervious Cover Waiver**

Not Applicable. This is a commercial site with more than 20% impervious cover.

6. **Attachment B- BMP's for Upgradient Stormwater**

Existing permanent BMP's or measures were provided downstream of the existing concrete channel that was constructed as described in the previously approved WPAP for Hunter's Creek Business Park (approval date July 18, 2006) to prevent pollution of surface water, groundwater, or stormwater that originates upgradient of the site. Upgradient flow is directed through this site in the existing concrete channel from a curb opening located south of the property.

7. **Attachment C- BMP's for On-Site Stormwater**

The proposed BMP for this site is a partial sedimentation and sand filtration pond. With this BMP, the first flush is captured in the pond (Capture Volume) which allows the larger particles to settle out. The outflow from the sedimentation chamber to the sand filter chamber is controlled by a gabion basket. The sand filters the fines and other contaminated stormwater pollutants that are present in the runoff and a network of perforated PVC piping allows the filtered water to be released from the pond. In the event that a hazardous spill would occur, a gate valve will be located outside of the sand filter to close off flow.

8. **Attachment D- BMP's for Surface Streams**

The proposed BMP for this site is a partial sedimentation and sand filtration pond. This pond system will capture and filter the first flush of stormwater runoff which appears to contain the most pollutants and prevent these pollutants from entering the surface streams, sensitive features (no sensitive features on this site), or the aquifer.

9. **Attachment E- Request to Seal Features**

Based on the Geologic Assessment of the site, there are no sensitive features present.

10. **Attachment F- Construction Plans**

Construction Plans for the Permanent BMP are enclosed in this submittal.

11. **Attachment G- Inspection, Maintenance, Repair and Retrofit Plan**

The Maintenance Plan and Scheduled Inspection Plan is located at the end of this section.

Please call if you have questions regarding these responses. Thank you for your assistance.

Sincerely,



Daryl D. Pawelek, P.E.
Project Engineer

Attachments: One original – each revised sheet
Four copies – each revised sheet

Cc via email: Dr. Edward M. Wuensch, DDS – Owner
Dan Castillo, AIA – SITE Architects

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Comal County



PAWELEK & MOY, INC.
130 W. Jahn Street
New Braunfels, Texas 78130
tel: 830-629-2563 fax: 830-629-2564

DATE: January 14, 2009

JOB NO. 0805.02

PROJECT TITLE: WUENSCHE DENTAL OFFICE

TO: TCEQ - REGION 13

ATTN: Mr. Alan G. Jones

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The following documents were:

___ sent to you via ___ delivered by D.J.P. ___ picked up by ___

Number of Copies	Description
1	Response Letter to 1-9-09 Comments
1	Original - Revised sheets
4	Copies - Revised sheets

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REGION
2009 JAN 14 PM 2:41

These are sent as checked below:

- ___ For approval
- ___ For your use
- ___ As requested
- ___ For construction
- For review and comment
- ___ For Bids Due

REMARKS: _____

Copies to: Alan G. Jones

Signed: [Signature]

Received by: Alan G. Jones

... ..