

Alamo Group of the Sierra Club  
Aquifer Guardians in Urban Areas  
Austin Regional Sierra Club  
Bexar Audubon Society  
Bexar Green Party  
Castroville Smart Growth Coalition  
Cibolo Nature Center  
Environmental Stewardship  
Committees of the Episcopal Church  
of Reconciliation & Episcopal  
Diocese of West Texas  
Environment Texas  
First Universalist Unitarian Church of  
San Antonio  
Friends of Canyon Lake  
Fuerza Unida  
Government Canyon Natural History  
Association  
Hays Community Action Network  
Helotes Heritage Association  
Hill Country Planning Association  
Guardians of Lick Creek  
Kendall County Well Owners  
Association  
Kinney County Ground Zero  
Medina County Environmental Action  
Association  
Northwest Interstate Coalition of  
Neighborhoods  
Preserve Lake Dunlop Assoc.  
Preserve Our Water-Blanco County  
San Antonio Conservation Society  
San Geronimo Valley Alliance  
San Geronimo Watershed Alliance  
San Marcos Greenbelt Alliance  
San Marcos River Foundation  
Santuario Sisterfarm  
Save Barton Creek Association  
Save Our Springs Alliance  
Scenic Loop/Boerne Stage Alliance  
Sisters of the Divine Providence  
Smart Growth San Antonio  
SEED Coalition  
Texas Water Alliance  
Travis County Green Party  
West Texas Springs Alliance  
Wildlife Rescue & Rehabilitation  
Wimberley Valley Watershed  
Association

October 25, 2007

Edwards Aquifer Authority  
1615 N. St. Mary's Street  
San Antonio, Texas 78215

RE: Proposed Rules on Hazardous Materials  
(Amendments to Chapter 707 and Chapter 713)

Dear Directors and Staff of the Edwards Aquifer Authority,

These comments are made on behalf of the 41 member organizations of the Greater Edwards Aquifer Alliance. The Alliance represents citizen organizations and individuals who have a deep and abiding interest in protecting and preserving the quality and quantity of water flowing from Edwards Aquifer wells and springs. We appreciate the Aquifer Authority's work on behalf of our interests and we commend you for proceeding with the adoption of hazardous material storage rules.

We are also grateful that you addressed many of the concerns we had with the original concept memo (comments sent January 12, 2006) in this final draft of the proposed rules.

There are thousands of pounds of hazardous and toxic chemicals stored across the Edwards Aquifer. These chemicals are in fuel tanks, warehouses, retail stores, industries, gasoline stations, dry cleaners, auto-repair businesses, mini-storage facilities, garages, and under kitchen sinks. It is critically important to the long-term purity of the aquifer that each of these materials be properly stored, managed and disposed.

In addition to the measures addressed today, GEAA urges the Edwards Aquifer Authority to consider banning the commercial use and storage of certain hazardous materials over the Recharge and Contributing zones. Some of these hazardous materials (e.g. chlorinated solvents and pesticides) are being detected in samples from Edwards Aquifer wells and springs<sup>1</sup>. In most cases, the concentrations of these materials have been low. In some cases, however, concentrations have exceeded drinking water standards.

Certain businesses, such as dry cleaners, auto sales and service, airports, and exterminators should be prohibited from operating within these environmentally sensitive areas, much as the City of San Antonio has forbidden certain businesses whose operations may pose undue risk to

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<sup>1</sup> This data comes from various sources listed in the attachment

our water supply from operating within the Edwards Aquifer Recharge Zone District as part of their Table of Permitted Uses. A list of businesses deemed inappropriate for operations on the ERZ has been compiled by the City, and we suggest that this would provide you with a good list to start with in drafting additional rules to address potential risks from Hazardous Materials. I am able to provide additional recommendations for prohibited uses from the Bexar County Fire Marshall and GEAA member group AGUA.

We urge you to consider the following comments regarding the proposed Hazardous Materials rules, and to proceed quickly to implement the rules.

- 713.405 Notification Requirements – sub-section (b) and sub-section (c)

*Initial notification* - It is our opinion that notification within 72 hours after discovery of the spill or discharge poses unnecessary risk to our water supplies. We recommend that this period be reduced to 24 hours.


*Method of notification* – Rather than requiring notification during normal EAA business hours, which on weekends and holidays could substantially delay action, we recommend that the Authority set up and staff a 24 hour hot-line to take information from those reporting in a more timely manner.

- These rules should apply to all vulnerable portions of the aquifer, which include the Transition zone immediately south and east of the recharge zone. In areas where the Transition zone has not been mapped, the Authority should apply these rules to a buffer zone. Like the Transition zone, this buffer zone should extend immediately south and east of the recharge zone and should be at least ½ mile wide.

- Other regulations proposed are much needed and worthy of immediate passage. As for the cost of compliance with these regulations; should these businesses wish to locate in these environmentally sensitive areas, requiring investment in additional safeguards to protect the public's health and safety is reasonable and necessary. New businesses do have the option of locating elsewhere. Existing businesses that have located within the Edwards Recharge and Contributing zones have been on notice for many years that citizens desire regulations addressing the safety of operations using and storing Hazardous Materials within this region.

We thank you for the opportunity to submit these comments and very much appreciate your attention to this critically important aspect to aquifer protection.

Sincerely,



Annalisa Peace  
Executive Director

## Sources

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- 6 San Antonio City Water Board (SA CWB), 1989, Water Quality Data Report for 1989.
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- 15 Southwest Research Institute, 1986, Analyses of Aqueous Samples for Purgeable Organics, a series of reports to the City Water Board.
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- 19 EUWD, 1987, Compilation of Hydrologic Data for the Edwards Aquifer, San Antonio Area, Texas, 1987, with 1934-87 Summary, Bulletin 47, September 1988.
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- 22 Southwest Research Institute, 1994, Evaluation of Data on Groundwater Wells Over the Edwards Aquifer Recharge Zone, report for Brown Engineering Company, December 14, 1994.
- 23 EUWD, 1978, Chemical and Bacteriological Quality of Water at Selected Sites in the San Antonio Area, Texas, February 1975 – September 1977, November 1978.