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**DOCKET NO. 2008-1348-IWD
GENERAL PERMIT NO. TXG530000**

CHIEF CLERKS OFFICE

| | | |
|--|----------|-------------------------|
| IN THE MATTER OF THE AMENDMENT | § | BEFORE THE TEXAS |
| AND RENEWAL OF THE GENERAL | § | |
| PERMIT TO AUTHORIZE DISCHARGES | § | COMMISSION ON |
| FROM ON-SITE WASTEWATER TREATMENT | § | |
| SYSTEMS FROM SINGLE FAMILY | § | ENVIRONMENTAL |
| RESIDENCES LOCATED WITHIN THE | § | |
| SAN JACINTO RIVER BASIN IN HARRIS | § | QUALITY |
| COUNTY, TEXAS | | |

**COMMISSION RESOLUTION ISSUING THE AMENDMENT AND RENEWAL
OF THE GENERAL PERMIT**

WHEREAS, under Texas Water Code (TWC) Section (§) 26.121, no person may discharge waste or pollutants into or adjacent to any water in the state except as authorized by a rule, permit, or order issued by the Texas Commission on Environmental Quality (TCEQ or Commission);

WHEREAS, under TWC § 26.027, the TCEQ has the authority to issue permits and amendments to permits for the discharge of waste or pollutants into or adjacent to water in the state;

WHEREAS, under TWC § 26.040, the TCEQ has the authority to issue a general permit to authorize the discharge of waste into or adjacent to water in the state;

WHEREAS, the Executive Director's proposed amendment and renewal of the general permit (TXG530000) that authorizes the discharge from on-site wastewater treatment systems from single family residences located within the San Jacinto River Basin in Harris County in the State of Texas was drafted and proposed by the Executive Director and is attached as Exhibit A;

WHEREAS, the Executive Director did not make changes to the general permit in response to public comments since no public comments were received. The Executive Director made changes to clarify provisions in the general permit;

WHEREAS, the Executive Director prepared, made available to the public, and filed with the Office of the Chief Clerk, a written Response to Public Comments in accordance with the requirements of 30 Texas Administrative Code (TAC) § 205.3(e) on the proposed general permit which is attached as Exhibit B;

WHEREAS, the Commission has reviewed in accordance with Texas Natural Resources Code § 33.205 and 30 TAC § 205.5(f) the changes to the general permit for consistency with the

Texas Coastal Management Program (CMP) and has found that the general permit is consistent with applicable CMP goals and policies and that the general permit will not adversely affect any applicable coastal natural resource areas as identified in the CMP;

WHEREAS, the Commission has determined in accordance with TWC § 26.040(a)(1)-(4) that the general permit would authorize dischargers who engage in the same or substantially similar types of operations, discharge the same types of waste, are subject to the same requirements regarding effluent limitations or operating conditions, and are subject to the same or similar monitoring requirements;

WHEREAS, the Commission finds in accordance with TWC § 26.040(a)(5) that the general permit would apply to dischargers who are more appropriately regulated under a general permit than under individual permits and that:

(A) The general permit has been drafted to assure that it can be readily enforced and that the Commission can adequately monitor compliance with the terms of the general permit; and

(B) The category of discharges covered by the general permit will not include a discharge of pollutants that will cause significant adverse effects to water quality;

THEREFORE, after consideration of all public comment and the responses to such comment, the Commission, by this resolution, hereby issues the general permit, attached as Exhibit A, as recommended by the Executive Director. The Commission, by this resolution, also hereby adopts the Executive Director's Response to Comments attached as Exhibit B as the Commission's Response to Public Comments.

Furthermore, the Commission directs staff to make any non-substantive changes to the general permit and the Commission's Response to Public Comment to satisfy Texas Register format requirements and requests that the general permit and Commission's Response to Public Comment be made available to the public in accordance with the requirements of TWC § 26.040(d) and 30 TAC § 205.3(e).

It is so **RESOLVED**.

Date of Adoption:

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Buddy Garcia, Chairman

Exhibit A



TPDES GENERAL PERMIT NO. TXG530000

This is an amendment and renewal of TPDES
General Permit No. TXG530000, issued on April
30, 2004.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. BOX 13087
Austin, TX 78711-3087

GENERAL PERMIT TO DISCHARGE OF WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Waste from on-site treatment systems connected to single family residences located within the San Jacinto River Basin in Harris County in the State of Texas

may be discharged directly or adjacent to exceptional, high, intermediate, limited, or no aquatic life use receiving waters as designated in the Texas Surface Water Quality Standards

only according to effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (commission), the laws of the State of Texas, and other orders of the commission. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire any property rights necessary to use the discharge route.

This permit and the authorization contained herein shall expire at midnight five years after the date of issuance.

ISSUED AND EFFECTIVE DATE:

For the Commission

**TPDES GENERAL PERMIT NUMBER TXG530000
RELATING TO DISCHARGES FROM SINGLE-FAMILY RESIDENCES LOCATED WITHIN
THE SAN JACINTO RIVER BASIN IN HARRIS COUNTY**

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Part I. Permit Applicability and Coverage

Section A. Discharges Covered

1. This general permit regulates the discharges from single-family residences' on-site wastewater treatment systems that are located within segments: 1001 (San Jacinto River Tidal); 1002 (Lake Houston); 1003 (East Fork San Jacinto River); 1004 (West Fork San Jacinto River); 1005 Houston Ship Channel/San Jacinto River Tidal); 1006 (Houston Ship Channel Tidal); 1007 (Houston Ship Channel/Buffalo Bayou Tidal); 1008 (Spring Creek); 1009 (Cypress Creek); 1010 (Caney Creek); 1013 (Buffalo Bayou Tidal); and 1014 (Buffalo Bayou above Tidal) of the San Jacinto River Basin in Harris County Texas. (See Appendix A. Detailed descriptions and maps of the on-site sewage target communities can be obtained from the authorized agent).
2. The discharge must be from an on-site treatment system located on property that was subdivided and developed prior to January 1, 1979. The property size must be insufficient to accommodate on-site disposal of all wastewater under Chapter 366 of the Health and Safety Code and 30 Texas Administrative Code (TAC) Chapter 285.

Section B. Limitations on Coverage

1. Single-family residences that are able to obtain service from a regional or area wide waste collection/treatment system are not eligible for coverage under this general permit.
2. The Executive Director shall deny an application for authorization under this general permit, and may require that the applicant apply for a Texas Pollutant Discharge Elimination System (TPDES) individual permit, if the Executive Director or authorized agent determines that the discharge will not maintain existing uses of the receiving waters. Additionally, the Executive Director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit, relating to 30 TAC §60.3. Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit shall be done according to commission rules in 30 TAC Chapter 205, relating to General Permits for Waste Discharges.
3. New sources or new discharges of constituent(s) of concern to impaired waters are not authorized by this permit unless otherwise allowable under applicable state and federal law. Impaired waters are those that do not meet applicable water quality standard(s) and are listed on the Clean Water Act §303(d) list. Constituents of concern are those constituents for which the water body is listed as impaired.
4. Discharges of constituent(s) to impaired water bodies for which there is a total maximum daily load (TMDL) implementation plan are not eligible for this permit unless they are consistent with the approved

TMDL and the implementation plan. The Executive Director may amend this general permit or develop a separate general permit for discharges to these water bodies. For discharges not eligible for coverage under this permit, the discharger must apply for and receive an individual or other applicable general TPDES permit prior to discharging.

5. Discharges that would adversely affect a listed endangered or threatened species or its critical habitat are not authorized by this general permit. Federal requirements related to endangered species apply to all TPDES permitted activities, and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved.

Section C. Application for Coverage

1. New dischargers seeking authorization to discharge under this general permit shall submit a completed Notice of Intent (NOI) on a form approved by the executive director. The NOI shall include, at a minimum, the legal name and address of the owner and operator, the location of the discharge (as described by latitude and longitude), description of the effluent discharge route from the facility for a minimum distance of three miles, and the date the proposed discharge will commence. The NOI must be submitted by certified mail, return receipt requested, to the address indicated in the NOI. The discharger shall submit the NOI a minimum of 30 calendar days before discharging into or adjacent to water in the state.
2. By submitting the NOI, the applicant acknowledges that the conditions of this general permit are applicable to the proposed discharge and that the applicant agrees to comply with the requirements of this general permit. The applicant must also submit with the NOI, copies of the maintenance agreement and the county deed record for the property. The authorized agent or the executive director shall either confirm coverage by providing a notification and an authorization number to the applicant or notify the applicant that coverage under this general permit is denied.
3. Authorization under this general permit is not transferable and is site specific. If the owner or operator of the facility changes, the present owner and operator must submit a Notice of Termination (NOT), and the new owner and operator must submit a new NOI.
4. If the owner or operator becomes aware that it has failed to submit any relevant facts, submitted incorrect information or relevant information provided in the NOI changes, a Notice of Change (NOC) must be submitted to the executive director or authorized agent within 10 days of the change. This includes any other change with respect to the nature or operations of the facility or the characteristics of the discharge.

Section D. Termination of Coverage

A discharger may voluntarily terminate coverage under this general permit through the submittal of a NOT form approved by the executive director. An NOT shall be submitted when the owner or operator of the facility

changes, the discharge becomes authorized under an individual permit or alternative general permit, the use of the property changes and is no longer subject to regulation under this general permit or the discharge becomes unnecessary.

Section E. Authorizations Under a TPDES Individual Permit

1. Discharges eligible for authorization by this general permit may alternatively be authorized by an individual permit according to 30 TAC Chapter 305, relating to Consolidated Permits.
2. If an individual permit is issued to a discharger that is currently authorized under this general permit, the permittee shall submit an NOT to the executive director or authorized agent. Authorization to discharge under this general permit terminates upon receipt of the NOT.

Section F. Permit Expiration

1. This general permit is effective for five years from the date of issuance. Authorizations for discharge under the provisions of this general permit may be issued until the expiration date of the general permit. This general permit may be amended, revoked, or canceled by the commission.
2. If the Executive Director proposes to reissue this general permit before its expiration date, the general permit shall remain in effect for those existing discharges covered by the general permit in accordance with 30 TAC, Chapter 205. This general permit shall remain in effect for those discharges until the date on which the commission takes final action on the proposal to reissue this general permit. No new NOIs will be accepted or new authorizations honored for authorization under the general permit after the expiration date.
3. Upon issuance of a renewed or amended general permit, all permittees, including those covered under the expired general permit, shall submit an NOI within 90 days according to the requirements of the new general permit or obtain a TPDES individual permit.
4. According to 30 TAC § 205.5(d), if the commission has made a determination that the general permit will not be renewed at least 90 days before the expiration date, permittees authorized under this general permit shall submit an application for an individual general permit before the expiration date. If the application for an individual permit is submitted before the general permit expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit or alternative general permit.

Part II. Permit Requirements

Section A. Effluent Limits

The following effluent limitations apply:

1. The monthly average discharge (flow) of effluent shall not exceed 500 gallons per day (gpd).
2. The effluent discharged shall meet the following limitations.

| Parameter | Daily Average Limitations | Single Grab Limitations | Sample Type | Monitoring Frequency |
|---|---------------------------|-------------------------|-------------|----------------------|
| Carbonaceous Biochemical Oxygen Demand (5-day) | 10 mg/L | 35 mg/L | Grab | Once per six months |
| Total Suspended Solids | 15 mg/L | 60 mg/L | Grab | Once per six months |
| Ammonia Nitrogen | 3 mg/L | 15 mg/L | Grab | Once per six months |
| Bacteria (colonies per 100 ml) | | | | |
| <i>E. coli</i> (*1)(*4) | (126) (*2) | (394) | Grab | Once per six months |
| Enterococci (*3)(*4) | (35) (*2) | (89) | Grab | Once per six months |
| Fecal Coliform Bacteria (Colonies per 100 ml)(*4) | (200) (*2) | (400) | Grab | Once per six months |
| pH (Standard Units) | 6-9 SU | 6-9 SU | Grab | Once per six months |

(*1) When discharging into freshwater.

(*2) The daily average is a geometric mean of the values for all effluent samples collected in a 24 month reporting period.

(*3) When discharging into saltwater.

(*4) Fecal coliform may be used in lieu of *E. coli* or Enterococci.

3. There shall be no discharge of floating solids or visible foam other than in trace amounts and no discharge of visible oil.

Section B. General Requirements

1. The rate of discharge shall be controlled to prevent flooding and erosion.
2. On-site disposal of sewage sludge is not authorized. Solid wastes, including cleanup wastes, shall be disposed of according to Chapter 361 of the Texas Health and Safety Code, 30 TAC Chapter 312, and other applicable rules of the TCEQ.

3. The discharge shall not cause any nuisance conditions to adjacent landowners along the discharge route.
4. The permittee shall provide the following noncompliance notifications:
 - a. The permittee shall take all steps necessary to prevent any adverse effect to human health or safety, or to the environment. Immediately upon the notification from the TCEQ's Houston Regional Office or authorized agent that the discharge presents a hazard to the uses of the receiving water, the discharger shall terminate the discharge. The discharger shall immediately cease discharging whenever it is discovered the discharge may endanger human health or safety, or the environment, and the noncompliance shall be reported to the TCEQ's Houston Regional Office and authorized agent within 24 hours of becoming aware of the noncompliance. The permittee shall also provide a written report shall also be provided to the Houston Regional Office, the authorized agent, and the TCEQ's Enforcement Division (MC-224) within five working days of the noncompliance. The report shall contain:
 - (1) description of the location of the discharge;
 - (2) the exact date and time the problem was first identified;
 - (3) the potential danger to human health or safety, or the environment;
 - (4) the immediate steps that were taken to correct the problem;
 - (5) steps planned or taken to mitigate any adverse effects; and
 - (6) plans to prevent the reoccurrence of similar problems during future discharges.
 - b. Any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported in writing to the TCEQ's Houston Regional Office, the authorized agent, and the TCEQ's Enforcement Division (MC-224) within 5 working days of the noncompliance.
 - c. Any noncompliance other than that specified in paragraphs (a) and (b) above must be submitted to the authorized agent and the TCEQ's Enforcement Division (MC-224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved DMR form.

Section C. Design Requirements

The discharger shall use the wastewater treatment facility design in Appendix B.

Part III. Discharge Monitoring and Notification Requirements

Section A. Discharge Notification

Dischargers shall notify the TCEQ's Houston Regional Office and the authorized agent by telephone at least two days prior to commencing discharge. For emergency facility repair or replacement, the discharger shall notify the Houston regional office and the authorized agent as soon as possible.

Section B. Sampling Requirements

1. The discharger shall ensure that properly trained and authorized personnel monitor and sample the discharge.
2. The sampling point shall be after the filter media.
3. Monitoring and reporting requirements are as follows:
 - (a) Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
 - (b) The discharger shall retain all records related to the application, monitoring, or certification for a period of five years from the date of discharge. This period may be extended at the request of the executive director or authorized agent.
 - (c) Records of monitoring activities shall include:
 - (1) date, time and place of sample or measurement;
 - (2) name of individual who collected the sample or made the measurement;
 - (3) date of analysis;
 - (4) identity of the individual and laboratory who performed the analysis;
 - (5) the technique or method of analysis; and
 - (6) the results of the analysis or measurement.
4. All sample collections shall be conducted according to recommendations in the latest edition of "Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation), or Environmental Protection Agency, "Methods for Chemical Analysis of Water and Wastes" (1979), or Environmental Protection Agency, "Biological Field and Laboratory Methods for Measuring the Quality of Surface Waters and Effluents" (1973).
5. Sample containers, holding times, preservation methods, and the physical, chemical, and microbiological analyses of effluents shall meet the requirements in 40 Code of Federal Regulations (CFR) Part 136, as amended. All analyses shall be conducted according to 40 CFR Part 136, as amended, or the latest edition of "Standard Methods for the Examination of Water and Wastewater."

Section C. Reporting Requirements

All analytical results shall be provided at the intervals specified in the permit on an approved Discharge Monitoring Report (DMR) (EPA Form 3320-1) that is signed and certified as required in Part IV. 7. of this permit. The permittee must submit the DMRs to the TCEQ's Enforcement Division (MC-224) and the authorized agent by the 25th day of the month in which the reports are due. All violations of effluent limitations shall be noted on the form.

Part IV. Standard Permit Conditions

1. The discharger has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and other rules and statutes under which it was issued and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain a TPDES individual permit.
2. In an enforcement action a discharger may not assert the defense that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.
3. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) installed or used by the discharger to achieve compliance with the permit conditions.
4. The discharger shall furnish to the executive director and the authorized agent, upon request and within a reasonable time not later than 30 days from the date of the request, any information to determine whether cause exists for revoking, suspending, or terminating authorization under the permit, and copies of any records required to be kept by the permit.
5. The discharger shall give notice to the executive director and authorized agent before making physical alterations or additions to the permitted facility if alterations would result in a violation of permit requirements.
6. The property owner shall provide reasonable access to TCEQ's employees and authorized agent to inspect to ensure compliance with this general permit, as allowed under Texas Water Code Chapters §§ 26.014 and 26.015.
7. All reports and other information requested by the executive director and authorized agent shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).
8. Authorization under this permit may be suspended or revoked for cause. The filing of notification by the discharger of planned changes or anticipated noncompliance does not stay any permit condition.

9. A permit does not convey any property rights of any sort, or any exclusive privilege.
10. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code Chapter 7 for violations including but not limited to the following:
 - (a) Negligently or knowingly violating Texas Water Code, Chapter 26, or any condition or limitation implementing any sections in a permit issued under Texas Water Code, Chapter 26, or any requirement imposed in a pretreatment program approved under Texas Water Code, Chapter 26 or Texas Health and Safety Code Chapter 366.
 - (b) Falsifying, tampering with, or knowingly rendering inaccurate any monitoring device or method required to be maintained under a permit; or
 - (c) Knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.

Part V. Fees

An NOI submitted to the executive director or authorized agent shall include an application fee of \$100. Dischargers covered under this general permit are not subject to pay an annual Water Quality Fee under Texas Water Code (TWC) §26.0291 and according to TAC Chapter 205 (relating to General Permits for Waste Discharges).

Part VI. Definitions

The following words and terms, used in this general permit, shall have the following meanings.

Authorized agent – For the purpose of this general permit, an authorized agent is a local governmental entity that has been authorized by the commission or executive director to implement Chapter 366 of the Texas Health and Safety Code; that has adopted a resolution under Section 7.352 of the Texas Water Code (TWC) authorizing the county to exercise enforcement power under Subchapter H, Chapter 7 of the TWC; and that has entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with this general permit.

Daily average limitations - The arithmetic average of results of analyses for a parameter from a minimum of four samples of the discharges that occur in a single calendar month. When results of analyses of four samples are not available in a single calendar month, the arithmetic average of the most recent results, not to exceed four, must be reported as the daily average concentration.

Discharge - To deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

Fecal coliform bacteria concentration - The number of colonies of fecal coliform bacteria per 100 milliliters of effluent. The fecal coliform bacteria concentrations daily average is a geometric mean of the values for the effluent samples collected in a 24 month reporting period. The geometric mean shall be determined by calculating the nth root of the product of all measurements made in a particular period of time. For example in a 24 month time, where n equals the number of measurements made; or, computed as the antilogarithm of the sum of the logarithm of each measurement made. For any measurement of fecal coliform bacteria equaling zero, a substituted value of one shall be made for input into either computation method.

General permit - A permit, issued under the provisions of 30 Texas Administrative Code (TAC), Chapter 205, authorizing the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by Texas Water Code (TWC) §26.040.

Grab sample - An individual sample collected in less than 15 minutes.

Monthly average flow - The arithmetic average of results of analyses for a parameter from a minimum of four samples of the discharges that occur in a single calendar month. When results of analyses of four samples are not available in a single calendar month, the arithmetic average of the most recent results, not to exceed four, must be reported as the daily average concentration.

Notice of Change or NOC - A written submittal to the executive director from a regulated entity authorized under a general permit that provides information on changes to information previously provided to the commission, or any changes with respect to the nature or operations of the facility or the characteristics of the discharge.

Notice of Intent or NOI - A written submittal to the executive director from an applicant that requests coverage under the terms of a general permit.

Notice of Termination or NOT - A written submittal to the executive director from a discharger authorized under a general permit that requests termination of coverage.

Operator – The person responsible for the overall operation of a treatment facility.

Owner – The person who owns a facility or part of a treatment facility.

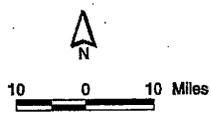
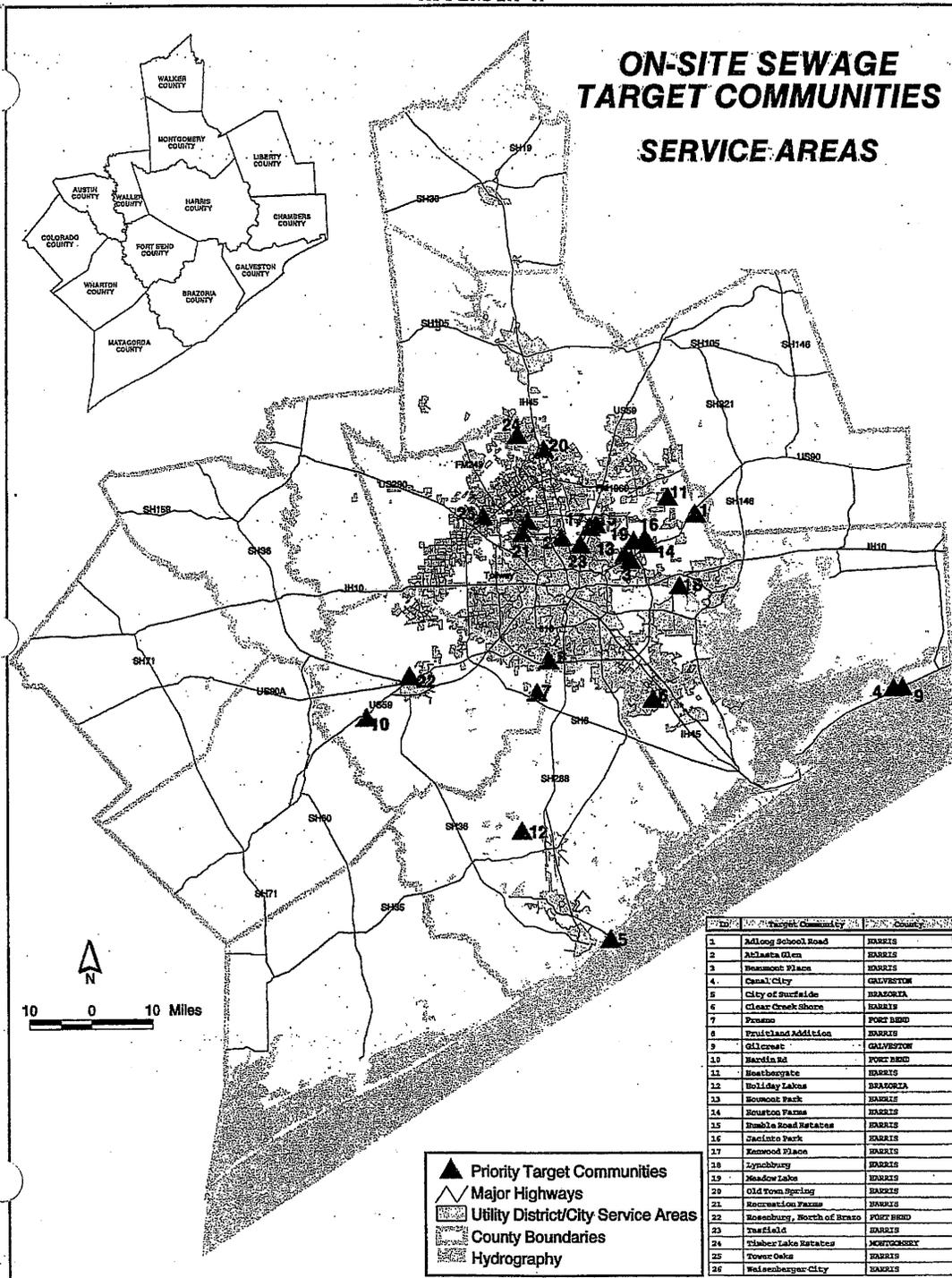
Texas Pollutant Discharge Elimination System (TPDES) - The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under Clean Water Act §§307, 402, 318 and 405, Texas Water Code, and Texas Administrative Code regulations.

Treatment Facility (facility) - Wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, including sludge handling or disposal facilities under the jurisdiction of the commission.

Water in the state - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

APPENDIX A

**ON-SITE SEWAGE
TARGET COMMUNITIES
SERVICE AREAS**



| ID | Target Community | County |
|----|--------------------------|------------|
| 1 | Adlong School Road | HARRIS |
| 2 | Albata Glen | HARRIS |
| 3 | Bearmoor Place | HARRIS |
| 4 | Canal City | GALVESTON |
| 5 | City of Surfside | BRAZORIA |
| 6 | Clear Creek Shore | HARRIS |
| 7 | Peasso | FORT BEND |
| 8 | Fruitland Addition | HARRIS |
| 9 | Gilcrest | GALVESTON |
| 10 | Hardin Rd | FORT BEND |
| 11 | Hastingsville | HARRIS |
| 12 | Hollyday Lakes | DALLAS |
| 13 | Houmoor Park | HARRIS |
| 14 | Houston Farms | HARRIS |
| 15 | Humble Road Estates | HARRIS |
| 16 | Jacinto Park | HARRIS |
| 17 | Kenwood Place | HARRIS |
| 18 | Lynchburg | HARRIS |
| 19 | Meadow Labs | HARRIS |
| 20 | Old Town Spring | HARRIS |
| 21 | Recreation Farms | HARRIS |
| 22 | Roseburg, North of Bravo | FORT BEND |
| 23 | TheField | HARRIS |
| 24 | Wilder Lake Estates | MONTGOMERY |
| 25 | Tower Oaks | HARRIS |
| 26 | Waldenberger City | HARRIS |

- ▲ Priority Target Communities
- Major Highways
- ▭ Utility District/City Service Areas
- ▭ County Boundaries
- ▭ Hydrography

APPENDIX B

DESIGN DOCUMENTATION

**For a
PROTOTYPICAL SINGLE FAMILY DWELLING
ON-SITE WASTEWATER TREATMENT AND
DISPOSAL SYSTEM WITH A DISCHARGE CAPABILITY**

Under Provisions of

**Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code**

*D. Ray Young
09-13-2000*



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PRELIMINARY ENGINEERING REPORT

1.0 INTRODUCTION

The Harris County Public Infrastructure Department, Engineering Division, has authorized Richard Carter & Associates, Inc., to prepare a preliminary engineering report and supporting documentation for design and construction of on-site wastewater systems with discharge serving single family residences in Harris County, Texas.

The systems designed are to meet Texas Water Code, Chapter 26 criteria for discharge into a receiving stream. Additional county-specified criteria include economy of construction, operation and maintenance.

The areas considered for discharge into a receiving stream involve subdivisions with small residential lots which were developed prior to regulatory involvement in the design and operation of on-site wastewater systems. Current rules require large lot sizes capable of accommodating individual on-site wastewater systems.

2.0 STATEMENT OF THE PROBLEM

Harris County has a significant number of single family residential subdivisions that rely on individual water wells and on-site wastewater treatment and disposal systems for each lot in the subdivision. Many of the individual lots have malfunctioning on-site wastewater systems. The primary causes of system failure are:

1. Low permeability soils.
2. Seasonal soil saturation during the wetter months.
3. Nearly level topography with poor storm water runoff.
4. Insufficient land area for effluent disposal.

The specific problems being addressed by this report are single family residences that were constructed and occupied prior to July 1, 1978, and have insufficient land area for construction of an approved on-site wastewater system.

Prior to 1990, all on-site wastewater systems, by rule, were required to use subsurface means for effluent disposal. Most systems constructed used anaerobic (septic tank) treatment followed by pipe and gravel trenches or beds for final disposal.

Beginning in 1994, Harris County began requiring site evaluations instead of percolation tests for determination of the method of final disposal. The site evaluation procedure recognizes the existence of seasonal ground water indicators. The end result of this rule change, along with Texas Natural Resource Conservation Commission rules adopted in 1997, resulted in most of the new wastewater systems in Harris County being installed using aerobic treatment followed by disinfection and using surface application (spray irrigation) over living ground cover as final treatment and disposal.

3.0 EXISTING SITE CONDITIONS

With few exceptions, the general soil types for Harris County are characterized by poor internal drainage, low permeability and nearly level topography.

A significant part of the county lies within the 100-year floodplain. Generally, storm runoff from individual lots is by sheet flow across the lot into an open road ditch. The road ditches connect to larger publicly maintained ditches or bayous. Road ditch runoff is slow due to nearly flat topography. Localized street flooding due to slow road ditch runoff is a frequent occurrence. Such flooding contributes to soil saturation on individual lots.

PRELIMINARY ENGINEERING REPORT

Average annual rainfall at Houston's Bush Intercontinental Airport is 47 inches. The rainfall is well distributed during the year, except for the months June through August, which tend to be drier. Septic systems with subsurface disposal often function well during the summer months but fail during the wetter months, with failures becoming most common from December to April.

The existing residential subdivisions most likely to be candidates under the proposed discharge permit process share the two critical factors of small lot sizes and unsuitable soils for on-site disposal.

4.0 DISCUSSION OF TREATMENT AND DISPOSAL PROCESSES

The proposed treatment and disposal process includes primary settling (septic tank), aerobic treatment unit, chlorine addition, chlorine contact/settling, discharge to a subsurface rock filter trench and final discharge into a roadside ditch. The proposed process schematic is shown in attached Sheets 1 and 2. The process treatment units are expected to provide the following effluent quality at the various stages of treatment if they are operated properly.

| STAGE | COD | TSS | NH3-N | Fecal Coliform |
|-----------------------------|--------------|----------|----------|-----------------|
| Raw Wastewater | 150-250 mg/l | 240 mg/l | 45 mg/l | > 2,000,000 CFU |
| Primary Effluent | 100 mg/l | 120 mg/l | 45 mg/l | > 2,000,000 CFU |
| Aerobic Unit Effluent | 20 mg/l | 20 mg/l | < 1 mg/l | >200,000 FCU |
| Chlorine Contact Effluent | 10 mg/l | 10 mg/l | < 1 mg/l | < 200 CFU |
| Rock Filter Trench Effluent | < 5 mg/l | < 5 mg/l | < 1 mg/l | < 10 CFU |

In addition, consideration has been given to the variation of effluent quality under short-term adverse loading and operating conditions, including loss of power to the treatment system, introduction of toxicants in the influent, excessive peak flow rates and/or loss of chlorine feed. Based on the minimal need for pumping, the number of stages and the simplicity of the primary and final stages of the process, it is believed that for short periods of upset, the process will be able to meet the required 10 mg/l BOD, 15 mg/l TSS, 3 mg/l NH₃-N and 200 FC requirements.

In addition to providing a high level of treatment, the final stage rock filter trench will provide a minimum of 250 square feet of absorption trench between the chlorine contact tank and the point of discharge into a roadside ditch. During dry weather, it is anticipated that much of the effluent from the chlorine contact tank will be absorbed into the soil walls.

Prototypical planning materials are shown in the attached drawings and are as follows:

| Sheet Number | Description |
|--------------|--|
| 1 | Site Plan 50' X 100' Lot, 900 sq ft Residence |
| 2 | Site Plan 50' X 100' Lot, Single Wide Mobile Home |
| 3 | Wastewater Treatment System Plan ~ Option 1 |
| 4 | Wastewater Treatment System Plan ~ Option 2 |
| 5 | Wastewater Treatment System Sections |
| 6 | Wastewater Treatment System Disposal and Discharge |

5.0 OPERATION & MAINTENANCE

Operational requirements and performance of the process units is predictable because there are over 2,800 aerobic units installed in Harris County at this time. Effluent sampling data from the aerobic treatment pump tanks indicates that the expected 20 mg/l BOD and 20 mg/l TSS is attainable. Harris County intends to oversee the operation of the on-site discharge units.

PRELIMINARY ENGINEERING REPORT

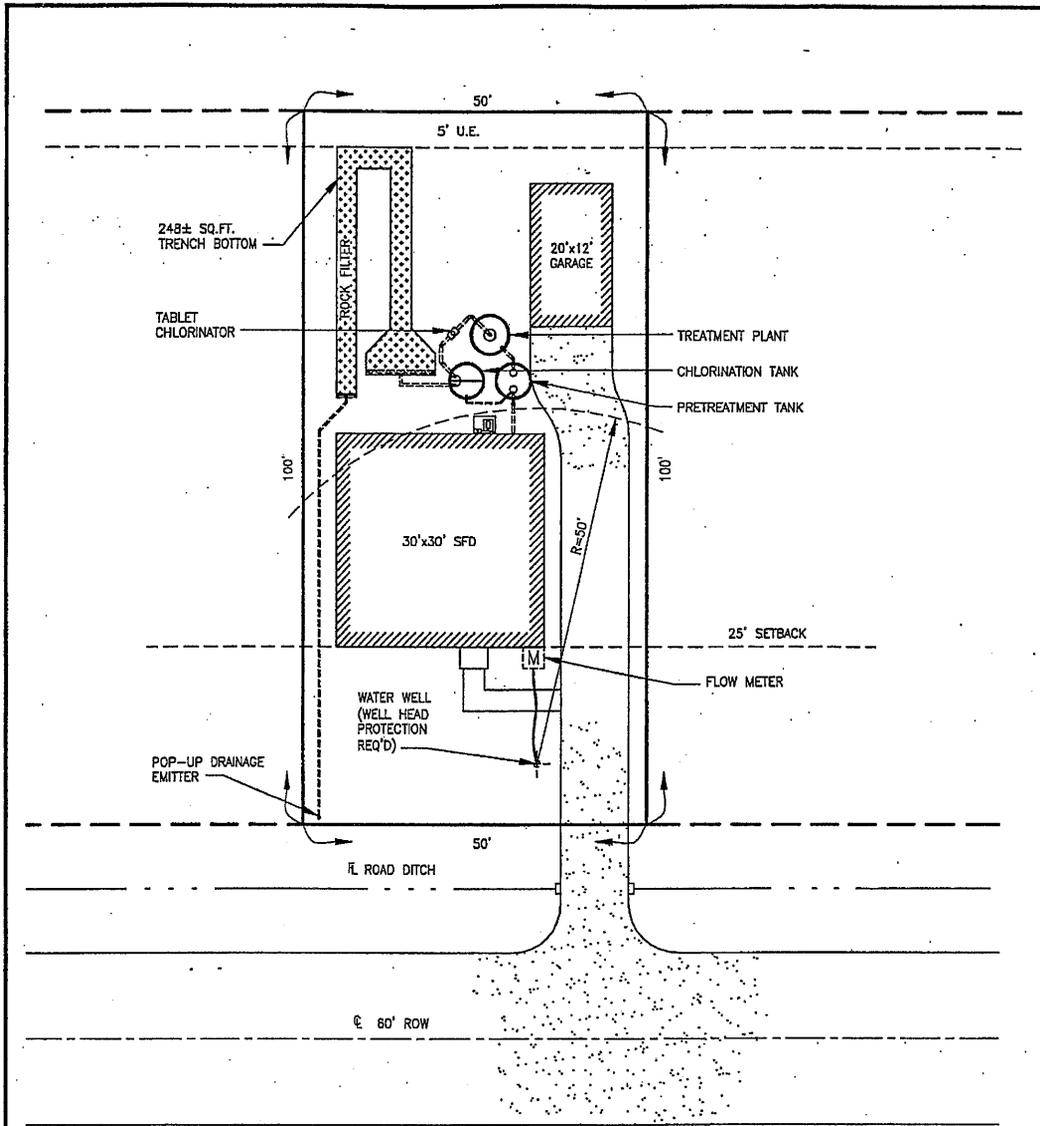
The normal frequency of operator attention for on-site aerobic units is once every three months, with the homeowner being responsible for adding chlorine tablets to the chlorine feeder between operator visits. It is anticipated that an operator will need to visit each site once a month to collect samples, check operations, pump sludge out of the chlorine contact tank as well as make process adjustments.

It is proposed that monthly effluent quality sampling be limited to BOD(total) and Fecal Coliform in order to keep operating costs to the homeowner at a more affordable level.

6.0 COST CONSIDERATIONS

Current costs to install an aerobic spray system in Harris County for a new residence are in the \$4,500 to \$5,000 range. The proposed on-site/discharge process does not have an irrigation system, but will have the additional rock filter trench to install. Since the proposed systems will replace existing failed systems where space may be extremely limited and some demolition may be required, the estimated cost of installing an on-site/discharge treatment system is \$6,000 to \$10,000 per home.

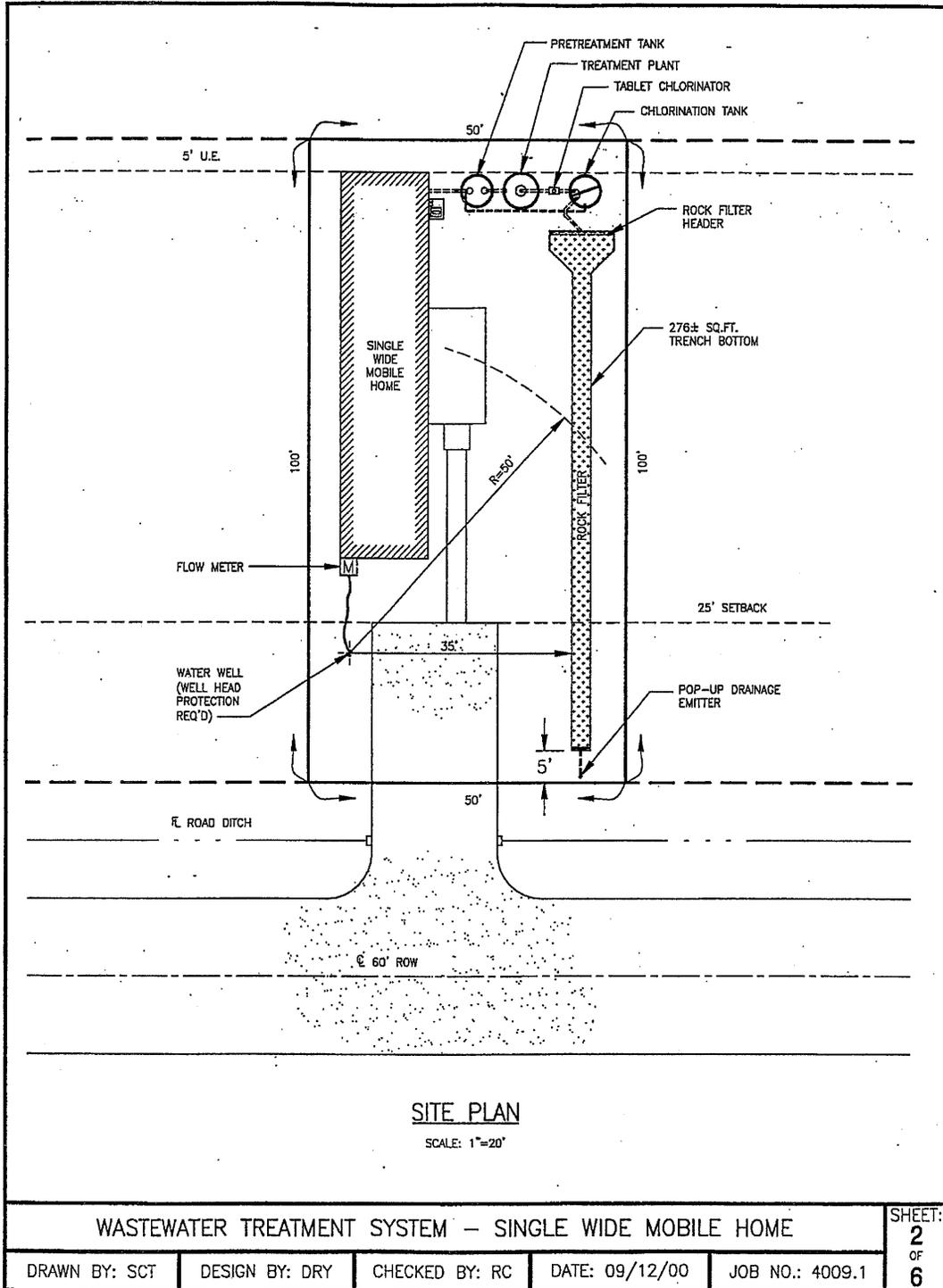
Monthly operating costs are expected to run \$35 to \$40 per unit, which is about twice the cost of a monthly municipal sewer bill.

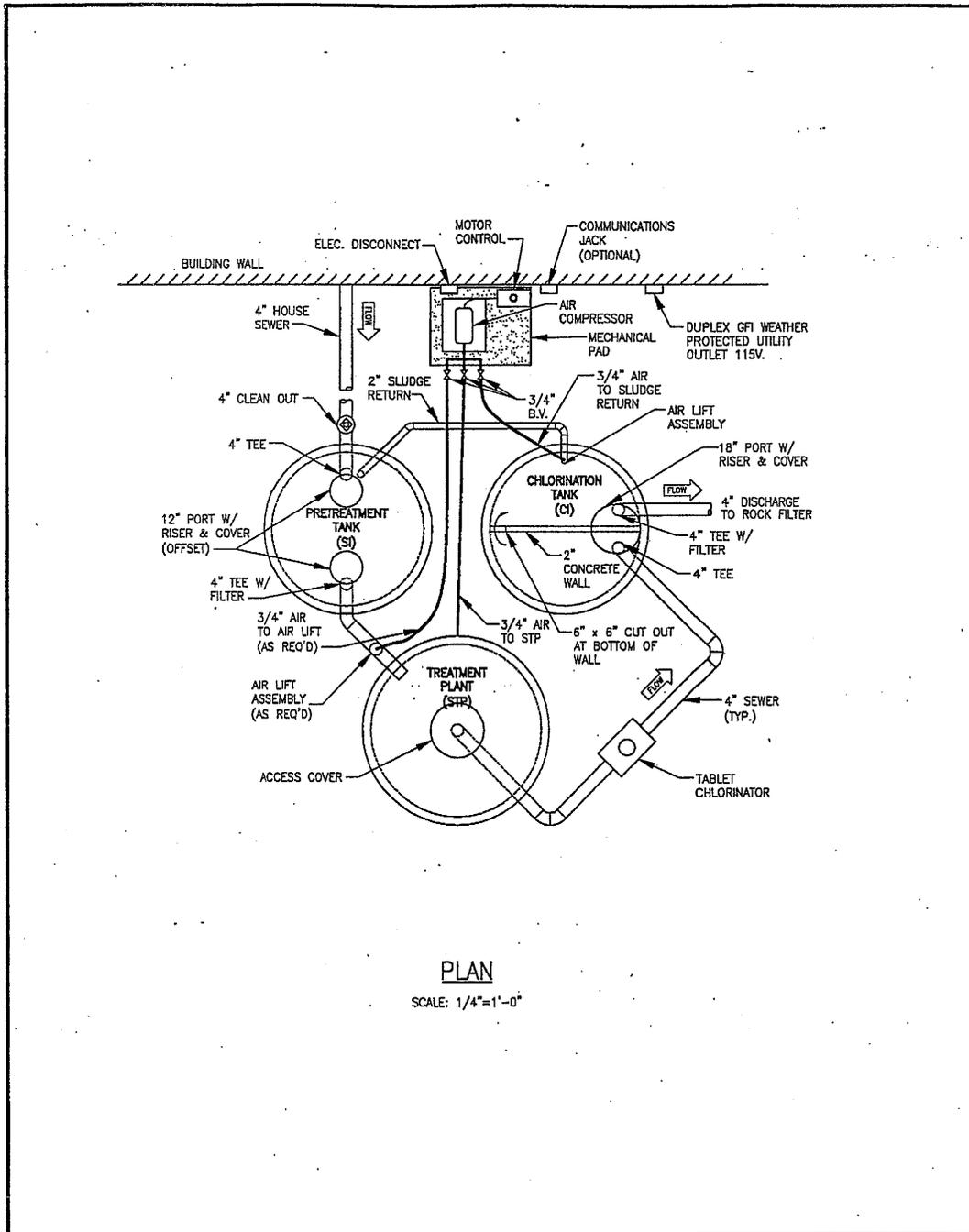


SITE PLAN

SCALE: 1"=20'

| | | | | | |
|--|----------------|----------------|----------------|-----------------|------------------------|
| WASTEWATER TREATMENT SYSTEM – SINGLE FAMILY DWELLING | | | | | SHEET: 1 OF 6 |
| DRAWN BY: SCT | DESIGN BY: DRY | CHECKED BY: RC | DATE: 09/12/00 | JOB NO.: 4009.1 | |

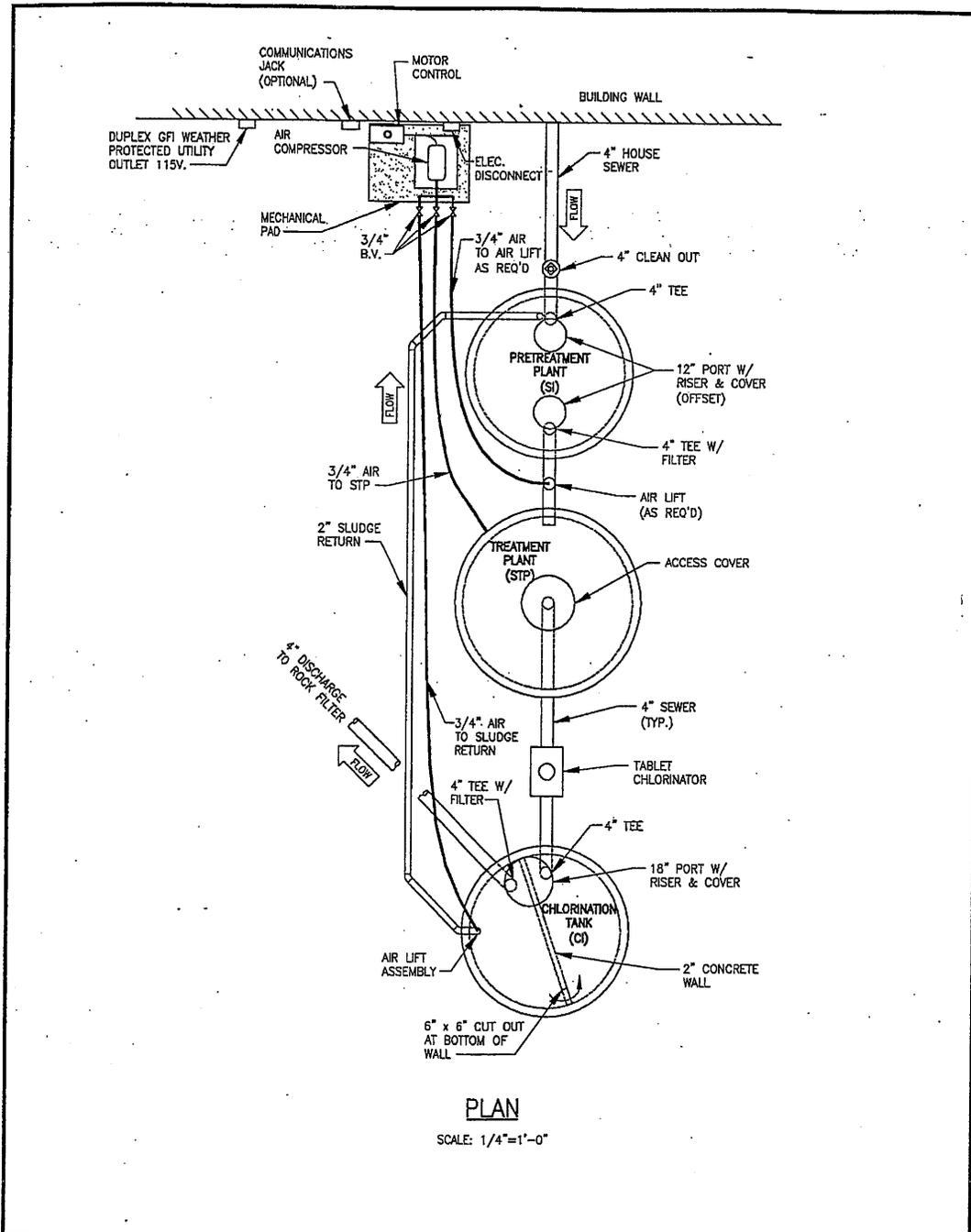




PLAN

SCALE: 1/4"=1'-0"

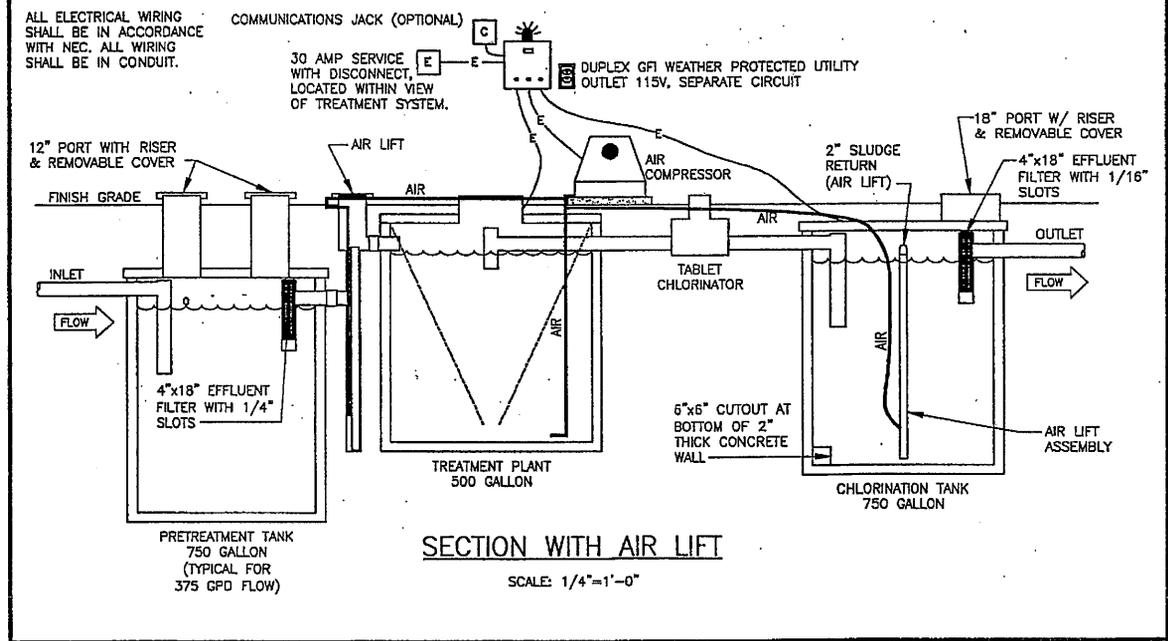
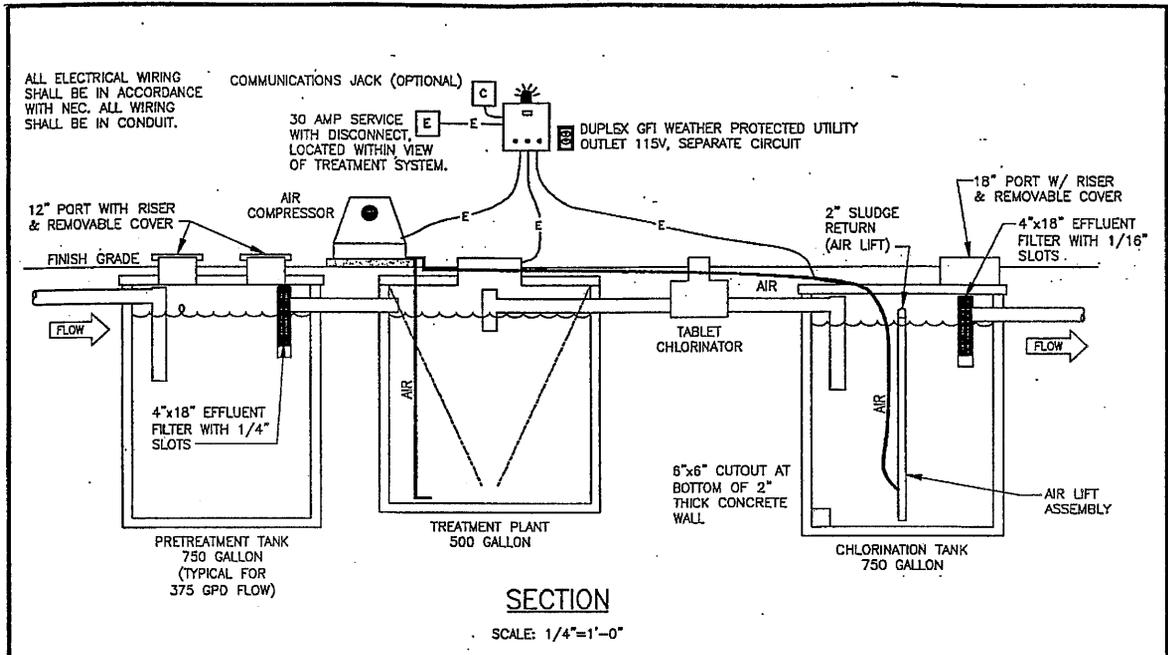
| | | | | | |
|---|----------------|----------------|----------------|-----------------|--------|
| WASTEWATER TREATMENT SYSTEM PLAN – OPTION 1 | | | | | SHEET: |
| | | | | | 3 |
| | | | | | OF |
| | | | | | 6 |
| DRAWN BY: SCT | DESIGN BY: DRY | CHECKED BY: RC | DATE: 09/12/00 | JOB NO.: 4009.1 | |



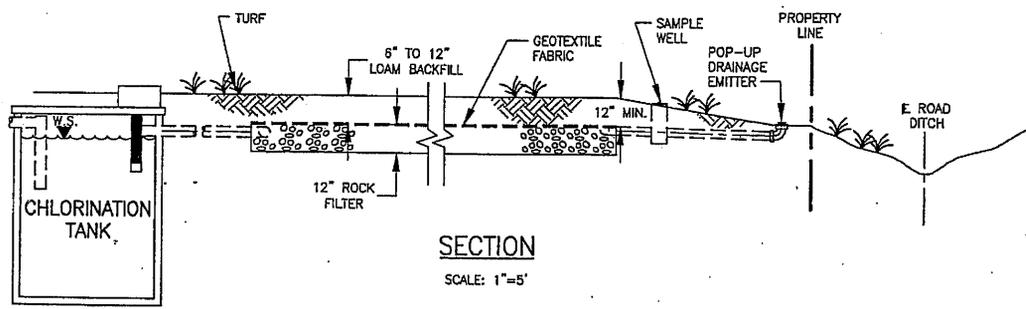
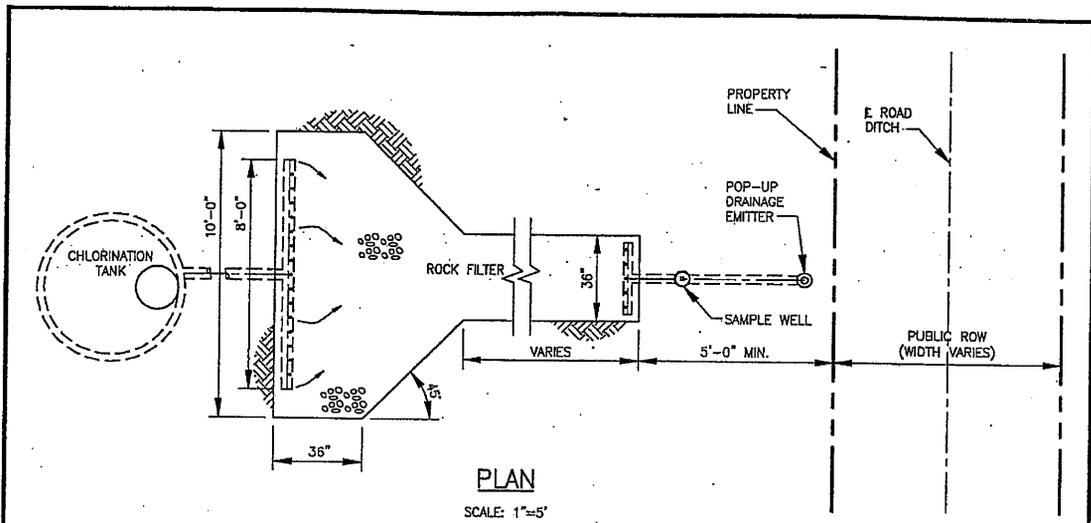
PLAN

SCALE: 1/4"=1'-0"

| | | | | | |
|--|----------------|----------------|----------------|-----------------|------------------------|
| WASTEWATER TREATMENT SYSTEM PLAN -- OPTION 2 | | | | | SHEET: 4 OF 6 |
| DRAWN BY: SCT | DESIGN BY: DRY | CHECKED BY: RC | DATE: 09/12/00 | JOB NO.: 4009.1 | |



| | | | | | |
|--|----------------|----------------|----------------|-----------------|-------------------------------|
| WASTEWATER TREATMENT SYSTEM SECTION | | | | | SHEET: 5 OF 6 |
| DRAWN BY: SCT | DESIGN BY: DRY | CHECKED BY: RC | DATE: 09/12/00 | JOB NO.: 4009.1 | |



- NOTE:**
1. ROCK GRADATION : 3/4" TO 1 1/2"
 2. POP-UP DRAINAGE EMITTER OVERFLOW ELEV. TO BE MINIMUM OF 2" BELOW CHLORINATION TANK STATIC WATER SURFACE ELEVATION.
 3. POP-UP DRAINAGE EMITTER TO BE MINIMUM OF 12" ABOVE FLOW LINE OF ROAD DITCH.

| | | | | | |
|---|----------------|----------------|----------------|-----------------|---------------|
| WASTEWATER TREATMENT SYSTEM DISPOSAL AND DISCHARGE | | | | | SHEET: |
| DRAWN BY: SCT | DESIGN BY: DRY | CHECKED BY: RC | DATE: 09/12/00 | JOB NO.: 4009.1 | 6 |
| | | | | | OF |
| | | | | | 6 |

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

For proposed Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXG530000 to discharge to waters in the state.

Issuing Office: Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711

Prepared by: Yvonna Miramontes
Wastewater Permitting Section
Water Quality Division
(512) 239-6922

Date: May 14, 2008

Permit Action: Amendment and Renewal of General Permit TXG530000

I. Summary

The Texas Commission on Environmental Quality (TCEQ) is proposing to amend and renew a TPDES General Permit authorizing discharges from on-site wastewater treatment systems from single family residences located within the San Jacinto River Basin in Harris County in the State of Texas.

II. Executive Director's Recommendation

The Executive Director has made a preliminary decision that this permit, if reissued, meets all statutory and regulatory requirements. It is proposed that the permit be issued to expire five years from date of issuance in accordance with the requirements of 30 Texas Administrative Code (TAC) §205.5(a).

III. Permit Applicability

This general permit authorizes discharges from single-family on-site sewage facilities (OSSFs) located within the following segments of the San Jacinto River Basin in Harris County: 1001 (San Jacinto River Tidal); 1002 (Lake Houston); 1003 (East Fork San Jacinto River); 1004 (West Fork San Jacinto River); 1005 Houston Ship Channel/San Jacinto River Tidal); 1006 (Houston Ship Channel Tidal); 1007 (Houston Ship Channel/Buffalo Bayou Tidal); 1008 (Spring Creek); 1009 (Cypress Creek); 1010 (Caney Creek); 1013 (Buffalo Bayou Tidal); and 1014 (Buffalo Bayou above Tidal). The property must have been subdivided, and developed, before January 1, 1979 and the property size must be insufficient to accommodate on-site disposal of a wastewater under Chapter 366 of the Texas Health and Safety Code and 30 TAC Chapter 285. The residence must be unable to obtain service from a regional or area wide waste collection/treatment system to be eligible for coverage under this general permit.

IV. Permit Limitations

1. As proposed, facilities regulated under this general permit are authorized to discharge wastewater that meets the following effluent limitations. Monitoring shall be conducted at the prescribed frequencies when discharge occurs:

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TCEQ General Permit No. TXG530000

| <u>Parameter</u> | <u>Daily Average</u> | <u>Single Grab</u> | <u>Sample Type</u> | <u>Monitoring Frequency</u> |
|---|----------------------|--------------------|--------------------|-----------------------------|
| Total Suspended Solids | 15 mg/L | 60 mg/L | Grab | Once per six months |
| pH (standard units (SU)) | 6 - 9 SU | 6 - 9 SU | Grab | Once per six months |
| Carbonaceous Biochemical Oxygen Demand-5 day | 10 mg/L | 35 mg/L | Grab | Once per six months |
| Bacteria (colonies per 100 ml) | | | | |
| <i>E. coli</i> (*1)(*4) | (126) (*2) | (394) | Grab | Once per six months |
| Enterococci (*3)(*4) | (35) (*2) | (89) | Grab | Once per six months |
| Fecal Coliform Bacteria (Colonies per 100 ml)(*4) | (200) (*2) | (400) | Grab | Once per six months |
| Ammonia Nitrogen | 3 mg/L | 15 mg/L | Grab | Once per six months |

(*1) When discharging into freshwater.

(*2) The daily average is a geometric mean of the values for all effluent samples collected in a 24 month reporting period.

(*3) When discharging into saltwater.

(*4) Fecal coliform may be used in lieu of *E. coli* or Enterococci.

2. The monthly average discharge (flow) of effluent shall not exceed 500 gallons per day (gpd).
3. There shall be no discharge of floating solids or visible foam other than in trace amounts, and no discharge of visible oil.

V. Amendments to the Existing General Permit

1. Removed the language which required the applicant to construct the treatment works prior to the submittal of the NOI. The Texas Water Code (TWC) §26.027 and the Health and Safety Code §366.051 both require an applicant to hold a permit prior to construction of a treatment facility.
2. To meet state and federal regulations and to be consistent with other TPDES general permits, the following limitations were included in Part I. Section B. Limitations on Coverage:
 - a. The Executive Director shall deny an application that will not maintain existing uses of the receiving waters and may deny authorization to discharge based on noncompliance with permit provisions.
 - b. New sources or new discharges of the constituents of concern to impaired waters are not authorized by this permit unless otherwise allowed under applicable state law or 30 TAC, Chapter 305.

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- c. Discharges of constituents to impaired water bodies for which there is a total maximum daily load (TMDL) implementation plan are not eligible for this permit unless they are consistent with the approved TMDL and the implementation plan.
 - d. Discharges that would adversely affect a listed endangered or threatened species or its critical habitat are not authorized by this general permit.
3. The limitation from Part I, Section B. *Limitations on Coverage* which requires additional authorizations for discharges located in the Clear Lake Watershed was removed. Discharges into the Clear Lake Watershed (Segments 1101 Clear Creek Tidal, 1102 Clear Creek Above Tidal, and 2425 Clear Lake) is not authorized by this permit, therefore this limitation is unnecessary.
4. Revised bacteria testing to include *E. coli* for discharges into freshwater and Enterococci for discharges into saltwater. The option to use fecal coliform bacteria as an indicator of bacteria remains in the draft permit. This amendment was included due to the proposed changes in the Texas Surface Water Quality Standards in regards to bacteria testing.

VI. Addresses

Questions concerning this draft general permit should be directed to:

Ms. Yvonna Pierce
Wastewater Permitting Section (MC-148)
TCEQ
P.O. Box 13087
Austin, TX 78711-3087
(512) 239- 4671

Comments regarding this general permit should be sent to:

Chief Clerk's Office (MC-105)
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

Supplementary information on this Fact Sheet is organized as follows:

- VII. Legal Basis
- VIII. Regulatory Background
- IX. Permit Coverage
- X. Technology-Based Requirements
- XI. Water Quality-based Requirements
- XII. Procedures for Final Decision
- XIII. Administrative Record

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VII. Legal Basis

Section 26.121 of the Texas Water Code (TWC) makes it unlawful to discharge pollutants into or adjacent to water in the state without a permit. The commission is authorized to issue permits and amendments to permits for the discharge of waste or pollutants into or adjacent to water in the state by TWC §26.027.

VIII. Regulatory Background

The commission was given authority to issue general permits in place of authorizations by rule through legislation, HB 1542, passed during the 75th legislative session. Further clarification of this general permit authority was provided in subsequent legislation, HB 1283, passed during the 76th legislative session.

House Bill (HB) 1574, which was passed during the 76th legislative session, requires the commission to adopt a general permit to regulate discharges from on-site wastewater treatment facilities (OSSF) from single family residences that are located in counties with a population greater than 2.8 million and are located on property that was subdivided and developed prior to January 1, 1979. HB 1574 also requires that the property size must be insufficient to accommodate on-site disposal of all wastewater as required by Chapter 366 of the Texas Health and Safety Code and 30 Texas Administrative Code (TAC) Chapter 285.

IX. Permit Coverage

1. To obtain coverage under this general permit, the discharger must submit a Notice of Intent (NOI) on a form approved by the executive director. The NOI shall include, at a minimum, the legal name and address of the owner and operator, the location of the discharge (as described by latitude and longitude), description of the effluent discharge route from the facility for a minimum distance of three miles, and the date the proposed discharge will commence. The discharger shall submit the NOI at least 30 days before discharging into or adjacent to water in the state.
2. The NOI must be submitted to the executive director or authorized agent by certified mail, return receipt requested. The applicant must also submit with the NOI, copies of the maintenance agreement and the county deed record for the property. The NOI shall be signed according to 30 TAC § 305.44 (relating to Signatories to Application).
3. The authorized agent or the executive director shall either confirm coverage by providing a notification and an authorization number to the applicant or notify the applicant that coverage under this general permit is denied.
4. The executive director or authorized agent may deny a NOI and may require the discharger to apply for and obtain an individual TPDES permit. Denial of an NOI or suspension of a discharger's authorization under this general permit shall also be conducted according to 30 TAC §205.4.

X. Technology-Based Requirements

The limitations and conditions of the general permit have been developed to comply with the technology-based standards of the Clean Water Act. The permit limitations included in the general permit are more stringent than the secondary treatment limits for CBOD₅ (25 mg/L) and suspended solids (ss) (30 mg/L) located in Code of Federal Regulations (CFR) 40, Part 133.102. The pH limitation of within 6 to 9 standard units is continued from the existing permit.

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The required wastewater treatment facility design for this permit must meet effluent limits for enhanced secondary treatment levels with nitrification and the treatment must include primary settling, aerobic treatment, addition of chlorine, chlorine contact/settling, and discharge to a subsurface rock filter trench. The effluent limitations for enhanced secondary treatment with nitrification located in 30 TAC 309 Subchapter A (*Domestic Wastewater Effluent Limitations*) and 30 TAC § 311 Subchapter D (*Water Quality Management Within Lake Houston Watershed*) are included in the draft permit and are as follows:

| <u>Parameter</u> | <u>Daily Average</u> | <u>Single Grab</u> |
|-------------------|----------------------|--------------------|
| TSS | 15 mg/L | 60 mg/L |
| CBOD ₅ | 10 mg/L | 35 mg/L |
| Ammonia Nitrogen | 3 mg/L | 15 mg/L |
| pH | 6 – 9 S.U. | 6 - 9 S.U. |

XI. Water Quality-Based Requirements

The Texas Surface Water Quality Standards found at 30 TAC §307 state that “surface waters will not be toxic to man, or to terrestrial or aquatic life.” The methodology outlined in the “Procedures to Implement the Texas Surface Water Quality Standards” is designed to insure compliance with 30 TAC §307. Specifically, the methodology is designed to insure that no source will be allowed to discharge any wastewater which: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

TPDES permits contain technology-based effluent limits reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, additional water quality-based effluent limitations and/or conditions are included in the permits. State narrative and numerical water quality standards are used in conjunction with EPA criteria and other toxicity data bases to determine the adequacy of technology-based permit limits and the need for additional water-quality based controls.

The original Waste Load Evaluation for the Houston Ship Channel System in the San Jacinto River Basin WLE-1 (1984) specifies the following recommendation: All new permits and permit amendments will be issued to ensure that effluent water quality concentrations of 10 mg/L CBOD₅, 3 mg/L ammonia nitrogen, and 4 mg/L dissolved oxygen are achieved. The QUAL-TX dissolved oxygen modeling used in the technical basis for the recommendation was documented and reiterated in the updated Waste Load Evaluation WLE-1R for the Houston Ship Channel System (2006). Water quality based effluent limits for fecal coliform are continued from the existing permit.

A review by the TCEQ's Water Quality Standards Team preliminarily determined that if the current permit requirements are properly implemented, no significant degradation is expected and existing uses should be maintained and protected.

XII. Procedures for Final Decision

EPA has 90 days to comment, object, or make recommendations to the general permit before the general permit is published in the *Texas Register*. When the draft general permit is ready for proposal, a notice is prepared and

Fact Sheet and Executive Director's Preliminary Decision
TCEQ General Permit No. TXG530000

sent to the Office of the Chief Clerk of the TCEQ. This notice is mailed to county judges in counties which the dischargers under the general permit could be located, state and federal agencies for which notice is required in [40 CFR § 124.10(c)], persons on a relevant mailing list in accordance with 30 TAC § 39.407, and any other person the executive director or Chief Clerk may elect to include. The TCEQ will publish the notice of the draft general permit in a newspaper of general circulation in the areas affected by the proposed general permit and in the *Texas Register*.

Any interested person may submit written comments on the draft permit or may request a public meeting within 30 days after newspaper notice publication. A public meeting is intended for the taking of public comment, and is not a contested case proceeding under the Administrative Procedure Act. The executive director may call and conduct public meetings in response to public comment. If the executive director calls a public meeting then notice of the date, time, and place will be issued in accordance with commission rules. The executive director shall prepare a response to all timely, relevant and material, or significant public comment on the draft general permit raised during the comment period and shall make the response available to the public. The general permit will then be filed with the commission to consider final authorization of the permit. The executive director's response to public comment shall be made available to the public and filed with the chief clerk at least ten days before the commission acts on the general permit.

XIII. Administrative Record

The following section is a list of the fact sheet citations to applicable statutory or regulatory provisions and appropriate supporting references.

A. 40 CFR Citation

40 CFR 122.28, Subpart C - 122.41-122.50, and 133.102

B. Texas Water Code

Chapter 26.0405

C. TCEQ Regulations

30 TAC Chapter 305, 205, 309, 311

D. Miscellaneous

Quality Criteria for Water (1986), EPA 440/5-86-001, 5/1/86.

Texas Surface Water Quality Standards, 30 TAC Sections §§ 307.1 - 307.10, effective April 30, 1997, and Appendix E, effective February 27, 2002.

"Procedures to Implement the Texas Water Quality Standards", Texas Commission on Environmental Quality, January 2003.

Existing General Permit: TPDES General Permit No. TXG530000 issued April 30, 2004.

Memo from the Water Quality Standards Team of the TCEQ.

Exhibit B

Executive Director's Response to Public Comment on TCEQ General Permit No. TXG530000

The executive director of the Texas Commission on Environmental Quality (commission or TCEQ) files this Response to Public Comment on Texas Pollutant Discharge Elimination System Permit Number TXG530000. As required by Texas Water Code (TWC), § 26.040(d) and 30 Texas Administrative Code (TAC) § 205.3(e), before a general permit is issued, the executive director must prepare a response to all timely, relevant and material, or significant comments. The response must be made available to the public and filed with the Office of the Chief Clerk at least ten days before the commission considers the approval of the general permit. This response addresses all timely received public comments, whether or not withdrawn. No comments were received.

BACKGROUND

Introduction

The TCEQ adopted a general permit that authorizes discharges from on-site wastewater treatment systems from single family residences located within the San Jacinto River Basin in Harris County in the State of Texas that will expire five years from the date of its issuance. The executive director now proposes, with the reissuance and amendment of this proposed general permit, to continue to authorize these eligible discharges under TCEQ General Permit No. TXG530000. Consistent with 30 TAC § 205.2, issuance of this permit is allowable, since the on-site wastewater treatment systems that serve qualifying residences would be similarly operated and discharge the same or similar type of waste. The general permit, if issued, would establish the same operating conditions and similar monitoring requirements for these facilities. These types of discharges are more appropriately regulated under a general permit based upon the requirements of 30 TAC § 205.2(a)(5), insomuch as the TCEQ can readily enforce the general permit and can monitor compliance of the terms of the permit. The permit would establish monitoring, record keeping, and reporting requirements.

Procedural Background

The Office of the Chief Clerk received the permit file on February 22, 2008. In accordance with 30 TAC § 205.3(a)(2), the Notice of Proposed Amendment of General Permit Authorizing the Discharge of Wastewater was published in the *Texas Register* on March 7, 2008 (33 TexReg 2062), and in the *Houston Chronicle* on March 3, 2008. Mailed notice was also provided in accordance with 30 TAC § 205.3(b). The comment period ended on April 7, 2008. No comments were received.