

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 24, 2021

The Honorable L.D. Williamson, County Judge
Red River County
Clarksville Texas 75426

Re: On-Site Sewage Facility Order for Red River County
Authorized Agent ID: AR 620258

Dear Judge Williamson:

The Texas Commission on Environmental Quality (TCEQ) staff has reviewed the proposed Red River County On-Site Sewage Facility Order. Our review has determined the enclosed draft order meets the States minimum requirements.

Please proceed with the uncompleted steps of the adoption process as outlined in Title 30 TAC Chapter 285, Section 285.10 (b)(5)(A)-(C) and 285.0 (b)(6)(A)-(D), with particular consideration of the following items:

1. Publish notice of a public meeting at least 72 hours before the public meeting, but not more than 30 days before the meeting. The notice must appear in a regularly published newspaper(s) of general circulation in the area of jurisdiction and the notice must include the time, date and location of the public meeting.
2. After the public meeting is held, submit a copy of the following items:
 - A public notice as it appeared in the newspaper(s);
 - A publisher's affidavit from the newspaper(s) in which the public notice appeared;
 - A certified copy of the minutes of the meeting when the order was adopted; and
 - A certified copy of the order that was adopted by the Red River County Commissioners Court.

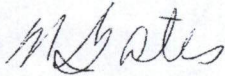
The Honorable L.D. Williamson, County Judge

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June 24, 2021

Should you have any questions, please contact Ms. Tanya Mitchell, of the Texas Commission on Environmental Quality On-Site Sewage Facilities Program at 512-239-1937, or by email at tanya.mitchell@tceq.texas.gov.

Sincerely,



Marilyn Gates, Section Manager
Program Support and Environmental Assistance Division, MC-235
Office of Compliance and Enforcement

Enclosure: Copy of Proposed Order
Model Public Hearing Notice

cc: Ronnie Stuart, DR, 2746 Highway 271 S., Pittsburg, Texas 75686
Ross Morgan, Water Section Manager; TCEQ Region 5 -Tyler (MC R5)
Tanya Mitchell, OSSF Program, MC-235

AN ORDER ENTITLED ON-SITE SEWAGE FACILITIES

SECTION 4. CONFLICTS.

This Order repeals and replaces any other On-site Sewage Facility (OSSF) Order for Red River County, Texas.

SECTION 5. ON-SITE SEWAGE FACILITY REGULATION AND ENFORCEMENT

The County of Red River, Texas clearly understands that there are technical criteria, legal requirements, and administrative procedures and duties associated with regulating on-site sewage facilities, and will fully enforce Chapter 366 of the THSC and Chapters 7 and 37 of the Texas Water Code (TWC), and associated rules referenced in Section 8 of this Order.

SECTION 6. AREA OF JURISDICTION.

The Rules shall apply to all the areas lying within Red River County, Texas, except for areas regulated under an existing Order, Ordinance or Resolution.

SECTION 7. ON-SITE SEWAGE FACILITY RULES.

Any permit issued for an on-site sewage facility within the jurisdictional area of Red River County, Texas must comply with the Rules adopted in Section 8 of this Order.

SECTION 8. ON-SITE SEWAGE FACILITY RULES ADOPTED.

The Rules, Title 30 Texas Administrative Code (TAC) Chapter 30, Subchapters A and G, and Chapter 285, promulgated by the TCEQ for on-site sewage facilities are hereby adopted, and all officials and employees of Red River County, Texas having duties under said Rules are authorized to perform such duties as are required of them under said Rules.

SECTION 9. INCORPORATION BY REFERENCE.

The Rules, 30 TAC Chapter 30, Subchapters A and G, and Chapter 285 and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these Rules.

SECTION 10. AMENDMENTS.

The County of, Red River wishing to adopt more stringent Rules for its OSSF Order understands that the more stringent local Rule shall take precedence over the corresponding TCEQ requirement. Listed below are the more stringent Rules adopted by Red River County, Texas:

(A) All On-Site Sewage Facilities shall be permitted regardless of lot size.

SECTION 11. DUTIES AND POWERS.

The OSSF Designated Representative (DR) (30 TAC § 285.2(17)) of Red River County, Texas, must be certified by the TCEQ before assuming the duties and responsibilities.

SECTION 12. COLLECTION OF FEES.

All fees collected for permits and/or inspections shall be made payable to Red River County, Texas. A fee of \$10 will also be collected for each on-site sewage facility permit to be paid to the credit of the TCEQ Water Resources Management Account as required by the THSC, Chapter 367.

SECTION 13. APPEALS.

Persons aggrieved by an action or decision of the designated representative may appeal such action or decision to the Commissioners Court of Red River County, Texas.

SECTION 14. ENFORCEMENT PLAN

The County of Red River, Texas clearly understands that, at a minimum, it must follow the requirements in 30 TAC § 285.71 Authorized Agent Enforcement of OSSFs.

This Order adopts and incorporates all applicable provisions related to on-site sewage facilities, which includes, but is not limited to, those found in Chapters 341, 343 and 366 of the THSC, Chapters 7, 26, and 37 of the TWC and 30 TAC Chapter 30, Subchapters A and G, and Chapter 285.

SECTION 15. SEVERABILITY

It is hereby declared to be the intention of the Commissioners Court of Red River County, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Order are severable, and if any phrase, clause, sentence, paragraph, or section of this Order should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Order, since the same would have been enacted by the Commissioners Court without incorporation in this Order of such unconstitutional phrases, clauses, sentences, paragraphs, or sections.

SECTION 16. RELINQUISHMENT OF ORDER

If the Commissioners Court of Red River County, Texas decides that it no longer wishes to regulate on-site sewage facilities in its area of jurisdiction, the Commissioners Court, as the authorized agent, and the TCEQ shall follow the procedures outlined in 30 TAC § 285.10 (d) (1) through (4).

After relinquishing its OSSF authority, the authorized agent understands that it may be subject to charge-back fees in accordance with 30 TAC § 285.10 (d) (5) and §285.14 after the date that delegation has been relinquished.

SECTION 17. EFFECTIVE DATE.

This Order shall be in full force and effect from and after its date of approval as required by law and upon the approval of the TCEQ.

AND IT IS SO ORDERED:

PASSED AND APPROVED THIS 26th DAY OF July,
2021.

APPROVED:



DeWillis
County Judge

ATTEST:

Shawn Warner
County Clerk

COUNTY OF RED RIVER

§

STATE OF TEXAS

§

AFFIDAVIT

Before me, the undersigned authority, personally appeared who, **being** by me duly sworn, deposed as follows:

My name is Shawn Weemes I am of sound mind, capable **of** making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of the County Clerk's Office for **the** County of Red River, Texas. Attached hereto are Three (3) pages of records known as (Order) Adopting Rules of Red River County, Texas for On-Site Sewage Facilities. The records are kept by me as County Clerk, County of Red River, in the regular course of business with knowledge of the act, event, condition, **opinion**, or diagnosis, recorded to make the record or to transmit information **thereof** to be included in such record; and the record was made at or near the time or **reasonably** soon thereafter. The record attached hereto is the original or exact **duplicate** of the official record.

Shawn Weemes

BEFORE ME, the undersigned authority, a Notary Public in and for **said** County, Texas, on this day personally appeared Shawn Weemes known to **me** to be the person whose name is subscribed to the foregoing instrument and **acknowledge** to me that she executed the same for the purposes and consideration **therein** **expressed**.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of July, 2021

(SEAL)



Ruby Arnold
Notary/Public, State of Texas
My commission expires:

**NOTICE OF PUBLIC HEARING ON
THE PROPOSED RED RIVER COUNTY
PROPOSED ADOPTION OF RULES RELATING
TO ON-SITE SEWAGE REGULATIONS WITHIN
RED RIVER COUNTY, TEXAS
JULY 26, 2021
8:45 A.M.**

Notice is hereby given that the Commissioners Court of Red River County, Texas, will conduct a Public Meeting on Monday, July 26, 2021, at 8:45 A.M. in the Commissioners Courtroom at the Red River County Annex, 200 N. Walnut Street, Clarksville, TX. The purpose of the meeting is to discuss the proposed rules relating to on-site sewage regulations within Red River County, Texas. You are encouraged to participate in this process. Public comments may be presented in person or by mail prior to the Public Meeting and the public will be granted an opportunity to speak at the meeting. Copies of the proposed Order are available at the County Clerk's Office, 200 N. Walnut, Clarksville, TX.

while in Many, Louisiana.

Avis decided she couldn't be a Cajun, so they moved back to Clarksville. Jobs

mony. She served as many of the chapter's officers. Her great interest in scholarships for graduating seniors was a hallmark of her service.

is. Survived by sons, Alfredo Guastella, RN, of Baltimore, MD, and Mark Beard, of Paris. She is also survived by her brother, Carl Colson,

PRYOR

continued from page 9

priced his horse, the man accepted, and paid him. He could not back out now.

The man loaded Flash and left. We never saw the paint horse again. Of

course Sonny still had his horse, Silver, and several hundred dollars but he sure missed the paint.

It taught us a hard lesson that I still remember. Never

price anything unless you are willing to part with it.

• Because someone will come along and buy it.

CYBER

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Here are some materials from cyberbullying.org we shared with Cyber Solutions Members in the July education update:

<https://cyberbullying.org/responding-to-cyberbullying-top-ten-tips-for-educators>

<https://cyberbullying.org/preventing-cyberbullying-top-ten-tips-for-educators>

In addition to the focus within these links on cyber bullying in schools, we need to be aware of cyber bullying attacks on the silvered folks in our lives. We'll do a more in depth post on that issue in the future, here's a link on that topic: <https://www.mcknights.com/blogs/the-world-according-to-dr-el/senior-bullying-how-to-recognize-it-how>

to-handle-it/

Good News! We were pleased to offer services to a local business. They had a problem with their primary business computer. Turns out an automated security update corrupted the BIOS and they got the modern equivalent of the "Blue Screen of Death".

We were able to recover their data, reload and re-authenticate their software, and get them back to business.

If you're a small business, and your computer is a key tool in your operations, please talk with us about setting a recovery point on your system and scheduling automated backup of your data.

Without those tools in

your operations kit, what should be a half day (or less) process can run to days, and may lead to permanent loss of your data.

Appropriate for your business infrastructure architecture can bring other benefits as well. As an example, you could look up, create, and email invoices (and take payment) from your phone. And you can save money by getting away from costly, buggy, insecure software by migrating to Free and Open Source Software (FOSS) solutions.

Visit Cyber Solutions at 203 S Walnut in Clarksville, or contact us at annette.m.b@cybersecurityteam6.org, 903-884-4025 to learn more.

LEGAL NOTICE

NOTICE OF PUBLIC HEARING ON THE PROPOSED RED RIVER COUNTY PROPOSED ADOPTION OF RULES RELATING TO ON-SITE SEWAGE REGULATIONS WITHIN RED RIVER COUNTY, TEXAS JULY 26, 2021 8:45 A.M.

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FROM "THE CLARKSVILLE
TIMES" ISSUE OF
JULY 15, 2021

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