

Bryan W. Shaw, Ph.D., *Chairman*  
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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 4, 2011

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**NOV 07 2011**

**COUNTY ENGINEER**

Mr. Robert Boyd, Assistant Engineer  
Comal County  
195 David Jonas Dr.  
New Braunfels, TX 78132

**Re: AAA Storage**

Located at 5622 FM 2673, Comal County, Texas  
Regulated Entity No.: RN105499479, TCEQ ID No.: 13-08030702, Investigation No. 952297,  
Incident No. 157307

Dear Mr. Boyd:

The Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office has completed a final investigation in response to your concerns regarding lack of an approved **Contributing Zone Plan** for the above-referenced site. Enclosed is a copy of the final report indicating the results of the investigation.

Thank you for contacting the TCEQ with your concerns. If you have questions feel free to contact Agnieszka Hobson of my staff at (210) 490-3096.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd M. Jones".

Todd M. Jones  
Water Section Work Leader  
San Antonio Region Office

TMJ/AMH/eg

Cc: TCEQ Central Records, Building F, MC 212

Enclosure: TCEQ Complaint Report Incident No. 157307

**TCEQ Complaint Report**10/28/2011  
1:59:13PM

**Incident No:** 157307  
**Media Type:** Water  
**Start Date:** Unknown  
**Received Date:** 07/27/2011  
**Method :** PHONE

**Staff Member:** AHOBSON  
**Status:** Closed  
**Status Date:** 10/28/2011  
**Priority:** Within 30 Calendar Days

**Regulated Entity:** 5622 Fm 2673  
**RN105499479**

**Address:**  
Comal County

**Physical Location:** N OF FM 2673 AND FM 2722 INTERSECTION

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COUNTY ENGINEER

**Responsible Party:** Big Bear Construction Ltd  
**Address:** 250 Shoreline Dr, Nacogdoches, TX 75964  
**Work Phone:** (936)462-1048

**Title:** President

**Number Complaining:** 1  
**Frequency:** Current  
**Alleged Source:** 5622 Fm 2673

**Program Group:** Water Quality - High Level

**Nature:** Edwardsaqu  
**Effect:** Environmental

**Initial Problem**

AAA Storage, which is on a 5.643 acre site, is being expanded. Construction has commenced and it does not appear that an Edwards Aquifer contributing zone plan was approved for the site.

**Action Taken**

On August 25, 2011 an unannounced Edwards Aquifer Protection Program and Stormwater Program Compliance Investigation was conducted at AAA Storage site located at 5622 FM 2673 in Comal County, Texas by Ms. Agnieszka Hobson, Field Investigator of the TCEQ San Antonio Region 13 Office. The onsite investigation confirmed the site was under construction. The information obtained from the regulated entity indicates that the regulated activities at the site including existing structures will total 4.2 acres. Because the regulated activities at the site will not be disturbing at least 5 acres and are not part of a larger common plan of development or sale with the potential to disturb cumulatively five or more acres the Edwards Aquifer Protection Program regulations do not apply at this time.

The project is required to obtain permit coverage under the Construction General Permit (TPDES General Permit TXR150000). Based on the soil disturbance the site is considered a small construction site. The following outstanding alleged violations related to the Construction General Permit were noted and resolved during the investigation:

-Failure to sign, certify and post a completed construction site notice for small construction activities in accordance with the permit requirements.

-Failure to implement the Storm Water Pollution Prevention Plan prior to commencement of construction activities.

**Closure Comments**

# TCEQ Complaint Report

10/28/2011  
1:59:13PM

A Notice of Violation letter will be sent to the operator (Big Bear Construction Ltd).

Investigation #: 952297

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