

April 24, 2020

VIA COURIER

Ms. Abesha H. Michael
Applications Review and Processing (MC 148)
Water Quality Division
Texas Commission on Environmental Quality
12100 Park 35 Circle
Building F, Room 2010
Austin, Texas 78753

Cc: Mr. Riazul I. Mia, P.E., CFM – City of Laredo, File

RE: Notice of Deficiency Letter dated March 27, 2020 for application to renew permit No. WQ0010681002 (EPA I.D No. TX0025461) Issued to City of Laredo CN600131908, RN103026043

Dear Ms. Michael:

Thank you for your review and comments on the application for the renewal of Permit No. WQ0010681002 for the City of Laredo Zacate Creek Wastewater Treatment Facility (ZCWWTF). This letter contains a response to each of the comments listed in your March 27, 2020 correspondence on behalf of the City of Laredo.

For simplicity each original comment is repeated below and is followed by each individual response. Also, the pages that need to be modified are included in attachments, as original and two copies, and cross referenced in the corresponding item below. As such, the responses are:

- TCEQ Comment:** “Section III, item 25 on page 2 of the Core Data Form: Thank you for responding to this item. However, the location description provided is insufficient because it does not use road intersections. The location description must be easily identifiable landmarks found on the USGS map submitted. The description must include the distance in feet or miles from road intersection to a facility. We suggest: Please provide a revised CDF page 2 with a location description”.

Response: Please see Attachment A with revised CDF page 2 with location indications as follows: The Zacate Creek Wastewater Treatment Facility is located on the banks of the Rio Grande, approximately 1,185 feet South from the point where the Kansas City Southern spur line intersects Market Street, which is located approximately 320 feet East of the intersection of Market Street and Marcella Avenue, Laredo, Webb County, Texas 78040.
- TCEQ Comment:** “Section 3, item A on page 3 and Section 14 on page 12 of the administrative report: Thank you for providing the name and title of the person who is signing on the application

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and a notarized signature page. However, we were unable to confirm whether Mr. Robert Eads is a principal executive officer of the city. Please provide additional documentation showing that Mr. Robert Eads is authorized to sign and submit this document. The principal executive officer may be identified in the city charter or ordinance. If documentation cannot be provided, a new original notarized signature page signed by a ranking elected official must be provided and page 3 of the administrative report has to be updated accordingly”.

Response: as Acting City Manager, Mr. Eads had all of the authority of the City Manager, and since the date the application was submitted he was hired as the City Manager. Please see Attachment B with appropriate pages of City Charter indicating authority of Acting City Manager as well as Council Meeting Minutes of Mr. Eads being hired as City Manager.

3. **TCEQ Comment:** “Section 3, Item A on page 70 of Worksheet 6.0 of the technical report: This item was left blank. However, a response is required. Please complete and submit a revised page 70 of Worksheet 6.0. If the item is not applicable, indicate zero or N/A”.

Response: In accordance with the instructions found in Section 1, Item D of Worksheet 6.0, if the answer to any question of that section is yes, Section 3 of Worksheet 6.0 is to be skipped, therefore we will change the response to “N/A” for Section 3, Item A. Please see Attachment C with revised page 70 of Worksheet 6.0.

4. **TCEQ Comment:** “The following is a portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit which contains information relevant to your application. Please read it carefully and indicate if it contains any errors or omissions. The complete notice will be sent to you once the application is declared administratively complete.

City of Laredo, 1110 Houston Street, Laredo, Texas 78040, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010681002 (EPA I.D. No. TX 0025461) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 14,000,000 gallons per day. The domestic wastewater treatment facility is located (TO BE VERIFIED), Laredo, in Webb County, Texas 78040. The discharge route is from the plant site directly to the Rio Grande Below Amistad Reservoir. TCEQ received this application on March 4, 2020. The permit application is available for viewing and copying at Joe A. Guerra Laredo Public Library, 1120 East Calton Road, Laredo, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-99.493055%2C27.499444&level=12>

Further information may also be obtained from City of Laredo at the address stated above or by calling Mr. Raizul I. Mia, City of Laredo Utility Director, at 956-721-2000”.

Response: There are four (4) proposed changes after reviewing the notice. They are as follows:

- 4.1. The Zip code for the City of Laredo address is shown as 78040 and should be changed to 78042. This zip code is different from the ZCWWTF Zip Code that is 78040;
4.2. Substitution of location “(TO BE VERIFIED)” with location provided in item 1 of this letter;

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4.3. Due to COVID-19, the Laredo Public Library system is currently closed to the public. However, all publications are available for online viewing. Since we currently cannot anticipate if the library will be opened by the time of publication, we propose the following language be considered as an addition: "The document can also be accessed electronically at the Laredo Public Library System at the following hyperlink: <https://www.laredolibrary.org>".

4.4. The first name of the Utility Director in the current notice has a typo and should be changed to read "Riazul" instead.

After incorporating those four changes, the proposed new language is as follows:

City of Laredo, 1110 Houston Street, Laredo, Texas 78042, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010681002 (EPA I.D. No. TX 0025461) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 14,000,000 gallons per day. The Zacate Creek Wastewater Treatment Facility is located on the banks of the Rio Grande, approximately 1,185 feet South from the point where the Kansas City Southern spur line intersects Market Street, which is located approximately 320 feet East of the intersection of Market Street and Marcella Avenue, Laredo, Webb County, Texas 78040. The discharge route is from the plant site directly to the Rio Grande Below Amistad Reservoir. TCEQ received this application on March 4, 2020. The permit application is available for viewing and copying at Joe A. Guerra Laredo Public Library, 1120 East Calton Road, Laredo, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

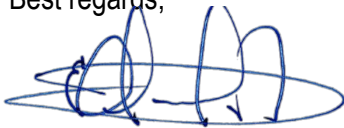
<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-99.493055%2C27.499444&level=12>

The document can also be accessed electronically at the Laredo Public Library System at the following hyperlink: <https://www.laredolibrary.org>

Further information may also be obtained from City of Laredo at the address stated above or by calling Mr. Riazul I. Mia, City of Laredo Utility Director, at 956-721-2000.

Please let me know if you have any further questions. Feel free to reach me via email at ejparra@parracompany.com or via telephone at 832-623-3447.

Best regards,



Eduardo J. Parra, PE, LEED AP BD+C
CEO / Principal Engineer
Parra & Co., LLC
TBPE Firm Registration No. 17744

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ATTACHMENT A

23. Street Address of the Regulated Entity: (No PO Boxes)							
	City	Laredo	State	TX	ZIP	78041	ZIP + 4
24. County	Webb						

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	The Zacate Creek Wastewater Treatment Facility is located on the banks of the Rio Grande, approximately 1,185 feet South from the point where the Kansas City Southern spur line intersects Market Street, which is located approximately 320 feet East of the intersection of Market Street and Marcella Avenue, Laredo, Webb County, Texas 78040.						
26. Nearest City	Laredo				State	TX	Nearest ZIP Code
27. Latitude (N) In Decimal:	27.499406		28. Longitude (W) In Decimal:	99.493175			
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
27	29	57.86	99	29	35.43		
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)	31. Primary NAICS Code (5 or 6 digits)	32. Secondary NAICS Code (5 or 6 digits)				
4952	4971	221320	221310				
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
Collection of Domestic Wastewater and Treatment							
34. Mailing Address:	City of Laredo Utilities Department						
	5816 Daugherty Ave						
	City	Laredo	State	TX	ZIP	78040	ZIP + 4
35. E-Mail Address:	reads@ci.laredo.tx.us						
36. Telephone Number	37. Extension or Code		38. Fax Number (if applicable)				
(956) 721-2000			(956) 721-2001				

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.


<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input checked="" type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

40. Name:	Eduardo J. Parra, PE	41. Title:	CEO / Principal Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(832) 623-3447		() -	ejparra@parracompany.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	City of Laredo	Job Title:	City Manager
Name (In Print) :	Robert A. Eads	Phone:	(956) 791-7302
Signature:		Date:	4/20/2020

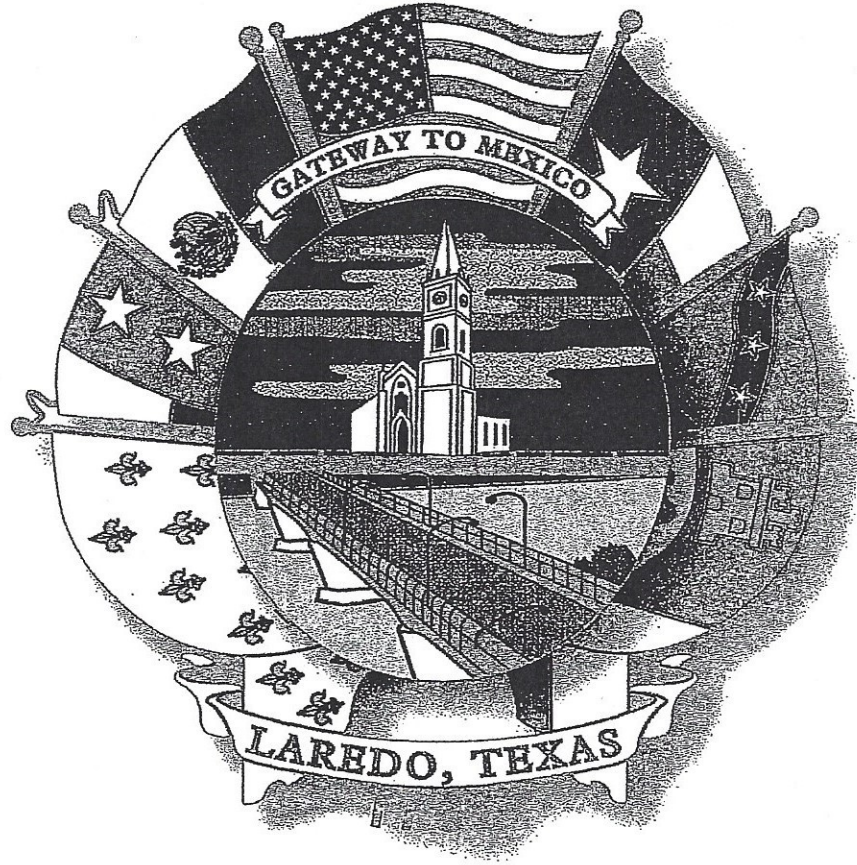
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ATTACHMENT B

City Charter



of the
City of Laredo

ARTICLE III

CITY MANAGER

Section 3.01 Appointment; Compensation

The City Council, by a majority vote of total membership, shall appoint a City Manager for an indefinite term and fix the manager's compensation. His/her compensation shall be reviewed on a yearly basis upon the anniversary of his/or employment date.

Section 3.02 Qualifications

The City Manager shall be appointed on the basis of executive and administrative qualifications. He/she shall have a Bachelor's Degree and no less than seven years experience in municipal government, five of which must be supervisory managerial experience. A Master's Degree in Public Administration is preferred. The City Manager need not be a resident of the City or State at the time of appointment, but must reside inside the City while in office.

Section 3.04 Acting City Manager

By letter filed with the City Secretary, the City Manager shall designate, subject to approval of the City Council, a qualified City administrative officer to exercise the powers and perform the duties of City Manager during his/her temporary absence or disability. During such absence of disability, the Council may revoke such designation at any time and appoint another officer of the City to serve until the City Manager shall return or his/her disability shall cease. In the event the City Manager is incapacitated and cannot or will not designate an Acting City Manager, then the City Council shall appoint an Acting City Manager by a majority vote of total membership.

Section 3.03 Removal

The City Manager shall not be appointed for a definite term, but may be removed at the will and pleasure of the City Council by a majority vote of total membership. The action of the City Council in removing the City Manager shall be final, it being the intention of the Charter to vest all authority and fix all responsibility for such removal on the City Council.

Section 3.05 Powers and Duties of the City Manager.

The City Manager shall be the chief administrative and executive officer of the City. He/she shall be responsible to the City Council for the administration of all City affairs placed in his/her charge by or under this Charter. He/she shall have the following powers and duties:

(1) Shall appoint and, when he/she deems it in the best interest of the City, suspend or remove any City department directors provided for by or under this Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter. Department directors shall have the power to appoint, remove, or suspend all employees in their respective departments pursuant to policy as stated in Section 4.01(B), Directors of Departments;

(2) Shall direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by this Charter or by law;

(3) Shall attend all City Council meetings and shall have the right to take part in discussion but may not vote;

(4) Shall see that all laws, provisions of this Charter and acts of this Council, subject to enforcement by the City Manager or by officers subject to City Manager's direction and supervision, are faithfully executed;

(5) Shall prepare and submit the annual budget and capital program to the City Council;

(6) Shall submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year;

(7) Shall make such other reports as the City Council may require concerning the operations of City departments, offices and agencies subject to his/her direction and supervision;

(8) Shall keep the City Council fully advised as to the financial condition and future needs of the City and make such recommendations to the City Council concerning the affairs of the City as he/she deems desirable, and

(9) Shall perform such other duties as are specified in this Charter or may be required by the City Council.

**CITY OF LAREDO
SPECIAL CITY COUNCIL MEETING
M2020-SC-01
CITY COUNCIL CHAMBERS 1110
HOUSTON STREET
LAREDO, TEXAS 78040
March 4, 2020
5:30 P.M.**

I. CALL TO ORDER

Mayor Pete Saenz called the meeting to order.

II. PLEDGE OF ALLEGIANCE

Mayor Pete Saenz led in the pledge of allegiance.

III. MOMENT OF SILENCE

Mayor Pete Saenz led in a moment of silence.

IV. ROLL CALL

In attendance:

Pete Saenz
Rudy Gonzalez, Jr.
Vidal Rodriguez
Mercurio "Merc" Martinez, III
Alberto Torres, Jr.
Norma "Nelly" Vielma
Dr. Marte Martinez
George J. Altgelt
Roberto Balli
Jose A. Valdez, Jr.
Rosario Cabello
Robert Eads
Kristina L. Hale

Mayor
District I
District II
District III
District IV, Mayor Pro-Tempore
District V
District VI
District VII
District VIII,
City Secretary
Co-Interim City Manager
Co-Interim City Manager
City Attorney

Citizen comments

Valentin Ruiz voiced his displeasure at hearing that the majority of Council plans to select Robert Eads as the new City Manager, stating his opinion that Mr. Eads is less qualified for this position. The citizens want someone from out of town for this position, and the other candidate has work experience from a bigger city than Laredo. He voiced his understanding from Cm. Mercurio Martinez that Dr. Marte Martinez asked Robert Eads to apply for the

STATE OF TEXAS
COUNTY OF WEBB
CITY OF LAREDO

I, Jose A. Valdez, Jr., City Secretary for this City of Laredo, Texas do hereby certify that the above and foregoing is a true and correct copy of the minutes of March 4th meeting of the City of Laredo, Texas

WITNESS MY HAND AND THE CORPORATE SEAL OF THE CITY OF LAREDO, TEXAS, ON THIS 20 DAY OF April.

Jose A. Valdez, Jr.
City Secretary

added that he raised the issue of a perceived conflict of interest among Council. He must stay true to his convictions, which means that he cannot support the motion to select Robert Eads even though they have worked together well so far. He stated that it is nothing personal but Council's duty is first to the public. He voiced his hope that Council can continue to build trust among staff and between each other. The loss of candidates seemed like a disservice to the selection process.

Motion to appoint Robert Eads as the next City Manager and direct staff to negotiate an employment contract with him.

Moved: Cm. Balli

Second: Cm. Rodriguez

For: 6

Against: 2

Abstain: 0

Cm. Gonzalez

Cm. Vielma

Cm. Rodriguez

Cm. Altgelt

Cm. Mercurio Martinez

MPT Torres

Dr. Marte Martinez

Cm. Balli

Mayor Saenz

MPT Torres suggested that Council take the remainder of the meeting to briefly discuss certain aspects of the employment contract negotiations.

Mayor Saenz executed his mayoral veto of the motion to select Robert Eads as the next City Manager, citing a perception of a conflict of interest. MPT Torres countered that the City Secretary recorded the Mayor as voting in favor of Mr. Eads's selection. Mayor Saenz clarified that he only offered a yes vote as a fifth vote, but he reserves the right to veto the motion. Cm. Vielma reminded Council that the Mayor can only vote when there is a tie vote or as the fifth vote needed to take action. Mayor Saenz reiterated his veto based on the conflict of interest.

Motion to override the Mayor's veto.

Moved: Cm. Balli

Second: Cm. Rodriguez

For: 6

Against: 2

Abstain: 0

Cm. Gonzalez

Cm. Vielma

Cm. Rodriguez

Cm. Altgelt

Cm. Mercurio Martinez

MPT Torres

Dr. Marte Martinez

Cm. Balli

Veto overridden.

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ATTACHMENT C

D. Industrial user interruptions

Has any SIU, CIU, or other IU caused or contributed to any problems (excluding interferences or pass throughs) at your POTW in the past three years?

Yes ☐

No ☒

If **yes**, identify the industry, describe each episode, including dates, duration, description of the problems, and probable pollutants.

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Section 3. Significant Industrial User (SIU) Information and Categorical Industrial User (CIU) (Instructions Page 100)

A. General information

Company Name: N/A

SIC Code: N/A

Telephone number: N/A Fax number: N/A

Contact name: N/A

Address: N/A

City, State, and Zip Code: N/A

B. Process information

Describe the industrial processes or other activities that affect or contribute to the SIU(s) or CIU(s) discharge (i.e., process and non-process wastewater).

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C. Product and service information

Provide a description of the principal product(s) or services performed.