



PERMIT NO. WQ0002730000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P. O. Box 13087  
Austin, Texas 78711-3087

This is a renewal of TCEQ Permit No. WQ0002730000, issued on August 14, 2001.

PERMIT TO DISCHARGE WASTES  
under provisions of Chapter 26  
of the Texas Water Code

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CHIEF CLERKS OFFICE  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

I. Name of Permittee:

A. Name: JOCO Holding Corporation  
B. Address: P. O. Box 10  
Burlleson, Texas 76097-0010

II. Nature of Business Producing Waste:

a motel and restaurant complex. (SIC 5812, 7011)

III. General Description and Location of Waste Disposal System:

Description: The motel and restaurant process wastewater is treated by an activated sludge plant operated in the extended aeration mode at a daily average flow not to exceed 30,000 gallons per day. Treatment units include a lift station, bar screen, aeration basin, and a final clarifier. Treated effluent is transferred to a storage pond with an approximate total surface area of 1.7 acres and a minimum volume of 16 acre-feet prior to disposal via evaporation and irrigation of 20 acres of coastal bermuda grass. Sludge generated from the treatment facility is hauled by a registered transporter to the City of The Colony, Stewart Creek Wastewater Treatment Facility, Permit No. 11570-001 to be digested, dewatered and then disposed of with the bulk of the sludge from the plant accepting the sludge.

Location: The facility and disposal site are located on the east side of Interstate Highway 35 West, approximately 2000 feet southeast of the Bethesda Road overpass and approximately 5.1 miles southeast of the City of Burlleson, Johnson County, Texas.

Drainage Basin: The facility and disposal site are located in the drainage area of the Upper Trinity River and Lake Arlington, in Segment No. 0805 and 0828, of the Trinity River Basin. No discharge of pollutants into water in the state is authorized by this permit.

This permit and the authorization contained herein shall expire at midnight on September 1, 2011.

ISSUED DATE:

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For the Commission

- D. The permittee shall maintain a perennial crop of coastal bermuda grass or a similar vegetation cover over the irrigated area. The irrigated fields shall be mowed at least once each year, and all resulting hay shall be removed from the fields. Fertilizers shall be used if required to maintain healthy grass on the irrigated fields.
- E. No wastewater may be applied within twenty-four hours after a measured rainfall of 0.5 inches or greater, or to any zone containing standing water.
- F. Adequate signs shall be erected stating that the irrigation water is from a non-potable water supply. Said signs shall consist of a red slash superimposed over the international symbol for drinking water accompanied by the message "Do not drink the water", in both English and Spanish.
- G. Once per year, the permittee shall take representative soil samples and determine the sodium-adsorption ratio (SAR) for the irrigation tract. If the SAR is 10 or greater, amendments (e.g. lime, gypsum, calcium chloride) shall be added to the soil to adjust the SAR to less than 10. Composite sampling techniques should be used when sampling the soils of the wastewater application area. Individual soil types, as defined by the USDA Soil Conservation Service soil survey, should be sampled individually at zones of 0-6, 6-18, and 18-30 inches. Each composite sample shall represent no more than 80 acres with no less than 15 subsamples representing each composite sample. Subsamples shall be composited by individual site, zone and soil type for analysis and reporting.

The samples shall be analyzed for pH, electrical conductivity, nitrate nitrogen, phosphorus, potassium, sodium, magnesium, calcium, and sodium adsorption ratio (SAR) (not to exceed an SAR of 10). The nutritive parameters should be analyzed in extractable or available form.

The permittee shall submit the results of the soil sample analyses and the report to the TCEQ Enforcement Division (MC 224), Water Quality Assessment (MC 150) and the Region 4 Office (MC Region 4) during September of each year.

- H. The permittee shall tabulate the volume and quality of the wastewater used for irrigation, the acreage which has been irrigated, and the soil sampling results for the preceding year. This data shall be submitted to the Water Quality Management Information Systems Team (MC 224), Enforcement Division of the Texas Commission on Environmental Quality (TCEQ), and the Regional Office during the month of September of each calendar year.
- I. All wastewater retention ponds shall be operated in such a manner as to maintain a minimum freeboard of two feet.
- J. These treatment facilities shall be operated and maintained by a certified plant operator.
- K. The permittee shall provide adequate maintenance of the treatment and irrigation facilities to ensure that the facilities are in working condition. No treatment or irrigation facilities shall be removed from service without prior notification of the Executive Director of the TCEQ.
- L. This permit does not authorize the discharge of any pollutant from the irrigation site. The wastewater disposal system shall be designed and operated to prevent:
1. Discharge from the irrigated property.
  2. Recharge of groundwater resources which supply or may potentially supply domestic raw water.
  3. The occurrence of nuisance conditions.

**VI. STANDARD PERMIT CONDITIONS**

This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.

**DEFINITIONS**

All definitions in Section 26.001 of the Texas Water Code and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

**1. Flow Measurements**

- a. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- b. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder and limited to major domestic wastewater discharge facilities with a 1 million gallons per day or greater permitted flow.
- c. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.

**2. Concentration Measurements**

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
  - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
  - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.

**3. Sample Type**

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (b).
- b. Grab sample - an individual sample collected in less than 15 minutes.

## 4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in determining compliance with permit requirements.

## 5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site and/or shall be readily available for review by a TCEQ representative for a period of three years.

## 6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office and the Enforcement Division (MC 224).

## 7. Noncompliance Notification

a. In accordance with 30 TAC § 305.125(9), any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:

i. Unauthorized discharges as defined in Permit Condition 2(g).

ii. Any unanticipated bypass which exceeds any effluent limitation in the permit.

c. In addition to the above, any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible.

8. In accordance with the procedures described in 30 TAC §§ 35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

## 9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation which has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§ 305.62 and 305.66 and Texas Water Code Section 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Special Provisions section of this permit.
- h. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties).

### 3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in Texas Water Code Section 7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

### 4. Permit Amendment and/or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
  - i. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring Requirements No. 9;

## 10. Notice of Bankruptcy.

- a. Each permittee shall notify the executive director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
  - i. the permittee;
  - ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
  - iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.
- b. This notification must indicate:
  - i. the name of the permittee;
  - ii. the permit number(s);
  - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
  - iv. the date of filing of the petition.

**OPERATIONAL REQUIREMENTS**

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§ 319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
  - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
  - b. The permittee shall submit a closure plan for review and approval to the Land Applications Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under Texas Water Code § 7.302(b)(6).

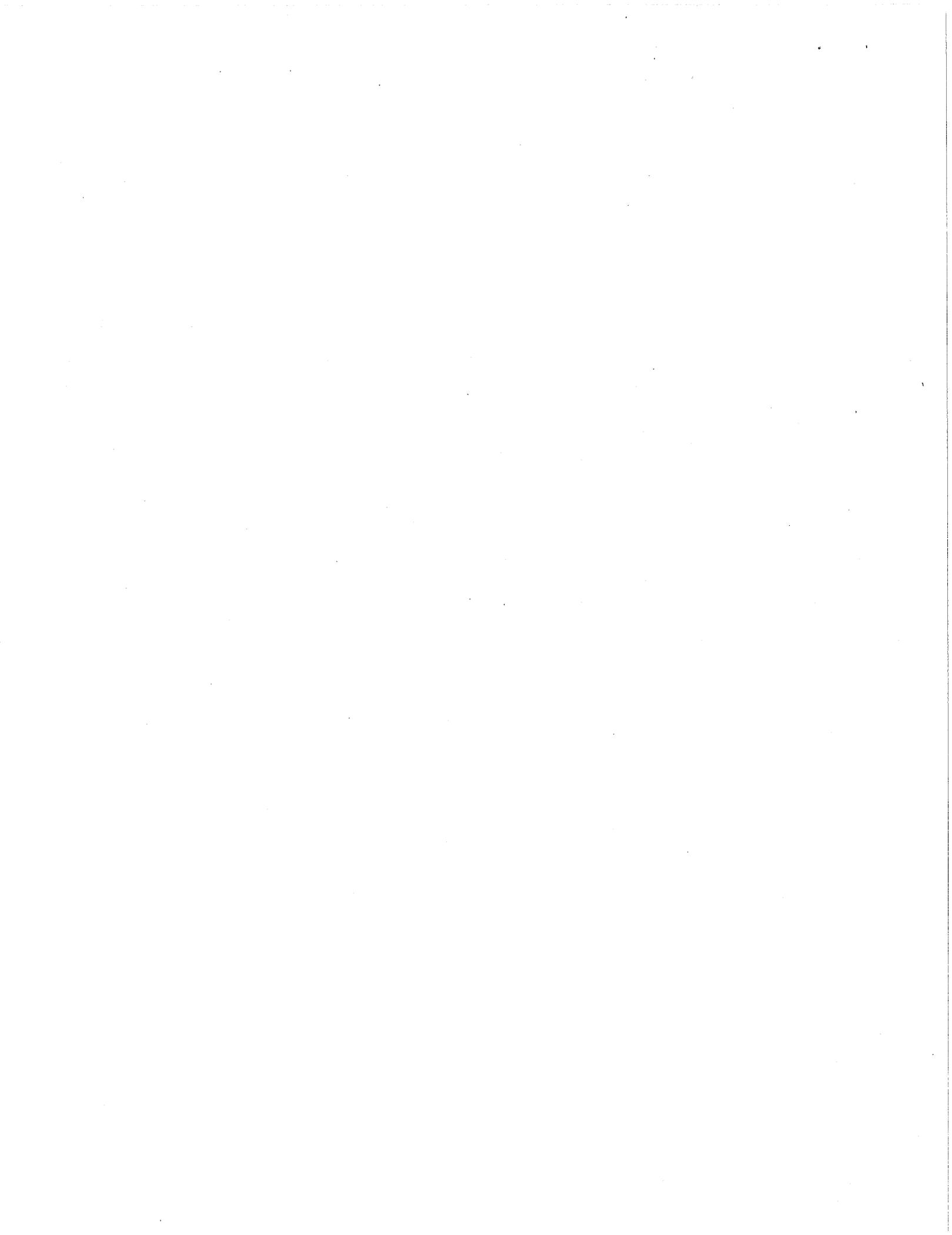
10. Facilities which generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:

- a. Any solid waste, as defined in 30 TAC § 335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
- b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
- c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.8(b)(1), to the Environmental Cleanup Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
- d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.
- e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
- f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
  - i. Volume of waste and date(s) generated from treatment process;
  - ii. Volume of waste disposed of on-site or shipped off-site;
  - iii. Date(s) of disposal;
  - iv. Identity of hauler or transporter;
  - v. Location of disposal site; and
  - vi. Method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

11. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with Chapter 361 of the Texas Health and Safety Code.

TCEQ Revision 04/2006



## TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

### DESCRIPTION OF APPLICATION

Applicant: JOCO Holding Corporation; Permit No. WQ0002730000.

Regulated Activity: Industrial Wastewater Permit.

Type of Application: Renewal Only.

Request: Renewal.

Authority: Texas Water Code § 26.027; 30 TAC Chapter 305, Subchapters C-F, Chapters 307, 309, and 319, Commission Policies and EPA Guidelines.

### EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. It is proposed the permit be issued to expire September 1, 2011 in accordance with 30 TAC Section 305.71, Basin Permitting.

### REASON FOR PROJECT PROPOSED

The applicant has applied to the TCEQ for a renewal of its existing permit.

### PROJECT DESCRIPTION AND LOCATION

The applicant operates a motel and restaurant complex.

The motel and restaurant process wastewater is treated by an activated sludge plant operated in the extended aeration mode at a daily average flow not to exceed 30,000 gallons per day. Treatment units include a lift station, bar screen, aeration basin, and a final clarifier. Treated effluent is transferred to a storage pond with an approximate total surface area of 1.7 acres and a minimum volume of 16 acre-feet prior to disposal via evaporation and irrigation of 20 acres of coastal bermuda grass. Sludge generated from the treatment facility is hauled by a registered transporter to the City of The Colony, Stewart Creek Wastewater Treatment Facility, Permit No. 11570-001 to be digested, dewatered and then disposed of with the bulk of the sludge from the plant accepting the sludge.

The facility and disposal site are located on the east side of Interstate Highway 35 West, approximately 2000 feet southeast of the Bethesda Road overpass and approximately 5.1 miles southeast of the City of Burleson, Johnson County, Texas.

The facility and disposal site are located in the drainage area of Upper Trinity River and Lake Arlington in Segment Nos. 0805 and 0828 of the Trinity River Basin. The designated uses for Segment No. 0805 are high aquatic life use and contact recreation. The designated uses for Segment No. 828 are high aquatic life use, contact recreation and public water supply. All determinations are preliminary and subject to additional review and/or revisions.

### SUMMARY OF EFFLUENT DATA

The permittee indicates that no irrigation has occurred in the past five years; therefore no current information is available.

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
Permit No. WQ0002730000

PROPOSED PERMIT CONDITIONS

The draft permit authorizes the disposal of domestic wastewater by evaporation and irrigation of 20 acres of coastal bermuda grass at an application rate not to exceed 3.80 acre-feet per year per acre irrigated.

The following limitations have been established in the draft permit:

<u>Parameter</u>	<u>Effluent Limitation</u>	<u>Monitoring Frequency</u>	<u>Sample Type</u>
Flow, MGD (*1)	0.03	1 / day	Estimate
Biochemical Oxygen Demand, 5-day, (BOD <sub>5</sub> )	30 mg/l (*2) Max.	1 / month	Grab
pH, Standard Units	6.0 Min. / 9.0 Max.	1 / month	Grab
(*1) Million Gallons per Day (*2) Milligrams per Liter			

The flow monitoring requirements have been required to maintain accurate records of the flow volumes routed to the evaporation pond and to ensure suitable capacities are maintained. Monitoring requirements for biochemical oxygen demand (5-day) has been required based on the characteristics of the wastewater routed to the evaporation pond and to determine if nuisance conditions are occurring. The pH monitoring requirement has been required to ensure pond liner is protected.

SUMMARY OF CHANGES FROM APPLICATION

The following changes have been made from the application which makes the draft more stringent.

1. The permittee indicated that 20 acres is the current acreage available for irrigation; as a result of this change a new water balance was performed and a more stringent maximum application rate of 3.80 Ac-ft/ac/yr now applies.

See the next section for additional changes to the existing permit.

SUMMARY OF CHANGES FROM EXISTING PERMIT

The following additional changes have been made to the draft permit.

The draft permit has been updated with general language; to be consistent with current TCEQ policies and practices.

BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

1. Application received October 20, 2004 and additional information received March 21, 2007.
2. Existing permits: TCEQ Permit No. WQ0002730000 issued August 14, 2001.
3. TCEQ Rules.
4. 30 TAC Chapter 309.
5. Texas Water Development Board Lake Evaporation and Precipitation data for Quadrangle 510.
6. Consistency with the Coastal Management Plan: "N/A"

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
Permit No. WQ0002730000

PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the Chief Clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for review and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application, and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

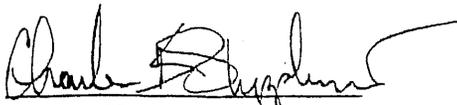
Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application. This notice sets a deadline for public comment.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment, and is not a contested case proceeding. After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's Response to Comments and Final Decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's Response to Comments and Final Decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the Commission grants a contested case hearing as described above, the Commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the Commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application contact Charles K. Sheppard at (512) 239-4487.

  
Charles K. Sheppard

1/29/08  
Date

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
Permit No. WQ0002730000

ATTACHMENT A  
WATER BALANCE BASED EFFLUENT REQUIREMENTS

TABLE 1: WATER BALANCE CALCULATIONS, all units in inches

Facility Name: JOCO Holding Corp. WQ0002730000

Month	Avg Prec	Avg Runoff	Avg Infiltration Rainfall	Evapo trans	Req Leach	Total Water Needs	Eff Needed Root Zn	Net Evap Res. Ft.	Net Evap. Res. Surf	Effnt Needed Based on Irrigation Efficiency	Consump. from Reserv. (Including Res. Evap.)
January	1.76	0.83	0.83	0.81	0.00	0.81	0.00	0.03	0.03	0.00	0.03
February	2.22	1.21	1.01	1.17	0.03	1.20	0.18	0.02	0.02	0.22	0.24
March	2.51	1.46	1.05	2.79	0.28	3.07	2.02	0.13	0.13	2.38	2.51
April	3.41	2.27	1.14	3.42	0.36	3.78	2.66	0.12	0.12	3.12	3.24
May	4.49	3.29	1.20	6.12	0.78	6.90	5.70	0.05	0.05	6.70	6.75
June	3.18	2.07	1.12	6.93	0.93	7.86	6.74	0.31	0.32	7.93	8.24
July	2.21	1.20	1.01	7.11	0.97	8.08	7.08	0.52	0.53	8.32	8.86
August	2.30	1.28	1.02	4.95	0.63	5.58	4.56	0.47	0.48	5.36	5.84
September	3.32	2.19	1.13	5.13	0.64	5.77	4.64	0.23	0.23	5.46	5.89
October	3.54	2.39	1.15	3.51	0.38	3.89	2.74	0.11	0.11	3.22	3.34
November	2.29	1.27	1.02	1.62	0.10	1.72	0.70	0.07	0.07	0.82	0.89
December	2.28	1.26	1.02	0.72	0.00	0.72	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>33.52</b>	<b>20.75</b>	<b>12.77</b>	<b>44.28</b>	<b>5.08</b>	<b>49.36</b>	<b>37.00</b>	<b>2.06</b>	<b>2.10</b>	<b>43.53</b>	<b>45.64</b>

Crop is Bermuda  
 CN 89.00  
 Ce 1.03  
 CL 7.50  
 Max. Appl = 3.80 Ac-in/ac/month  
 PND AREA 1.70 ACRES  
 PND CAPACITY 16 AC-FEET  
 IRR. AREA 20.00 ACRES  
 Irr. Eff., K 0.85  
 Design Flow 0.030 MGD  
 Effluent Avail. 0.03  
 Application= 1.68 IN/AC/MONTH

TABLE 2: STORAGE CALCULATIONS

JOCO Holding Corp. WQ0002730000

Month	Effluent Application (inches)	Rain Dist	Rain Worst Year (inches)	Field Runoff Worst Year (inches)	Infiltration Rain Check (inches)	Infiltration Rain (inches)	Avail Water (inches)	Net Low Evap. Mean Dist	Net Low Evap. Res. Surf	Storage (inches)	Accum Storage
January	1.68	5.24	2.74	1.66	1.07	1.07	2.75	1.28	0.00	1.68	2.68
February	1.68	6.61	3.45	2.31	1.14	1.14	2.82	1.17	0.00	1.61	4.36
March	1.68	7.49	3.91	2.74	1.17	1.17	2.85	6.40	0.02	-0.57	5.97
April	1.68	10.18	5.31	4.07	1.24	1.24	2.92	5.95	0.02	-1.33	Hand-Calc
May	1.68	13.41	7.00	5.71	1.29	1.29	2.97	2.35	0.01	-4.93	Hand-Calc
June	1.68	9.51	4.96	3.74	1.23	1.23	2.91	15.11	0.06	-6.17	Hand-Calc
July	1.68	6.58	3.43	2.30	1.14	1.14	2.82	25.36	0.09	-6.58	Hand-Calc
August	1.68	6.87	3.59	2.44	1.15	1.15	2.83	22.71	0.08	-3.81	Hand-Calc
September	1.68	9.89	5.16	3.93	1.23	1.23	2.92	10.99	0.04	-3.69	Hand-Calc
October	1.68	10.56	5.51	4.26	1.25	1.25	2.93	5.12	0.02	-1.44	Hand-Calc
November	1.68	6.84	3.57	2.42	1.15	1.15	2.83	3.49	0.01	1.00	Hand-Calc
December	1.68	6.81	3.55	2.41	1.15	1.15	2.83	0.06	0.00	1.68	1.00

Low Net Evap. = 20.16  
 Max. Annual Rain = 99.99  
 0.36 feet  
 52.20 Inches  
 52.19  
 37.99  
 14.21  
 14.21  
 34.37  
 99.99  
 0.37  
 -22.38  
 5.97  
 Storage Requirements = 9.95 Ac-Ft

# Compliance History

Customer/Respondent/Owner-Operator:	CN601121593 Joco Holding Corporation	Classification: AVERAGE	Rating: 11.67
Regulated Entity:	RN102077518 RESTAURANT MOTEL	Classification: AVERAGE	Site Rating: 11.67
ID Number(s):	WASTEWATER PERMIT WASTEWATER LICENSING LICENSE		WQ0002730000 WQ0002730000
Location:	LOCATED ON THE E SIDE OF IH 35 W APPROX 2000 FT SE OF THE BETHESDA RD OVERPASS AND APPROX 5.1 MI OF THE CITY OF BURLESON IN JOHNSON COUNTY		Rating Date: 9/1/2006 Repeat Violator: NO
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	February 21, 2007		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	October 20, 1999 to February 21, 2007		

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: CHARLES SHEPPHARD Phone: (512) 239-4487

## Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | No  |
| 2. Has there been a (known) change in ownership of the site during the compliance period?    | No  |
| 3. If Yes, who is the current owner?   | N/A |
| 4. If Yes, who was/were the prior owner(s)?  | N/A |
| 5. When did the change(s) in ownership occur?  | N/A |

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.  
N/A
- B. Any criminal convictions of the state of Texas and the federal government.  
N/A
- C. Chronic excessive emissions events.  
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- |   |            |          |  |
|---|------------|----------|--|
| 1 | 04/28/2003 | (31221)  |  |
| 2 | 08/04/2006 | (484589) |  |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- |              |   |         |                          |
|--------------|---|---------|--------------------------|
| Date:        | 04/25/2003  | (31221) |                          |
| Self Report? | NO  |         | Classification: Minor    |
| Rqmt Prov:   | PERMIT WQ0002730-000  |         |                          |
| Description: | Failure to collect, analyze and submit the 2002 annual soil samples and results of the irrigation field.  |         |                          |
| Self Report? | NO  |         | Classification: Moderate |
| Rqmt Prov:   | PERMIT WQ0002730-000  |         |                          |
| Description: | Failure to submit the annual report including the volume and quality of the wastewater used for irrigation, the acreage which has been irrigated, and the soil sampling results for the preceding year. |         |                          |
| Self Report? | NO  |         | Classification: Moderate |
| Rqmt Prov:   | PERMIT WQ002730-000   |         |                          |
| Description: | Failure to submit the annual cropping plan.   |         |                          |
| Self Report? | NO  |         | Classification: Minor    |
| Citation:    | 30 TAC Chapter 305, SubChapter F 305.125(1)   |         |                          |
| Rqmt Prov:   | PERMIT WQ0002730-000  |         |                          |
| Description: | Failure to monitor the package plant's daily average flow.  |         |                          |
| Self Report? | NO  |         | Classification: Moderate |
| Citation:    | 30 TAC Chapter 317 317.4(a)(5)  |         |                          |
| Description: | Failure to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures.  |         |                          |

Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)		
Description:	Failure to properly maintain the storage pond.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT WQ0002730-000		
Description:	Failure to comply with the not greater than 9.0 s.u. pH permit limitation.		
Date:	08/04/2006 (484589)		
Self Report?	NO	Classification:	Minor
Rqmt Prov:	PERMIT WQ0002730-000		
Description:	Failure to collect, analyze and submit the 2002 annual soil samples and results of the irrigation field.		
Self Report?	NO	Classification:	Moderate
Rqmt Prov:	PERMIT WQ0002730-000		
Description:	Failure to submit the annual report including the volume and quality of the wastewater used for irrigation, the acreage which has been irrigated, and the soil sampling results for the preceding year.		
Self Report?	NO	Classification:	Moderate
Rqmt Prov:	PERMIT WQ002730-000		
Description:	Failure to submit the annual cropping plan.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Rqmt Prov:	PERMIT WQ0002730-000		
Description:	Failure to monitor the package plant's daily average flow.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 317 317.4(a)(5)		
Description:	Failure to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)		
Description:	Failure to properly maintain the storage pond.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 319, SubChapter A 319.7(c)		
Description:	Failure to maintain effluent monitoring records.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to maintain adequate sludge disposal records.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)		
	30 TAC Chapter 317 317.4(b)(1)		
Description:	Failure to maintain the treatment systems.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to dispose of sludge properly.		

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# Compliance History Report

Customer/Respondent/Owner-Operator:	CN601121593 Joco Holding Corporation	Classification: AVERAGE	Rating: 5.50
Regulated Entity:	RN102077518 RESTAURANT MOTEL	Classification: AVERAGE	Site Rating: 5.50
ID Number(s):	WASTEWATER PERMIT WASTEWATER LICENSING LICENSE		WQ0002730000 WQ0002730000
Location:	LOCATED ON THE E SIDE OF IH 35 W APPROX 2000 FT SE OF THE BETHESDA RD OVERPASS AND APPROX 5.1 MI OF THE CITY OF BURLESON IN JOHNSON COUNTY		Rating Date: 9/1/2008 Repeat Violator: NO
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	October 16, 2008		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	October 16, 2003 to October 16, 2008		

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Shannon Kelly Phone: 239 - 2005

### Site Compliance History Components

- |  |            |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes        |
| 2. Has there been a (known) change in ownership of the site during the compliance period?    | No         |
| 3. If Yes, who is the current owner?   | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)?  | <u>N/A</u> |
| 5. When did the change(s) in ownership occur?  | <u>N/A</u> |

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.  
N/A
- B. Any criminal convictions of the state of Texas and the federal government.  
N/A
- C. Chronic excessive emissions events.  
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- |   |            |          |
|---|------------|----------|
| 1 | 08/04/2006 | (484589) |
| 2 | 03/08/2007 | (542907) |
| 3 | 03/29/2007 | (539159) |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- |              |   |          |                 |          |
|--------------|---|----------|-----------------|----------|
| Date:        | 08/04/2006  | (484589) |                 |          |
| Self Report? | NO  |          | Classification: | Minor    |
| Rqmt Prov:   | PERMIT WQ0002730-000  |          |                 |          |
| Description: | Failure to collect, analyze and submit the 2002 annual soil samples and results of the irrigation field.  |          |                 |          |
| Self Report? | NO  |          | Classification: | Moderate |
| Rqmt Prov:   | PERMIT WQ0002730-000  |          |                 |          |
| Description: | Failure to submit the annual report including the volume and quality of the wastewater used for irrigation, the acreage which has been irrigated, and the soil sampling results for the preceding year. |          |                 |          |
| Self Report? | NO  |          | Classification: | Moderate |
| Rqmt Prov:   | PERMIT WQ002730-000   |          |                 |          |
| Description: | Failure to submit the annual cropping plan.   |          |                 |          |
| Self Report? | NO  |          | Classification: | Minor    |
| Citation:    | 30 TAC Chapter 305, SubChapter F 305.125(1)   |          |                 |          |
| Rqmt Prov:   | PERMIT WQ0002730-000  |          |                 |          |

Description:	Failure to monitor the package plant's daily average flow.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 317 317.4(a)(5)		
Description:	Failure to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5)		
Description:	Failure to properly maintain the storage pond.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 319, SubChapter A 319.7(c)		
Description:	Failure to maintain effluent monitoring records.	Classification:	Minor
Self Report?	NO		
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to maintain adequate sludge disposal records.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 305, SubChapter F 305.125(5) 30 TAC Chapter 317 317.4(b)(1)		
Description:	Failure to maintain the treatment systems.	Classification:	Moderate
Self Report?	NO		
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1)		
Description:	Failure to dispose of sludge properly.		

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

**Texas Commission on Environmental Quality**

**INTEROFFICE MEMORANDUM**

TO: LaDonna Castañuela, Chief Clerk

DATE: March 9, 2007

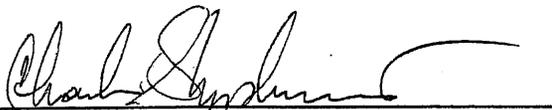
THRU: *for*  
*CM*  
*3/9/07* Kelly Holligan, Team Leader  
Industrial Team, Wastewater Permitting Section (MC-148)

FROM: Charles Sheppard, Permit Writer  
Industrial Team, Wastewater Permitting Section (MC-148)

SUBJECT: CHANGES TO BE MADE TO DRAFT PERMIT  
JOCO Holding Corporation - Permit No. WQ0002730000

Attached are copies of pages No. 1 and No. 2 of the permit and revised technical summary for the above-referenced facility. The changes are made to correct the expiration date of the permit and to clarify the limitation for Dissolved Oxygen. These changes do not require the permit application to be renoticed.

Please contact me at Ext. 4487 if you have any specific questions.



(Permit writer's signature)

**End of Notice Period has past  
and changes have been incorporated into  
draft permit by: \_\_\_\_\_**

CHIEF CLERKS OFFICE

2007 MAR -9 PM 2:02

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Attachment



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P. O. Box 13087

Austin, Texas 78711-3087

TPDES PERMIT NO. WQ0002730000  
[For TCEQ office use only - EPA I.D. No.  
TX0127671]

This permit supercedes and replaces  
TCEQ Permit No. WQ0002730000,  
issued on August 14, 2001.

PERMIT TO DISCHARGE WASTES  
under provisions of  
Section 402 of the Clean Water Act  
and Chapter 26 of the Texas Water Code

JOCO Holding Corporation

whose mailing address is

P. O. Box 10  
Burleson, Texas 76097-0010

is authorized to treat and discharge wastes from a motel and restaurant complex (SIC 5812, 7011)

located on the east side of Interstate Highway 35 West, approximately 2000 feet southeast of the Bethesda Road overpass and approximately 5.1 miles southeast of the City of Burleson, Johnson County, Texas

to a series of ditches; thence to Quil Miller Creek; thence to Village Creek; thence to Lake Arlington in Segment No. 0828 of the Trinity River Basin

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 (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging 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 property rights as may be necessary to use the discharge route.

This permit shall expire at midnight on September 1, 2008.

ISSUED DATE:

\_\_\_\_\_  
For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the date of issuance and lasting through the date of expiration, the permittee is authorized to discharge treated domestic and food wastewaters subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.010 million gallons per day (MGD). The daily maximum flow shall not exceed 0.020 MGD.

Effluent Characteristics	Discharge Limitations		Minimum Self-Monitoring Requirements		Record
	Daily Average lbs/day (mg/l)	Daily Maximum lbs/day (mg/l)	Single Grab mg/l	Report Daily Average and Daily Maximum Measurement Frequency	
Flow (MGD)	(Report)	(Report)	N/A	Continuous	Grab
Biochemical Oxygen Demand (5-day)	1.67	3.76	45	1/week	Grab
Total Suspended Solids	1.67	3.76	45	1/week	Grab
Dissolved Oxygen	N/A	N/A	2	1/week	Grab
Oil and Grease	1.25	1.67	20	1/week	Grab
Total Copper (*1)	Report	Report	Report	1/week	Composite
Total Copper (*2)	0.0035	0.0075	0.089	1/week	Composite

- (\*1) Beginning upon the date of issuance of permit and lasting for three years.
- (\*2) Beginning three years after issuance of permit and lasting until permit expiration.

2. The effluent shall contain chlorine residual of at least 1.0 mg/l and a maximum chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week, by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

3. The pH shall not be less than 6.5 standard units nor greater than 9.0 standard units and shall be monitored 1/day by grab sample.

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

5. Effluent monitoring samples shall be taken at the following location: At Outfall 001, at the V-notch weir and prior to entering the series of ditches.

STATEMENT OF BASIS/TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

DESCRIPTION OF APPLICATION

Applicant: JOCO Holding Corporation; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002730000 (TX0127671).

Regulated Activity: Industrial Wastewater Permit.

Type of Application: Amendment.

Request: Major Amendment with renewal to authorize the discharge of treated domestic and food wastewaters at a volume not to exceed a daily average flow of 10,000 gallons per day.

Authority: Federal Clean Water Act - Section 402; Texas Water Code § 26.027; 30 TAC Chapter 305, Subchapters C-F, Chapters 307 and 319, Commission Policies and EPA Guidelines.

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. It is proposed the permit be issued to expire on September 1, 2008 in accordance with 30 TAC Section 305.71, Basin Permitting.

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment of its existing permit, to authorize the discharge of treated domestic and food wastewaters at a volume not to exceed a daily average flow of 10,000 gallons per day. The current permit authorizes the disposal of their wastewater via irrigation.

PROJECT DESCRIPTION AND LOCATION

The applicant operates a motel and restaurant complex.

The motel and restaurant process wastewater is treated by an activated sludge plant operated in the extended aeration mode. No pretreatment is applied to this type of domestic wastewater. The treatment process includes a lift station, aeration basin, clarifier, effluent weir, discharge pipe, and a twenty-one day holding period. A chlorinator and/or chlorine contact basin, as well as a sludge digester and bar screen are included in the treatment facility.

The plant site is located on the east side of Interstate Highway 35 West, approximately 2000 feet southeast of the Bethesda Road overpass and approximately 5.1 miles southeast, of the City of Burleson, Johnson County, Texas.

The effluent will be discharged to a series of ditches; thence to Quil Miller Creek; thence to Village Creek; thence to Lake Arlington in Segment No. 0828 of the Trinity River Basin. The unclassified receiving waters have no significant aquatic life use for the series of ditches and Quil Miller Creek. The designated uses for Segment No. 0828 are high aquatic life use, contact recreation, and public water supply. The effluent limits in the draft permit will maintain and protect the existing instream uses. A Tier 1 antidegradation review has preliminarily determined that the existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses down stream, and existing uses will be maintained and protected. All determinations are preliminary and subject to additional review and/or revisions.

STATEMENT OF BASIS/TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002730000

SUMMARY OF CHANGES FROM APPLICATION

The following changes have been made from the application which make the draft permit more stringent.

1. The permittee provided effluent analytical data that showed Total Copper concentrations greater than 85% of the permitted limits and therefore an effluent limit is required. The permittee has been given a three year compliance period.

See the next section for additional changes to the existing permit.

SUMMARY OF CHANGES FROM EXISTING PERMIT

The following additional changes have been made to the draft permit.

1. The draft permit is a TPDES discharge permit, while the existing permit is not a discharge permit. This change results in a draft permit with more effluent monitoring and reporting requirements, more protective effluent screening and requirements, along with other changes described in this document than the previous irrigation/evaporation permit.
2. Added Other Requirement No. 2, which defines the mixing zone for Outfall 001.
3. Added Other Requirement No. 3., which contains a reopener clause based on water quality.
4. Added Other Requirement No. 4., which contains compliance period requirements for Total Cooper limits at Outfall 001.

BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

1. Application received October 20, 2004 and additional information received on August 18, 2005.
2. Existing permits: TCEQ Permit No. WQ0002730000 issued August 14, 2001.
3. A Waste Load Evaluation has not been prepared for Segment No. 0828.
4. TCEQ Rules.
5. Texas Surface Water Quality Standards - 30 TAC Sections 307.1-307.10, effective April 30, 1997, and Appendix E, effective February 27, 2002.
6. "Procedures to Implement the Texas Surface Water Quality Standards," Texas Commission on Environmental Quality, January 2003.
7. Memos from the Water Quality Standards Team and the Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
8. "Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits," TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
9. EPA Effluent Guidelines: N/A
10. Consistency with the Coastal Management Plan: "Not Applicable"

STATEMENT OF BASIS/TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002730000

## CALCULATED WATER-QUALITY BASED EFFLUENT LIMITATIONS

### TEXTTOX MENU #1 - INTERMITTENT STREAM

Acute aquatic life criteria apply at the discharge point. Water quality-based effluent limitations are demonstrated below and calculated using:

- Table 1, 1997 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life
- "Procedures to Implement the Texas Surface Water Quality Standards," Texas Commission on Environmental Quality, January 2003.

#### PERMITTEE INFORMATION:

Permittee Name: JOCO Holding Corporation  
 TPDES Permit No: WQ0002730000  
 Outfall No: 001

#### DISCHARGE INFORMATION:

Immediate Receiving Waterbody: A series of ditches  
 Segment No: 0828  
 TSS: 5  
 pH: 7.5  
 Hardness: 101  
 Chloride: 19  
 Effluent Flow for Aquatic Life (MGD): .010  
 Critical Low Flow [7Q2] (cfs): 0.0  
 Percent Effluent for Zone of Initial Dilution: 100

#### CALCULATE TOTAL/DISSOLVED RATIO:

Stream/River Metal	Intercept (b)	Slope (m)	Partition Coefficient (Kpo)	Dissolved Fraction (Cd/Ct)		Water Effects Ratio (WER)	
Aluminum	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Arsenic	5.68	-0.73	147826.365	0.58		1	Assumed
Cadmium	6.60	-1.13	645897.934	0.24		1	Assumed
Chromium (Total)	6.52	-0.93	741238.376	0.21		1	Assumed
Chromium (+3)	6.52	-0.93	741238.376	0.21		1	Assumed
Chromium (+6)	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Copper	6.02	-0.74	318245.445	0.39		1	Assumed
Lead	6.45	-0.80	777721.306	0.20		1	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Nickel	5.69	-0.57	195698.320	0.51		1	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Silver	6.38	-1.03	457152.286	0.30		1	Assumed
Zinc	6.10	-0.70	408057.155	0.33		1	Assumed

STATEMENT OF BASIS/TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002730000

**CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS**

Parameter	70%	85%
Aldrin	1.769	2.148
Aluminum	584.310	709.520
Arsenic	369.152	448.256
Cadmium	84.966	103.173
Carbaryl	1.179	1.432
Chlordane	1.415	1.718
Chlorpyrifos	0.049	0.059
Chromium (+3)	4857.993	5898.991
Chromium (+6)	9.434	11.455
Copper	29.601	35.944
Cyanide (free)	26.993	32.777
4,4'-DDT	0.649	0.788
Dementon	N/A	N/A
Dicofol	34.964	42.457
Dieldrin	1.474	1.790
Diuron	123.820	150.352
Endosulfan I (alpha)	0.130	0.158
Endosulfan II (beta)	0.130	0.158
Endosulfan sulfate	0.130	0.158
Endrin	0.106	0.129
Guthion	N/A	N/A
Heptachlor	0.307	0.372
Hexachlorocyclohexane (Lindane)	1.179	1.432
Lead	238.334	289.406
Malathion	N/A	N/A
Mercury	1.415	1.718
Methoxychlor	N/A	N/A
Mirex	N/A	N/A
Nickel	1668.440	2025.963
Parathion (ethyl)	0.038	0.047
Pentachlorophenol	8.839	10.734
Phenanthrene	17.689	21.479
Polychlorinated Biphenyls (PCBs)	1.179	1.432
Selenium	11.792	14.319
Silver, (free ion)	3.732	4.532
Toxaphene	0.460	0.558
Tributlytin (TBT)	0.077	0.093
2,4,5 Trichlorophenol	80.188	97.371
Zinc	211.550	256.882

