



TPDES PERMIT NO. WQ0004306000
[For TCEQ office use only -
EPA I.D. No. TX0112461]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087
Austin, Texas 78711-3087

This is a renewal of TPDES Permit No.
WQ0004306000, issued on, July 12,
2006.

PERMIT TO DISCHARGE WASTES

under provisions of

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

Champion Technologies, Inc.

whose mailing address is

3130 Farm-to-Market Road 521
Fresno, Texas 77545

is authorized to treat and discharge wastes from an organic chemical manufacturing plant, (SIC 2869)

located at 3130 Farm-to-Market Road 521, approximately 2.25 miles north of the intersection of Farm-to-Market Road 521 and State Highway 6, in the City of Fresno, Fort Bend County, Texas

to a county drainage ditch; thence to Mustang Bayou; thence to Persimmon Bayou; thence to New Bayou; thence to Chocolate Bay in Segment No. 2432 of the Bays and Estuaries

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 November 1, 2013.

ISSUED DATE:

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning upon the date of issuance and lasting through the date of expiration, the permittee is authorized to discharge cooling tower blowdown, storm water run-off, and previously monitored effluent (PME) subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.0044 million gallons per day (MGD). The daily maximum dry weather flow shall not exceed 0.015 MGD.

Effluent Characteristics	Discharge Limitations		Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency Sample Type
Flow (MGD)	(Report)	(Report)	N/A	1/week Estimate
Free Available Chlorine	0.20	0.50	N/A	1/week Grab
Total Copper	0.075	0.16	N/A	1/week Grab
Total Zinc	0.54	1.14	N/A	1/week Grab
Biochemical Oxygen Demand (5-day)	Report	Report	N/A	1/week Grab
<i>E. coli</i>	126 (#/100 mls) (*1)	200 (#/100 mls)	200 (#/100 mls)	1/week Grab

(*1) The daily average *E. coli* value shall be calculated as the geometric mean of the samples during the month.

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/week by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At Outfall 001, at the northeast border of the facility property, prior to entering county drainage ditch.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 101

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

Flow: Intermittent and flow variable.

Effluent Characteristics	Discharge Limitations		Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency Sample Type
Total Suspended Solids	30	100	100	1/week Grab
Oil and Grease	15	20	20	1/week Grab

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/week by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At Outfall 101, at the discharge from the boiler prior to mixing with any other wastewaters.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 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. 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 one million gallons per day or greater permitted flow.
- b. 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.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

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.
- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day.

The "daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, E. coli, or Enterococci) - the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the n th root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements of made in a calendar month. For any

measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD x Concentration, mg/l x 8.34).

Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), 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. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
 5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
 6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, a monthly effluent report shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be reported on an approved self-report form that is signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TCW Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification

required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.

c. Records of monitoring activities shall include the following:

- i. date, time, and place of sample or measurement;
- ii. identity of individual who collected the sample or made the measurement.
- iii. date and time of analysis;
- iv. identity of the individual and laboratory who performed the analysis;
- v. the technique or method of analysis; and
- vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

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 the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

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 that 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 that exceeds any effluent limitation in the permit.
- iii. Violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.

c. In addition to the above, any effluent violation that 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. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

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:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. One hundred micrograms per liter (100 $\mu\text{g/L}$);
 - ii. Two hundred micrograms per liter (200 $\mu\text{g/L}$) for acrolein and acrylonitrile; five hundred micrograms per liter (500 $\mu\text{g/L}$) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. The level established by the TCEQ.
- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. Five hundred micrograms per liter (500 $\mu\text{g/L}$);
 - ii. One milligram per liter (1 mg/L) for antimony;
 - iii. Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. The level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Executive Director of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. For the purpose of this paragraph, adequate notice shall include information on:
 - i. The quality and quantity of effluent introduced into the POTW; and
 - ii. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. Violation of any terms or conditions of this permit;
 - ii. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- 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 that 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 TWC §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 Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. 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) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA § 402, or any requirement imposed in a pretreatment program approved under the CWA §§402 (a)(3) or 402 (b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC 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 TWC §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 to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or

- ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9;
 - iii. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
 - c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
 - d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
 - e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
 - f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
5. Permit Transfer
- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
 - b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).
6. Relationship to Hazardous Waste Activities
- This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.
7. Relationship to Water Rights
- Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.
8. Property Rights
- A permit does not convey any property rights of any sort, or any exclusive privilege.
9. Permit Enforceability
- The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. 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 Application 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 TWC §7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the

TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

- a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
- c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
11. Facilities that 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 Corrective Action 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.

12. 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 THSC Code Chapter 361.

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OTHER REQUIREMENTS

1. The Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the Coastal Coordination Council (CCC) and has determined that the action is consistent with the applicable CMP goals and policies.
2. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 12, within 24 hours from the time the permittee becomes aware of the violation followed by a written report within five working days to TCEQ Region 12 and the Enforcement Division (MC 224):

<u>POLLUTANT</u>	<u>MAL (mg/L)</u>
Copper (Total)	0.010
Zinc (Total)	0.005

Test methods utilized shall be sensitive enough to demonstrate compliance with the permit effluent limitations. Permit compliance/noncompliance determinations will be based on the effluent limitations contained in this permit with consideration given to the minimum analytical level (MAL) for the parameters specified above.

When an analysis of an effluent sample for any of the parameters listed above indicates no detectable levels above the MAL and the test method detection level is as sensitive as the specified MAL, a value of zero (0) shall be used for that measurement when determining calculations and reporting requirements for the self-reporting form. This applies to determinations of daily maximum concentration, calculations of loading and daily averages, and other reportable results.

When a reported value is zero (0) based on this MAL provision, the permittee shall submit the following statement with the self-reporting form either as a separate attachment to the form or as a statement in the comments section of the form.

"The reported value(s) of zero (0) for [list parameter(s)] on the self-reporting form for [monitoring period date range] is based on the following conditions: 1) the analytical method used had a method detection level as sensitive as the MAL specified in the permit, and 2) the analytical results contained no detectable levels above the specified MAL."

When an analysis of an effluent sample for a parameter indicates no detectable levels and the test method detection level is not as sensitive as the MAL specified in the permit, or an MAL is not specified in the permit for that parameter, the level of detection achieved shall be used for that measurement when determining calculations and reporting requirements for the self-reporting form. A zero (0) may not be used.

3. There shall be no discharge of cooling tower maintenance chemicals which contain the 126 priority pollutants (Appendix A of 40 CFR Part 423).
4. The term "blowdown" means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts exceeding limits established by best engineering practices.
5. There shall be no discharge of domestic sewage. This waste shall be routed into an onsite primary treatment system and then spray irrigated.
6. The discharge of process wastewater, boiler cleaning wastes, and other metal cleaning wastes is not authorized under this permit. This wastewater must be routed to a sanitary sewer system or transported off-site for disposal at an authorized facility.

7. There is no mixing zone established for this intermittent stream. Acute toxic criteria apply at the point of discharge.
8. This permit recognizes that storm water runoff discharges through Outfall 001; however, the permit does not include specific controls addressing storm water runoff associated with industrial activities. Storm water discharges associated with industrial activity are subject to TPDES permitting requirements. Therefore, the permittee shall maintain any authorization required to discharge storm water under TPDES General Permit No. TXR05T916, which addresses requirements for storm water discharges from industrial facilities.

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DESCRIPTION OF APPLICATION

Applicant: Champion Technologies, Inc.; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004306000, (TX0112461).

Regulated Activity: Industrial Wastewater Permit.

Type of Application: Renewal.

Request: Renewal with changes to Permit No. WQ0004306000 to remove the limits for fecal coliform at Outfall 001.

Authority: Federal Clean Water Act §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 November 1, 2013 in accordance with 30 TAC §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 an organic chemical manufacturing facility.

Cooling tower blowdown, storm water run-off, and previously monitored effluents (boiler blowdown maintained at internal Outfall 101) are discharged via Outfall 001. The effluent receives no treatment prior to discharge. All process wastewater is taken off-site for disposal. Domestic sewage is disposed of by an on-site spray field and is authorized by the county.

The plant site is located at 3130 Farm-to-Market Road 521, approximately 2.25 miles north of the intersection of Farm-to-Market Road 521 and State Highway 6, in the City of Fresno, Fort Bend County, Texas.

The effluent is discharged to a county drainage ditch; thence to Mustang Bayou; thence to Persimmon Bayou thence to New Bayou; thence to Chocolate Bay in Segment No. 2432 of the Bays and Estuaries. The unclassified receiving waters have no significant aquatic life use for the county drainage ditch, and high aquatic life use for Mustang Bayou. The designated uses for Segment No. 2432 are high aquatic life use, contact recreation, and oyster waters. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and/or revisions.

The discharge from this permit is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic dependent species occurring in

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watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment 2432 is currently listed on the State's inventory of impaired and threatened waters (2006 Clean Water Act Section 303(d) list). The listing is specifically for elevated bacteria levels (in oyster waters) throughout the entire segment. Based on Texas Department of Health (TDA) shellfish maps, the entire segment does not support the oyster water use. Nonsupporting areas are restricted or prohibited for the growing and harvesting of shellfish for direct marketing due to potential contamination by human pathogens. This draft permit does not authorize the discharge of domestic wastewater. Therefore, no further impairment to the segment is anticipated by this discharge, the draft permit contains limits for *E. coli* bacteria, and the draft permit does not authorize an increase in the permitted flow.

SUMMARY OF EFFLUENT DATA

The following is a quantitative description of the discharge described in the Monthly Effluent Report data for the period June 2003 through February 2008. The "Average of Daily Average" values presented in the following table are the average of all daily average values for the reporting period for each parameter. The "Maximum of Daily Maximum" values presented in the following table are the individual maximum values for the reporting period for each parameter:

Flow

<u>Outfall</u>	<u>Frequency</u>	<u>Average of Daily Average MGD</u>	<u>Maximum of Daily Maximum MGD</u>
001	1/week	0.001	0.008

Effluent Characteristics

<u>Outfall</u>	<u>Parameter</u>	<u>Average of Daily Average mg/L</u>	<u>Maximum of Daily Maximum mg/L</u>
001	Total Copper	0.06	1.0
	Total Zinc	0.54	15.9
	Free Available Chlorine	0.05	0.66
	Fecal Coliform (#/100 mls)	(4121)	(64,100)
	pH (Standard Units)	(Minimum 3.2)	(Maximum 9.25)
101	Total Suspended Solids	33.4	174
	Oil and Grease	5.68	67
	pH (Standard Units)	(Minimum 6.37)	(Maximum 8.7)

Based on the Monthly Effluent Report data for the period June 2003 through February 2008, the permit limits were exceeded on the following dates for the following parameters for Outfall 001 and 101:

<u>Outfall</u>	<u>Parameter</u>	<u>Date</u>	<u>Daily Average mg/L</u>	<u>Daily Maximum mg/L</u>
001	Free Available Chlorine	11/30/2003	0.25	N/A
		12/31/2003	0.35	0.66
		1/31/2004	0.25	N/A
		4/30/2005	0.29	N/A
	pH (Standard Units)	8/31/2003	N/A	9.25
		3/31/2004	4.6	N/A

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<u>Outfall</u>	<u>Parameter</u>	<u>Date</u>	<u>Daily Average mg/L</u>	<u>Daily Maximum mg/L</u>
001 cont	pH (Standard Units)	7/31/2006	(3.2)	N/A
	Total Suspended Solids	8/31/2003	59.3	174
		10/31/2003	32.35	N/A
		11/30/2003	59.55	N/A
	Total Suspended Solids	4/30/2004	36.75	N/A
	Oil and Grease	8/31/2003	18.45	67

A review of the self reported effluent data above indicates that the permittee has not violated any permit limits in the past two years. These violations are considered incidental and therefore require no permit action be taken.

PROPOSED PERMIT CONDITIONS

The draft permit authorizes a discharge of cooling tower blowdown, storm water run-off, and previously monitored effluent (PME) at a daily average flow not to exceed 0.0044 million gallons per day via Outfall 001, and boiler blowdown at an intermittent and flow variable rate via Outfall 101.

Final effluent limitations are established in the draft permit as follows:

<u>Outfall Number</u>	<u>Pollutant</u>	<u>Daily Average mg/L</u>	<u>Daily Maximum mg/L</u>
001	Flow (MGD)	(0.0044)	(0.015)
	Free Available Chlorine	0.20	0.50
	Total Copper	0.075	0.16
	Biochemical Oxygen Demand (5-day)	Report	Report
	Total Zinc	0.54	1.14
	<i>E.coli</i> (#/100 mls)	(126)	(200)
	pH (Standard Units)	(6.0 Minimum)	(9.0 Maximum)
101	Total Suspended Solids	30	100
	Oil and Grease	15	20
	pH (Standard Units)	(6.0 Minimum)	(9.0 Maximum)

Outfall 001 - Technology based effluent limitations for pH and free available chlorine are applied to the discharge of cooling tower blowdown and are based on BPJ using 40 CFR 423.15 (a) & (j)(1)(2).

Water quality-based effluent limits for total copper and total zinc at Outfall 001 have been continued in the draft permit. Water quality-based effluent limits are calculated in Appendix A of this document. Existing water quality-based limits were compared to those calculated in Appendix A. The newly calculated water quality-based limits are the same as those in the existing permit, therefore, the existing limits are continued in the draft permit. Analytical data reported in the application was screened against calculated water quality-based effluent limitations for the protection of aquatic life and human health found in Appendix A. None of the reported analytical data screened exceeded the 70 percent or 85 percent of the calculated daily average water quality-based effluent limitation for aquatic life or human health protection.

Biochemical oxygen demand (5-day) report requirements have been added to the draft permit based on the analytical data submitted in the application. *E. coli* has been substituted for fecal coliform as the bacteria indicator.

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Outfall 101 - Technology based effluent limitations for TSS, oil and grease, and pH are based on BPJ using the 40 CFR guidelines for low volume waste sources at 423.15(c).

Because of the small volume and variability expected of the flow, the draft permit includes concentration limits rather than mass-based limits.

SUMMARY OF CHANGES FROM APPLICATION

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

1. Biochemical oxygen demand (5-day) report requirements have been added to the draft permit at Outfall 001. The addition of BOD₅ report requirements to the draft permit is based on an Interoffice Memorandum dated July 24, 2008 from the Water Quality Assessments Team. Due to the high concentrations of CBOD₅ and BOD₅ indicated in the pollutant analysis of the application, the permittee shall now monitor for BOD₅ at Outfall 001.

The permittee requested the following change which could not be processed during an application renewal.

1. The permittee requested the removal of fecal coliform limits at Outfall 001 from the draft permit. According to 40 CFR § 122.44, when a permit is renewed or reissued the draft permit must be at least as stringent as the previous permit, therefore, the removal of fecal coliform limits can not be processed during this request for renewal. In order for the removal of these limits to be considered, the facility would have to submit an amendment application which requests the removal of fecal coliform limits from the permit. However, compliance with effluent limits does not typically justify the removal of limits under the anti-backsliding provisions found in 40 CFR § 122.441.

SUMMARY OF CHANGES FROM EXISTING PERMIT

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

1. The fecal coliform limitation has been changed to an *E. coli* limitation in the draft permit. TCEQ is currently moving from Fecal coliform as a bacteria indicator to *E. coli* as the indicator.
2. The mailing address of the permittee has been revised on the first page of the draft permit.
3. Other Requirements No. 6 has been revised/clarified in the draft permit.
4. Other Requirements No. 7 has been revised/clarified in the draft permit.

BASIS FOR PROPOSED DRAFT PERMIT

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

1. Application submitted with letter dated June 3, 2008 and additional information submitted with letter dated July 7, 2008 and July 14, 2008.
2. Existing permits: TPDES Permit No. WQ0004306000 issued July 12, 2006.
3. TCEQ Rules.
4. Texas Surface Water Quality Standards - 30 TAC §§307.1-307.10, effective April 30, 1997, and Appendix E, effective February 27, 2002.

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5. "Procedures to Implement the Texas Surface Water Quality Standards." Texas Commission on Environmental Quality. January 2003.
6. Memos from the Water Quality Standards Team and the Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
7. "Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits," TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
8. EPA Effluent Guidelines: N/A
9. Consistency with the Coastal Management Plan: N/A – This facility is not within the coastal zone.

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.

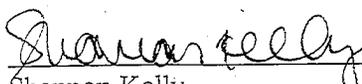
Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper 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 Shannon Kelly at (512) 239-2005.


Shannon Kelly

September 17, 2008
Date

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Appendix A
Calculated Water Quality-Based Effluent Limits

TEXTTOX MENU #2 - INTERMITTENT STREAM WITHIN 3 MILES OF A FRESHWATER PERENNIAL STREAM/RIVER

The water quality-based effluent limitations demonstrated below are calculated using:

Table 1, 1997 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life

Table 3, 2000 Texas Surface Water Quality Standards for Human Health

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

PERMITTEE INFORMATION

Permittee Name: Champion Technologies, Inc.
TPDES Permit No.: WQ0004306000
Outfall No.: 001
Prepared by: Shannon Kelly
Date: August 5, 2008

DISCHARGE INFORMATION

Immediate Receiving Waterbody: county drainage ditch
Segment No.: 2432
TSS: 13
pH: 7.2
Hardness: 158
Chloride: 108
Effluent Flow for Aquatic Life (MGD): 0.0016
Critical Low Flow [7Q2] (cfs) for immediate: 0
Critical Low Flow [7Q2] (cfs) for perennial: 0.1
Percent Effluent for Mixing Zone: 2.42
Percent Effluent for Zone of Initial Dilution: 100
Effluent Flow for Human Health (MGD): 0.0013
Harmonic Mean Flow (cfs) for perennial: 0.2
Percent Effluent for Human Health: 0.996
Public Water Supply Use?: no

CALCULATE TOTAL/DISSOLVED RATIO:

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partitioning Coefficient (K_{po})</i>	<i>Dissolved Fraction (C_d/C_t)</i>		<i>Water Effects Ratio (WER)</i>	
Aluminum	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Arsenic	5.68	-0.73	73590.43	0.51		1	Assumed
Cadmium	6.6	-1.13	219403.73	0.26		1	Assumed
Chromium (Total)	6.52	-0.93	304812.44	0.20		1	Assumed
Chromium (+3)	6.52	-0.93	304812.44	0.20		1	Assumed
Chromium (+6)	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Copper	6.02	-0.74	156921.31	0.33		1	Assumed
Lead	6.45	-0.8	362114.00	0.18		1	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Nickel	5.69	-0.57	113514.75	0.40		1	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Silver	6.38	-1.03	170859.19	0.31		1	Assumed
Zinc	6.1	-0.7	209044.94	0.27		1	Assumed

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS

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Parameter	Acute Standard (ug/L)	Chronic Standard (ug/L)	WLAa	WLAc	LTAa	LTAc	Daily Avg. (ug/L)	Daily Max. (ug/L)
Aldrin	3	N/A	3.000	N/A	1.719	N/A	2.527	5.346
Aluminum (d)	991	N/A	991.000	N/A	567.843	N/A	834.729	1765.992
Arsenic (d)	360	190	704.403	15389.352	403.623	11849.801	593.326	1255.268
Cadmium (d)	56.442	1.624	217.427	259.036	124.586	199.458	183.141	387.462
Carbaryl	2	N/A	2.000	N/A	1.146	N/A	1.685	3.564
Chlordane	2.4	0.0043	2.400	0.178	1.375	0.137	0.201	0.426
Chlorpyrifos	0.083	0.041	0.083	1.697	0.048	1.307	0.070	0.148
Chromium (+3) (d)	2525.679	301.047	12533.839	61842.586	7181.890	47618.792	10557.378	22335.678
Chromium (+6) (d)	16.000	11	16.000	455.345	9.168	350.616	13.477	28.512
Copper (d)	29.535	19.259	89.786	2423.571	51.447	1866.150	75.627	160.001
Cyanide (free)	45.78	10.69	45.780	442.513	26.232	340.735	38.561	81.581
4,4'-DDT	1.1	0.001	1.100	0.041	0.630	0.032	0.047	0.099
Dementon	N/A	0.1	N/A	4.140	N/A	3.187	4.686	9.913
Dicofol	59.3	19.8	59.300	819.621	33.979	631.108	49.949	105.674
Dieldrin	2.5	0.0019	2.500	0.079	1.433	0.061	0.089	0.188
Diuron	210	70	210.000	2897.650	120.330	2231.191	176.885	374.226
Endosulfan I (alpha)	0.22	0.056	0.220	2.318	0.126	1.785	0.185	0.392
Endosulfan II (beta)	0.22	0.056	0.220	2.318	0.126	1.785	0.185	0.392
Endosulfan sulfate	0.22	0.056	0.220	2.318	0.126	1.785	0.185	0.392
Endrin	0.18	0.0023	0.180	0.095	0.103	0.073	0.108	0.228
Guthion	N/A	0.01	N/A	0.414	N/A	0.319	0.469	0.991
Heptachlor	0.52	0.0038	0.520	0.157	0.298	0.121	0.178	0.377
Hexachlorocyclohexane (Lindane)	2	0.08	2.000	3.312	1.146	2.550	1.685	3.564
Lead (d)	146.157	5.696	834.190	1345.635	477.991	1036.139	702.647	1486.552
Malathion	N/A	0.01	N/A	0.414	N/A	0.319	0.469	0.991
Mercury	2.400	1.3	2.400	53.814	1.375	41.436	2.022	4.277
Methoxychlor	N/A	0.03	N/A	1.242	N/A	0.956	1.406	2.974
Mirex	N/A	0.001	N/A	0.041	N/A	0.032	0.047	0.099
Nickel (d)	2088.404	232.167	5170.244	23792.730	2962.550	18320.402	4354.949	9213.531
Parathion (ethyl)	0.065	0.013	0.065	0.538	0.037	0.414	0.055	0.116
Pentachlorophenol	11.090	7.001	11.090	289.791	6.354	223.139	9.341	19.762
Phenanthrene	30	30	30.000	1241.850	17.190	956.225	25.269	53.461
Polychlorinated Biphenyls (PCBs)	2	0.014	2.000	0.580	1.146	0.446	0.656	1.388
Selenium	20	5	20.000	206.975	11.460	159.371	16.846	35.641
Silver, (free ion)	0.92	N/A	26.331	N/A	15.088	N/A	22.179	46.922
Toxaphene	0.78	0.0002	0.780	0.008	0.447	0.006	0.009	0.020
Tributyltin (TBT)	0.13	0.024	0.130	0.993	0.074	0.765	0.110	0.232
2,4,5 Trichlorophenol	136	64	136.000	2649.280	77.928	2039.946	114.554	242.356
Zinc (d)	172.421	156.169	640.988	24032.706	367.286	18505.183	539.911	1142.260

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS

Parameter	Water and FW Fish (ug/L)	FW Fish Only (ug/L)	WLAh	LTAh	Daily Avg. (ug/L)	Daily Max. (ug/L)
Acrylonitrile	1.28	109	10947.289	10180.979	14966.039	31662.845
Aldrin	0.00408	0.0426	4.278	3.979	5.849	12.375
Arsenic (d)	50	N/A	N/A	N/A	N/A	N/A
Barium (d)	2000	N/A	N/A	N/A	N/A	N/A
Benzene	5	1060	106459.877	99007.686	145541.298	307913.902
Benzidine	0.00106	0.0347	3.485	3.241	4.764	10.080
Benzo(a)anthracene	0.099	8.1	813.514	756.568	1112.155	2352.927
Benzo(a)pyrene	0.099	8.1	813.514	756.568	1112.155	2352.927
Bis(chloromethyl)ether	0.00462	0.193	19.384	18.027	26.500	56.064

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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Cadmium (d)	5	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	3.76	84	8436.443	7845.892	11533.461	24400.724
Chlordane	0.021	0.213	21.392	19.895	29.246	61.873
Chlorobenzene	776	13800	1385987.077	1288967.982	1894782.933	4008690.423
Chloroform	100	12920	1297605.292	1206772.922	1773956.195	3753063.787
Chromiumd	100	33200	16547183.968	1.54E+07	2.26E+07	4.79E+07
Chrysene	0.417	81	8135.142	7565.682	11121.552	23529.270
Cresols	3313	131160	13172903.262	1.23E+07	1.80E+07	3.81E+07
Cyanide (free)	200	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.0103	0.1	10.043	9.340	13.730	29.048
4,4'-DDE	0.0073	0.07	7.030	6.538	9.611	20.334
4,4'-DDT	0.0073	0.07	7.030	6.538	9.611	20.334
2,4'-D	70	N/A	N/A	N/A	N/A	N/A
Danitol	0.709	7.21	724.128	673.439	989.955	2094.396
Dibromochloromethane	9.2	716	71910.634	66876.889	98309.028	207987.126
1,2-Dibromoethane	0.014	3.35	336.453	312.902	459.965	973.124
1,3-Dichloropropene (1,3- Dichloropropylene)	22.8	1610	161698.492	150379.598	221058.009	467680.549
Dieldrin	0.00171	0.02	2.009	1.868	2.746	5.810
p-Dichlorobenzene	75	N/A	N/A	N/A	N/A	N/A
1,2-Dichloroethane	5	739	74220.612	69025.169	101466.999	214668.277
1,1-Dichloroethylene	1.63	58.4	5865.337	5454.763	8018.502	16964.313
Dicofol	0.215	2.17	217.941	202.686	297.948	630.352
Dioxins/Furans (TCDD Equivalents)	1.34E-07	0.0000014	0.000	1.31E-04	1.92E-04	4.07E-04
Endrin	1.27	13.4	1345.814	1251.607	1839.862	3892.496
Fluoride	4000	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.0026	0.0265	2.661	2.475	3.639	7.698
Heptachlor Epoxide	0.159	11	1104.772	1027.438	1510.334	3195.333
Hexachlorobenzene	0.0194	0.198	19.886	18.494	27.186	57.516
Hexachlorobutadiene	2.99	36	3615.618	3362.525	4942.912	10457.453
Hexachlorocyclohexane (alpha)	0.163	4.13	414.792	385.756	567.062	1199.702
Hexachlorocyclohexane (beta)	0.57	14.5	1456.291	1354.350	1990.895	4212.030
Hexachlorocyclohexane (gamma) (Lindane)	0.2	20	2008.677	1868.070	2746.062	5809.696
Hexachloroethane	84.2	2780	279206.092	259661.666	381702.649	807547.781
Hexachlorophene	0.0531	0.53	53.230	49.504	72.771	153.957
Lead (d)	4.98	253	145025.766	134873.962	198264.725	419458.023
Mercury	0.0122	0.122	12.253	11.395	16.751	35.439
Methoxyclor	2.21	22.2	2229.631	2073.557	3048.129	6448.763
Methyl Ethyl Ketone	52900	99400000	9.98E+09	9.28E+09	1.36E+10	2.89E+10
Nitrate-Nitrogen (as Total Nitrogen)	10000	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	37.3	2330	234010.862	217630.101	319916.249	676829.615
N-Nitrosodiethylamine	0.0382	76.8	7713.319	7173.387	10544.879	22309.234
N-Nitroso-di-n-Butylamine	1.84	135	13558.569	12609.469	18535.920	39215.450
PCB's (Polychlorinated Biphenyls)	0.0013	0.013	1.306	1.214	1.785	3.776
Pentachlorobenzene	6.1	66.8	6708.981	6239.352	9171.848	19404.386
Pentachlorophenol	1	1350	135585.692	126094.694	185359.200	392154.498
Pyridine	88.1	133330	13390844.708	1.25E+07	1.83E+07	3.87E+07
Selenium	50	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.241	2.43	244.054	226.970	333.647	705.878
Tetrachloroethylene	5	3230	324401.323	301693.230	443489.049	938265.947
Toxaphene	0.005	0.14	14.061	13.076	19.222	40.668
2,4,5-TP (Silvex)	47	503	50518.225	46981.949	69063.465	146113.861
2,4,5-Trichlorophenol	953	10690	1073637.815	998483.168	1467770.257	3105282.653
Trichloroethylene	5	6120	614655.138	571629.279	840295.040	1777767.057
1,1,1-Trichloroethane	200	125860	12640603.877	1.18E+07	1.73E+07	3.66E+07
TTHM (Sum of Total Trihalomethanes)	100	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	2	4150	416800.462	387624.429	569807.911	1205511.975

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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TPDES Permit No. WQ0004306000

CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS

<i>Parameter</i>	<i>70%</i>	<i>85%</i>
<i>Aquatic Life</i>		
Aldrin	1.769	2.148
Aluminum	584.310	709.520
Arsenic	415.328	504.327
Cadmium	128.199	155.670
Carbaryl	1.179	1.432
Chlordane	0.141	0.171
Chlorpyrifos	0.049	0.059
Chromium (+3)	7390.165	8973.771
Chromium (+6)	9.434	11.455
Copper	52.939	64.283
Cyanide (free)	26.993	32.777
4,4'-DDT	0.033	0.040
Dementon	3.280	3.983
Dicofol	34.964	42.457
Dieldrin	0.062	0.076
Diuron	123.820	150.352
Endosulfan (alpha)	0.130	0.158
Endosulfan (beta)	0.130	0.158
Endosulfan sulfate	0.130	0.158
Endrin	0.075	0.092
Guthion	0.328	0.398
Heptachlor	0.125	0.151
Hexachlorocyclohexane (Lindane)	1.179	1.432
Lead	491.853	597.250
Malathion	0.328	0.398
Mercury	1.415	1.718
Methoxychlor	0.984	1.195
Mirex	0.033	0.040
Nickel	3048.464	3701.706
Parathion (ethyl)	0.038	0.047
Pentachlorophenol	6.54E+00	7.94E+00
Phenanthrene	17.689	21.479
Polychlorinated Biphenyls (PCBs)	0.459	0.558
Selenium	11.792	14.319
Silver, (free ion)	15.525	18.852
Toxaphene	0.007	0.008
Tributyltin (TBT)	0.077	0.093
2,4,5 Trichlorophenol	80.188	97.371
Zinc	377.937	458.924
<i>Human Health</i>		
Acrylonitrile	10476.227	12721.133
Aldrin	4.094	4.972
Arsenic (d)	N/A	N/A
Barium (d)	N/A	N/A
Benzene	101878.908	123710.103
Benzidine	3.335	4.050
Benzo(a)anthracene	778.509	945.332
Benzo(a)pyrene	778.509	945.332
Bis(chloromethyl)ether	18.550	22.525
Cadmium (d)	N/A	N/A
Carbon Tetrachloride	8073.423	9803.442
Chlordane	20.472	24.859

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Chlorobenzene	1326348.053	1610565.493
Chloroform	1241769.337	1507862.766
Chromiumd	1.58E+07	1.92E+07
Chrysene	7785.086	9453.319
Cresols	1.26E+07	1.53E+07
Cyanide (free)	N/A	N/A
4,4'-DDD	9.611	11.671
4,4'-DDE	6.728	8.170
4,4'-DDT	6.728	8.170
2,4'-D	N/A	N/A
Danitol	692.969	841.462
Dibromochloromethane	68816.319	83562.673
1,2-Dibromoethane	321.976	390.971
1,3-Dichloropropene (1,3- Dichloropropylene)	154740.606	187899.308
Dieldrin	1.922	2.334
p-Dichlorobenzene	N/A	N/A
1,2-Dichloroethane	71026.899	86246.949
1,1-Dichloroethylene	5612.951	6815.726
Dicofol	208.563	253.256
Dioxins/Furans (TCDD Equivalents)	1.35E-04	1.63E-04
Endrin	1287.903	1563.882
Fluoride	N/A	N/A
Heptachlor	2.547	3.093
Heptachlor Epoxide	1057.234	1283.784
Hexachlorobenzene	19.030	23.108
Hexachlorobutadiene	3460.038	4201.475
Hexachlorocyclohexane (alpha)	396.943	482.003
Hexachlorocyclohexane (beta)	1393.627	1692.261
Hexachlorocyclohexane (gamma) (Lindane)	1922.244	2334.153
Hexachloroethane	267191.854	324447.251
Hexachlorophene	50.939	61.855
Lead (d)	138785.307	168525.016
Mercury	11.726	14.238
Methoxyclor	2133.690	2590.910
Methyl Ethyl Ketone	9.55E+09	1.16E+10
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	223941.374	271928.811
N-Nitrosodiethylamine	7381.415	8963.147
N-Nitroso-di-n-Butylamine	12975.144	15755.532
PCB's (Polychlorinated Biphenyls)	1.25E+00	1.52E+00
Pentachlorobenzene	6420.293	7796.071
Pentachlorophenol	129751.440	157555.320
Pyridine	1.28E+07	1.56E+07
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	233.553	283.600
Tetrachloroethylene	310442.334	376965.691
Toxaphene	13.456	16.339
2,4,5-TP (Silvex)	48344.425	58703.945
2,4,5-Trichlorophenol	1027439.180	1247604.719
Trichloroethylene	588206.528	714250.784
1,1,1-Trichloroethane	1.21E+07	1.47E+07
TTHM (Sum of Total Trihalomethanes)	N/A	N/A
Vinyl Chloride	398865.538	484336.724

Compliance History

Customer/Respondent/Owner-Operator: CN600361869 Champion Technologies, Inc. Classification: AVERAGE Rating: 2.84
 Regulated Entity: RN101618882 CHAMPION TECHNOLOGIES FRESNO Classification: AVERAGE Site Rating: 5.56

ID Number(s):			
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0790119
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000356816
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	31502
	AIR NEW SOURCE PERMITS	PERMIT	4005
	AIR NEW SOURCE PERMITS	PERMIT	24713
	AIR NEW SOURCE PERMITS	PERMIT	25343
	AIR NEW SOURCE PERMITS	PERMIT	29340
	AIR NEW SOURCE PERMITS	PERMIT	33992
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	FG0053G
	AIR NEW SOURCE PERMITS	REGISTRATION	55037
	AIR NEW SOURCE PERMITS	AFS NUM	4815700067
	AIR NEW SOURCE PERMITS	REGISTRATION	70773
	AIR NEW SOURCE PERMITS	REGISTRATION	700845
	AIR NEW SOURCE PERMITS	PERMIT	70845
	AIR NEW SOURCE PERMITS	REGISTRATION	72846
	AIR NEW SOURCE PERMITS	REGISTRATION	74858
	AIR NEW SOURCE PERMITS	REGISTRATION	76945
	AIR NEW SOURCE PERMITS	REGISTRATION	78261
	AIR NEW SOURCE PERMITS	REGISTRATION	82798
	AIR NEW SOURCE PERMITS	REGISTRATION	82305
	AIR NEW SOURCE PERMITS	REGISTRATION	85675
	WATER QUALITY NON PERMITTED	ID NUMBER	R12SW0008
	WATER LICENSING	LICENSE	0790119
	WASTEWATER	PERMIT	WQ0004306000
	WASTEWATER	EPA ID	TPDES0112461
	WASTEWATER	PERMIT	TPDES0112461
	WASTEWATER	PERMIT	TX0112461
	STORMWATER	PERMIT	TXR05T916
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	31502

Location: 3130 FM 521 RD, FRESNO, TX, 77545 Rating Date: 9/1/2007 Repeat Violator: NO
 TCEQ Region: REGION 12 - HOUSTON
 Date Compliance History Prepared: August 05, 2008
 Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.
 Compliance Period: June 03, 2003 to August 05, 2008

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

Name: Shannon Kelly Phone: 512-239-2005

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? 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.

Effective Date: 04/29/2006 ADMINORDER 2005-1727-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)

30 TAC Chapter 335, SubChapter C 335.69(a)(3)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failure to label hazardous waste containers with the words "hazardous waste" and with the beginning accumulation date.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to update the Notice of Registration.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Description: Failure to submit a complete and correct Annual Waste Summary.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)

40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(2)

40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(8)

Description: Failure to properly complete a Land Disposal Restriction Form for waste stream 4136404H.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)

30 TAC Chapter 335, SubChapter E 335.112(a)(9)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to have secondary containment for underground ancillary equipment associated with hazardous waste tanks.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)

30 TAC Chapter 335, SubChapter E 335.112(a)(9)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.192(a)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(e)(3)(iii)

Description: Failure to have four hazardous waste tanks certified by a professional engineer and have an adequate leak detection system for a hazardous waste underground storage tank.

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	06/24/2003	(324600)
2	06/24/2003	(324602)
3	06/24/2003	(324603)
4	06/24/2003	(324604)
5	07/21/2003	(324605)
6	08/07/2003	(146625)
7	08/25/2003	(324606)
8	09/05/2003	(324607)
9	10/23/2003	(324608)
10	11/25/2003	(324609)
11	12/29/2003	(324610)
12	01/21/2004	(324611)
13	02/24/2004	(324599)
14	03/25/2004	(324601)
15	04/23/2004	(365247)
16	05/24/2004	(365248)
17	06/10/2004	(365246)
18	07/12/2004	(365249)
19	08/18/2004	(365250)
20	09/21/2004	(365251)
21	10/21/2004	(365252)
22	11/01/2004	(338997)
23	11/23/2004	(365253)
24	12/14/2004	(389174)
25	01/24/2005	(389175)
26	04/04/2005	(426733)
27	04/22/2005	(426734)
28	06/09/2005	(426735)

29 06/22/2005 (426736)
 30 07/19/2005 (446960)
 31 08/11/2005 (446961)
 32 08/12/2005 (398585)
 33 08/24/2005 (400090)
 34 09/12/2005 (446962)
 35 11/03/2005 (490951)
 36 11/10/2005 (490952)
 37 12/13/2005 (490953)
 38 01/23/2006 (490954)
 39 02/21/2006 (490949)
 40 03/16/2006 (490950)
 41 04/17/2006 (505551)
 42 05/15/2006 (505552)
 43 06/14/2006 (505553)
 44 07/18/2006 (527828)
 45 08/21/2006 (527829)
 46 09/18/2006 (527830)
 47 10/13/2006 (588372)
 48 10/17/2006 (513120)
 49 11/13/2006 (588373)
 50 01/08/2007 (588374)
 51 01/22/2007 (588375)
 52 02/20/2007 (588367)
 53 03/14/2007 (588368)
 54 04/20/2007 (588369)
 55 05/18/2007 (588370)
 56 06/08/2007 (588371)
 57 07/12/2007 (605416)
 58 08/17/2007 (605417)
 59 09/07/2007 (605418)
 60 10/03/2007 (605419)
 61 11/08/2007 (629632)
 62 12/07/2007 (629633)
 63 01/11/2008 (629634)
 64 02/07/2008 (676772)
 65 03/05/2008 (676773)
 66 04/08/2008 (676774)
 67 06/23/2008 (682532)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 08/31/2003 (324607)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2003 (324609)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 11/30/2003 (324610)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 12/31/2003 (324611)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/31/2004 (324599)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

Date: 03/31/2004 (365247)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/30/2004 (365248)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 04/30/2005 (426735)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2006 (527829)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

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 Pending

PENDING

Customer/Respondent/Owner-Operator:	CN600361869 Champion Technologies, Inc.	Classification: AVERAGE	Rating: 2.59
Regulated Entity:	RN101618882 CHAMPION TECHNOLOGIES FRESH	Classification: AVERAGE	Site Rating: 4.52
ID Number(s):	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0790119
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000356816
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	31502
	AIR NEW SOURCE PERMITS	PERMIT	4005
	AIR NEW SOURCE PERMITS	PERMIT	24713
	AIR NEW SOURCE PERMITS	PERMIT	25343
	AIR NEW SOURCE PERMITS	PERMIT	29340
	AIR NEW SOURCE PERMITS	PERMIT	33992
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	FG0053G
	AIR NEW SOURCE PERMITS	REGISTRATION	55037
	AIR NEW SOURCE PERMITS	AFS NUM	4815700067
	AIR NEW SOURCE PERMITS	REGISTRATION	70773
	AIR NEW SOURCE PERMITS	REGISTRATION	700845
	AIR NEW SOURCE PERMITS	PERMIT	70845
	AIR NEW SOURCE PERMITS	REGISTRATION	72846
	AIR NEW SOURCE PERMITS	REGISTRATION	74858
	AIR NEW SOURCE PERMITS	REGISTRATION	76945
	AIR NEW SOURCE PERMITS	REGISTRATION	78261
	AIR NEW SOURCE PERMITS	REGISTRATION	82798
	AIR NEW SOURCE PERMITS	REGISTRATION	82305
	AIR NEW SOURCE PERMITS	REGISTRATION	88068
	AIR NEW SOURCE PERMITS	REGISTRATION	85875
	WATER QUALITY NON PERMITTED	ID NUMBER	R12SW0008
	WATER LICENSING	LICENSE	0790119
	WASTEWATER	PERMIT	WQ0004306000
	WASTEWATER	EPA ID	TPDES0112461
	WASTEWATER	PERMIT	TPDES0112461
	WASTEWATER	PERMIT	TX0112461
	STORMWATER	PERMIT	TXR05T916
	IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	31502
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	FG0053G
Location:	3130 FM 521 RD, FRESNO, TX, 77545		
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	September 09, 2009		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	September 01, 2004 to September 09, 2009		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Merrit McKelvy	Phone:	239 - 4700

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 04/29/2006

ADMINORDER 2005-1727-IHW-E

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)
30 TAC Chapter 335, SubChapter C 335.69(a)(3)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failure to label hazardous waste containers with the words "hazardous waste" and with the beginning accumulation date.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to update the Notice of Registration.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(2)

Description: Failure to submit a complete and correct Annual Waste Summary.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter O 335.431(c)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(2)
40 CFR Chapter 268, SubChapter I, PT 268, SubPT A 268.7(a)(8)

Description: Failure to properly complete a Land Disposal Restriction Form for waste stream 4136404H.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(f)

Description: Failure to have secondary containment for underground ancillary equipment associated with hazardous waste tanks.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)
30 TAC Chapter 335, SubChapter E 335.112(a)(9)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.192(a)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.193(e)(3)(iii)

Description: Failure to have four hazardous waste tanks certified by a professional engineer and have an adequate leak detection system for a hazardous waste underground storage tank.

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	09/21/2004	(365251)
2	10/21/2004	(365252)
3	11/01/2004	(338997)
4	11/23/2004	(365253)
5	12/14/2004	(389174)
6	01/24/2005	(389175)
7	04/04/2005	(426733)
8	04/22/2005	(426734)
9	06/09/2005	(426735)
10	06/22/2005	(426736)
11	07/19/2005	(446960)
12	08/11/2005	(446961)
13	08/12/2005	(398585)
14	08/24/2005	(400090)
15	09/12/2005	(446962)
16	11/03/2005	(490951)
17	11/10/2005	(490952)
18	12/13/2005	(490953)

19 01/23/2006 (490954)
 20 02/21/2006 (490949)
 21 03/16/2006 (490950)
 22 04/17/2006 (505551)
 23 05/15/2006 (505552)
 24 06/14/2006 (505553)
 25 07/18/2006 (527828)
 26 08/21/2006 (527829)
 27 09/18/2006 (527830)
 28 10/13/2006 (588372)
 29 10/17/2006 (513120)
 30 11/13/2006 (588373)
 31 01/08/2007 (588374)
 32 01/22/2007 (588375)
 33 02/20/2007 (588367)
 34 03/14/2007 (588368)
 35 04/20/2007 (588369)
 36 05/18/2007 (588370)
 37 06/08/2007 (588371)
 38 07/12/2007 (605416)
 39 08/17/2007 (605417)
 40 09/07/2007 (605418)
 41 10/03/2007 (605419)
 42 11/08/2007 (629632)
 43 12/07/2007 (629633)
 44 01/11/2008 (629634)
 45 02/07/2008 (676772)
 46 03/05/2008 (676773)
 47 04/08/2008 (676774)
 48 05/07/2008 (695335)
 49 06/10/2008 (695336)
 50 06/23/2008 (682532)
 51 07/15/2008 (695337)
 52 08/12/2008 (716863)
 53 08/21/2008 (687929)
 54 09/10/2008 (716864)
 55 10/13/2008 (716865)
 56 11/11/2008 (732288)
 57 12/10/2008 (732289)
 58 01/12/2009 (732290)
 59 02/09/2009 (755605)
 60 03/04/2009 (724409)
 61 03/09/2009 (755606)
 62 04/09/2009 (755607)
 63 05/12/2009 (772650)
 64 06/09/2009 (746102)
 65 06/12/2009 (772651)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 04/30/2005 (426735) CN600361869
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2006 (527829) CN600361869
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

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