



**Bobby M. Salehi**  
512.480.5638  
512.480.5838 (fax)  
bsalehi@gdhm.com

MAILING ADDRESS:  
P.O. Box 98  
Austin, TX 78767-9998

April 22, 2024

*Filed Electronically*

Edwards Aquifer Protection Program  
[eapp@tceq.texas.gov](mailto:eapp@tceq.texas.gov)  
Ms. Lillian Butler  
TCEQ Region 13, San Antonio Office  
14250 Judson Rd  
San Antonio TX 78233-4480

RE: *Public Comments on Vulcan Comal Quarry Water Pollution Abatement Plan  
(the "Plan")*

Dear Ms. Butler:

This public comment on the above-referenced water pollution abatement plan is made on behalf of the Texas Water Company ("Texas Water"). Texas Water requests the Texas Commission on Environmental Quality ("TCEQ") to hold a public meeting and hearing on the Plan by Vulcan.

The Plan seeks to authorize Vulcan to clear, strip, drill, and blast into the sensitive Edwards Aquifer recharge zone in Comal County, Texas. The location of this plant's operations is in close proximity to groundwater wells owned by Texas Water and poses a potential threat to the healthy operation of those wells. As further explained below, Vulcan's proposed operations may have an adverse impact on groundwater resources relied on by Texas Water and other residents as a water supply.

Texas Water is a Texas retail public utility and one of the largest investor-owned water and wastewater utilities in the United States, serving over 84,000 people. Texas Water provides an essential service to citizens throughout Texas, and the disruption of its operations is a severe risk to thousands of citizens in the Texas Hill Country where Vulcan has sited its plant.

As a state-defined major aquifer, the Edwards Aquifer is an important natural resource to our state, and particularly to Texas Water. The recharge zone allows large quantities of water to flow into the aquifer which keeps the aquifer healthy and well stocked. According to the Texas Water Development Board, "Groundwater in the recharge zone is normally under

unconfined, water-table conditions and is most susceptible to contamination.”<sup>1</sup> Allowing the blasting of the ground in the Edwards aquifer recharge zone poses a significant risk to groundwater, the aquifer, and ultimately public health. Not surprisingly in this area of significant growth, the recharge zone yields large volumes of groundwater to wells in the area of the proposed Vulcan project. TCEQ has not vetted these significant implications of this Plan.

**Given the sensitive hydrogeologic site, and proximity to existing groundwater wells, the TCEQ has not demonstrated that groundwater will be protected.**

The quarry is in a unique and highly sensitive geologic segment of the aquifer. The Edwards Aquifer recharge contains faulted and fractured Edwards limestone outcrops that allows for large quantities of water to flow into the Aquifer. Texas Water has multiple registered wells in the nearby area. Outcrops are highly permeable and let in more than just water. It is inevitable that whatever Vulcan blasts into the earth in this segment will make its way into the aquifer recharge zone. The risk to Texas Water’s wells is thus exacerbated by the quarry’s operation.

In addition, the aquifer and the surface water feeding it serves as a primary water supply for many in the region. The State of Texas and TCEQ acknowledge the significance and importance of the Edwards Aquifer and specifically the recharge zone to water supply for much of South and Central Texas. The sensitive environment in this unique hydrogeologic setting with exposed outcrops, the regional dependence on groundwater for drinking water supply, and the known interaction between surface water and groundwater are extraordinary circumstances that will be affected by Vulcan’s Plan. TCEQ may not approve this Plan knowing that groundwater will not be protected. Because the Plan fails to address the sensitivity of the operations to outcrops and nearby wells, arguably, the Plan is incomplete and must be denied.

**The TCEQ has not demonstrated that groundwater will be protected.**

No analysis has been completed to demonstrate that the quarry operations will not percolate into the water table beneath and will be protective of groundwater. Given the sensitive hydrogeologic connection discussed above, percolation poses significant risks to the aquifers. The TCEQ must establish effluent limits that are protective of groundwater.

**Additional monitoring is necessary to protect groundwater.**

Additional monitoring of the Vulcan Plan impacts to the Edwards Aquifer Recharge Zone would improve this Plan significantly. The Plan does not require data on the impacts to groundwater quality or impacts to specific wells. Texas Water requests that the Plan require a groundwater quality monitoring station at the operation site, and off-site along the FM 3009

---

<sup>1</sup> <https://www.twdb.texas.gov/groundwater/aquifer/index.asp> (last visited Apr. 21, 2024).

and Ramble Ridge intersection to track how the operations interact with groundwater in those areas and include an opportunity to increase pollution abatement controls as needed. Absent this additional monitoring, the Plan provides no means to measure whether the effluent is protective of groundwater quality.

**Areas of Concern to Texas Water.**

In light of these concerns, Texas Water raises the following relevant issues within TCEQ's jurisdiction:

1. Whether the plan is protective of groundwater;
2. Whether the plan is protective of water quality and the existing uses of the receiving waters in accordance with applicable Texas Surface Water Quality Standards;
3. Whether the plan is substantially complete and contains accurate information as it pertains to impacts to groundwater;
4. Whether additional monitoring is required to protect groundwater quality;
5. Whether drinking water supply will be protected under the plan;
6. Whether the plan contains adequate operator requirements to ensure proper maintenance and operation of the facility; and

Texas Water has a significant interest in ensuring that the impacts from Vulcan's quarry operations do not harm groundwater quality or the area's drinking water supply. This project as currently presented gives no assurances that either will be protected. Thank you for your attention to this matter. Please do not hesitate to call me if you have any questions.

Yours very truly,

*/s/Bobby M. Salehi*

Bobby M. Salehi

BMS/mah