

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 12, 2015

Bridget Bohac, Chief Clerk  
Texas Commission on Environmental Quality  
Office of the Chief Clerk (MC-105)  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: City of Farwell; TPDES Permit No. WQ0015005001:  
TCEQ Docket No. 2014-1659-MWD

Dear Ms. Bohac:

Enclosed for filing is the Executive Director's Response to Hearing Request in the above-titled matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Alicia Ramirez", with a long horizontal flourish extending to the right.

Alicia Ramirez, Staff Attorney  
Environmental Law Division  
State Bar No. 24032665  
P.O. Box 13087, MC 173  
Austin, Texas 78711-3087  
(512) 239-0133  
(512) 239-0606 (fax)

cc: Mailing List

Enclosure

**TCEQ Docket No. 2014-1659-MWD  
TPDES Permit No. WQ0015005001**

**APPLICATION BY THE CITY OF § BEFORE THE TEXAS  
FARWELL, TEXAS, FOR NEW §  
TEXAS LAND APPLICATION § COMMISSION ON  
PERMIT (TLAP) NO. WQ0015005001 § ENVIRONMENTAL QUALITY**

**EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUEST**

The Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this Response to Hearing Request on the City of Farwell’s (Applicant’s) application for new TLAP No. WQ0013849001 to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 185,000 gallons per day via surface irrigation of 34 acres of non-public access agricultural land. A timely hearing request was submitted by Laurance Kriegel.

Attached for Commission consideration are the following:

- Attachment A – GIS map of the area
- Attachment B – Technical Summary and ED’s Preliminary Decision
- Attachment C – Proposed permit
- Attachment D – ED’s Response to Public Comment (RTC)
- Attachment E – Compliance history report
- Attachment F – Long term lease, Attachment A-1 to application
- Attachment G – Landowner Map – List of Five Names

**I. FACILITY DESCRIPTION**

The Applicant applied to the TCEQ for new TLAP Permit No. WQ0015005001 to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 185,000 gallons per day via surface irrigation of 34 acres of non-public access agricultural land. The facility was previously permitted under Permit No. WQ0010661001, which expired March 1, 2009. The ED’s draft permit, if issued, would authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 134,000 gallons per day via surface irrigation of 34 acres of non-public access agricultural land. The facility is a pond system, with treatment units that include a bar screen and three aerated lagoons in series, with a total surface area of 1.3 acres and a volume of 9.4 acre-feet. The facility includes one storage pond with a total surface area of 0.93 acres and total capacity of 6.3 acre-feet for storage of treated effluent prior to irrigation. The irrigated crops include alfalfa. The effluent limit in the draft permit, based on a grab sample, is 100 milligrams per liter (mg/L) BOD<sub>5</sub> (biochemical oxygen demand (five-day)).

The wastewater treatment facility and disposal site are located at 300 County Road Y, approximately 0.25 miles east of the City of Farwell and immediately north of The Panhandle and Santa Fe Railroad, in Parmer County, Texas 79325. The wastewater treatment facility and disposal site are located in the drainage basin of Double Mountain Fork Brazos River in Segment No. 1241 of the Brazos River Basin. No discharge of pollutants into water in the State is authorized by this permit.

## **II. BACKGROUND**

The TCEQ received the application on April 26, 2011, and declared it administratively complete on June 29, 2011. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on July 21, 2011, in the *State Line Tribune*. ED staff completed the technical review of the application on June 27, 2013, and prepared a draft permit. The Notice of Application and Preliminary Decision for a Water Quality Permit (NAPD) was published on August 22, 2013, in the *State Line Tribune*. A revised Notice of Application and Preliminary Decision for a Water Quality Permit (NAPD) was published on April 17, 2014, in the *State Line Tribune*. The public comment period ended on May 19, 2014. This application was administratively complete on or after September 1, 1999. Therefore, it is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

## **III. EVALUATION PROCESS FOR HEARING REQUESTS**

The regulations governing requests for contested case hearings are found at Title 30 of the Texas Administrative Code (TAC) Chapter 55. 30 TAC §§ 55.201(c) and (d) require that a request for a contested case hearing by an affected person must comply with the following:

Under 30 TAC § 55.201 (c), a request for a contested case hearing by an affected person must be in writing, must be filed with the chief clerk within the time provided by subsection (a) of this section, and may not be based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director's Response to Comment.

According to section 55.201(d), a hearing request must substantially comply with the following:

- 1) give the name, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
- 2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in

plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;

- 3) request a contested case hearing;
- 4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the ED's responses to comments that the requestor disputes and the factual basis of the dispute and list any disputed issues of law or policy; and
- 5) provide any other information specified in the public notice of application.

In addition to requesting a contested case hearing, a person must be an "affected person" as defined in 30 TAC § 55.203(a). The rule defines an affected person as "one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest."

In making an "affected person" determination, 30 TAC § 55.203(c) lists factors to consider, including:

- 1) whether the interest claimed is one protected by the law under which the application will be considered;
- 2) distance restrictions or other limitations imposed by law on the affected interest;
- 3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- 4) the likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
- 5) the likely impact of the regulated activity on use of the impacted natural resource by the person; and
- 6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

If the Commission determines that the hearing request is timely and that the requestor is an affected person, the Commission applies the following test from 30 TAC § 55.211(c)(2)(A) to the issues raised to determine if any of the issues should be referred to the State Office of Administrative Hearings (SOAH) for a contested case hearing:

- 1) does the issue involve questions of fact, not questions strictly of law or policy;
- 2) was it raised during the public comment period;
- 3) was it withdrawn; and
- 4) is it relevant and material to the Commission's decision on the application.

## **IV. ANALYSIS OF HEARING REQUESTS**

### **A. Whether the Requestor Complied with Section 55.201(c) and (d)**

Mr. Kriegel submitted a timely written hearing request that included relevant contact information and raised disputed issues that have not been withdrawn. The ED concludes that the hearing request substantially complied with the section 55.201(c) and (d) requirements.

### **B. Whether the Requestor Meets the Affected Person Requirements**

It does not appear that Mr. Kriegel has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. To begin, Mr. Kriegel suggests in his hearing request that the Applicant does not own the land where the facility is located and that Mr. Kriegel holds title to the land. However, in its application the Applicant indicates that it owns the land where the facility is located and that it holds long term leases for the land application sites. The Applicant provided copies of the leases with its application and those are attached to this request as Attachment F.

Next, Mr. Kriegel provided an address in his hearing request that, based on the ED's GIS map, appears to be located over ten miles from the facility. In addition, Mr. Kriegel is not listed as an adjacent landowner on the landowner map provided with the application. Since Mr. Kriegel's property is located over ten miles away from the facility, it is unlikely that the proposed facility will impact Mr. Kriegel's health and safety or Mr. Kriegel's use of his property.

Because Mr. Kriegel does not own the land where the facility is located and does not own land adjacent to the facility, and because the property Mr. Kriegel does own is more than ten miles from the facility such that it is not likely that it will be impacted by the facility, the ED concludes that Mr. Kriegel does not meet the requirements for affected person status under 30 TAC § 55.203(a).

### **C. Whether Issues Raised Are Referable to SOAH for a Contested Case Hearing**

The ED analyzed the issues raised in the hearing request in accordance with the regulatory criteria and provides the following recommendations regarding whether the issues are referable to SOAH. All issues were raised during the public comment period and have not been withdrawn. All identified issues in the responses are considered disputed unless otherwise noted.

1. Whether the facility generates pathogens that will affect grain elevators, cotton gins

and the public?

The ED concludes that this issue is not relevant and material to a decision on this application and is therefore not referable to SOAH.

2. Whether the facility generates harmful odors?

The ED concludes that this issue is an issue of fact that is relevant and material to a decision on this application and is therefore an issue that could be referred to SOAH.

3. Whether the City will waste fresh water by flushing the pipes to the wastewater treatment facility?

The ED concludes that this issue is not relevant and material to a decision on this application and is therefore not referable to SOAH.

4. Whether the City should consider less expensive options?

The ED concludes that this issue is not relevant and material to a decision on this application and is therefore not referable to SOAH.

5. Whether the land used for irrigation will be considered agricultural if it is irrigated with treated effluent?

The ED concludes that this issue is not relevant and material to a decision on this application and is therefore not referable to SOAH.

6. Whether the City has obtained the appropriate property rights to use the land where the facility is located?

The ED concludes that this issue is not relevant and material to a decision on this application and is therefore not referable to SOAH.

7. Whether the facility is appropriately sized?

The ED concludes that this issue is an issue of fact that is relevant and material to a decision on this application and is therefore an issue that could be referred to SOAH.

## **V. DURATION OF THE CONTESTED CASE HEARING**

Should there be a contested case hearing on this application, the ED recommends that the duration for the hearing be nine months from the preliminary hearing to the presentation of a proposal for decision to the Commission.

## VI. CONCLUSION

Although he has raised referable issues, the ED recommends that you deny Laurance Kriegel's hearing request because he is not an affected person under 30 TAC § 55.203(a).

Respectfully submitted,

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

Richard A. Hyde, P.E., Executive Director


Robert Martinez, Director  
Environmental Law Division

By: 

Alicia Ramirez  
Environmental Law Division  
State Bar of Texas No. 24032665  
MC-173, P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-0133  
Fax: (512) 239-0606  
E-mail: [Alicia.Ramirez@tceq.texas.gov](mailto:Alicia.Ramirez@tceq.texas.gov)

### CERTIFICATE OF SERVICE

I certify that on January 12, 2015, the original and seven copies of the "Executive Director's Response to Hearing Request" for Permit No. WQ0015005001 were filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk; and a complete copy with attachments and exhibits was either faxed, mailed, or both faxed and mailed to everyone on the attached mailing list.

  
Alicia Ramirez, Staff Attorney  
Environmental Law Division  
State Bar No. 24032665

**MAILING LIST  
CITY OF FARWELL**

**DOCKET NO. 2014-1659-MWD; PERMIT NO. WQ0015005001**

FOR THE APPLICANT:

The Honorable Jim Mace  
City of Farwell  
P.O. Box 338  
Farwell, Texas 79325-0338  
Tel: (806) 481-3620  
Fax: (806) 481-3622

Joseph W. Shehan  
J. Shehan Engineering, P.C.  
P.O. Box 150  
Canyon, Texas 79015-0150  
Tel: (806) 557-4090  
Fax: (800) 557-4091

FOR THE EXECUTIVE DIRECTOR

via electronic mail:

Alicia Ramirez, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division, MC-173  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-0600  
Fax: (512) 239-0606

Dex Dean, Technical Staff  
Texas Commission on Environmental  
Quality  
Water Quality Division, MC-148  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-4570  
Fax: (512) 239-4430

Brian Christian, Director  
Texas Commission on Environmental  
Quality  
Environmental Assistance Division  
Public Education Program, MC-108  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-4000  
Fax: (512) 239-5678

FOR PUBLIC INTEREST COUNSEL

via electronic mail:

Vic Mcwherter, Public Interest Counsel  
Texas Commission on Environmental  
Quality  
Public Interest Counsel, MC-103  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-6363  
Fax: (512) 239-6377

FOR ALTERNATIVE DISPUTE  
RESOLUTION

via electronic mail:

Kyle Lucas  
Texas Commission on Environmental  
Quality  
Alternative Dispute Resolution, MC-222  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-4010  
Fax: (512) 239-4015



FOR THE CHIEF CLERK:

Bridget C. Bohac  
Texas Commission on Environmental  
Quality  
Office of Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087  
Tel: (512) 239-3300  
Fax: (512) 239-3311

REQUESTER:

Laurance Kriegel  
1202 Highway 86  
Bovina, Texas 79009-4517

INTERESTED PERSONS:

Rosario Flores  
P.O. Box 13231  
Austin, Texas 78711-3231

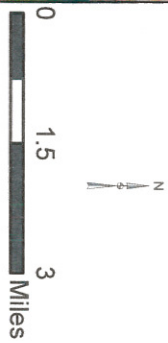
**ATTACHMENT A**




# City of Farwell

Map Requested by TCEQ Office of Legal Services  
for Commissioners' Agenda



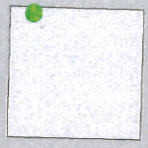
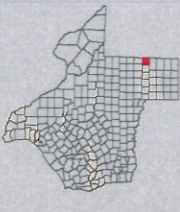
Texas Commission on Environmental Quality  
GIS Team (Mail Code 197)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Date: 11/7/2014



-  Facility Boundary
-  Laurance Kriegel (Requestor)
-  1 mile radial distance from facility



The facility is located in Palmer County. The circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Palmer County (red) in the state of Texas.

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor. The background imagery of this map is from the current Environmental Systems Research Institute (ESRI) map service, as of the date of this map.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.

**ATTACHMENT B**

**TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION**

DESCRIPTION OF APPLICATION

Applicant: City of Farwell  
TCEQ Permit No. WQ0015005001

Regulated Activity: Domestic Wastewater Permit

Type of Application: New Permit

Request: New Permit

Authority: Texas Water Code (TWC) § 26.027; 30 Texas Administrative Code (TAC) Chapters 305, 309, 312, 319, and 30; and Commission policies.

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit includes an expiration date of **March 1, 2017**, according to 30 TAC Section 305.127(1)(C)(ii)(III), Conditions to be Determined for Individual Permits.

REASON FOR PROJECT PROPOSED

City of Farwell has applied to the Texas Commission on Environmental Quality (TCEQ) has for a new permit, Permit No. WQ0015005001 to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 185,000 gallons per day (MGD) via surface irrigation of 34 acres of non-public access agricultural land. The draft permit authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 134,000 gallons per day via surface irrigation of up to 34 acres of non-public access agricultural land. The facility includes one storage pond with a total surface area of approximately 0.93 acres and total capacity of 6.3 acre-feet for storage of treated effluent prior to irrigation. The existing wastewater treatment facility serves the City of Farwell.

PROJECT DESCRIPTION AND LOCATION

The City of Farwell Wastewater Treatment Facility consists of a pond system. Treatment units include a bar screen and three aerated lagoons in series with a total surface area of 1.3 acres and volume of 9.4 acre-feet.

The facility is a pond system and sludge from the ponds has not been removed for sludge disposal to date. The draft permit authorizes the disposal of sludge at a TCEQ authorized land application site or co-disposal landfill.

The wastewater treatment facility and disposal site are located at 300 County Road Y, approximately 0.25 mile east of the City of Farwell and immediately north of The Panhandle and Santa Fe Railroad in Parmer County, Texas 79325.

City of Farwell

Permit No. WQ0015005001

Statement of Basis/Technical Summary and Executive Director's Preliminary Decision

The wastewater treatment facility and disposal site are located in the drainage basin of Double Mountain Fork Brazos River in Segment No. 1241 of the Brazos River Basin. No discharge of pollutants into water in the State is authorized by this permit.

#### SUMMARY OF EFFLUENT DATA

The following is a summary of the applicant's Monthly Effluent Report data for the period February 2009 through January 2011. The average of Daily Average value is computed by averaging of all 30-day average values for the reporting period for each parameter.

<u>Parameter</u>	<u>Average of Daily Average</u>
Flow, MGD	0.096
BOD <sub>5</sub> , mg/l	44

#### PROPOSED PERMIT CONDITIONS

The draft permit authorizes the disposal of treated domestic wastewater effluent at a daily average flow not to exceed 134,000 via surface irrigation of up to 34 acres of non-public access agricultural land (equivalent to 4.41 acre-feet per acre per year). Application rates to the irrigated land shall not exceed 5.43 acre-feet per year per acre irrigated if the permittee chooses not to uniformly irrigate the entire 34 acres. The facility includes one storage pond with a total surface area of 0.93 acres and total capacity of 6.3 acre-feet for storage of treated effluent prior to irrigation. The irrigated crops include alfalfa.

The effluent limitation in the draft permit, based on a single grab, is 100 mg/l BOD<sub>5</sub>.

The permittee has submitted sufficient evidence of legal restrictions prohibiting residential structures within the part of the buffer zone not owned by the permittee according to 30 TAC Section 309.13(e)(3). The permittee shall comply with the requirements of 30 TAC Section 309.13(a) through (d). The buffer zone immediately north of the treatment facility is met by use of the County Road Y road right of way and the buffer zone south of the facility is met by the use of Panhandle and Santa Fe Railroad right-of-way.

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The facility is a pond system and sludge from the ponds has not been removed for sludge disposal to date. The draft permit authorizes the disposal of sludge at a TCEQ authorized land application site or co-disposal landfill.

#### SUMMARY OF CHANGES FROM APPLICATION

The applicant requested a daily average flow not to exceed 185,000 gallons per day. However, the draft permit includes a daily average flow not to exceed 134,000 gallons per day, based on the existing treatment and storage facilities and the proposed irrigation area. The applicant did not propose upgrades to the existing treatment or storage facilities.

The applicant requested an application rate of 6.85 acre-feet per year per acre. However, the draft permit includes an application rate not to exceed 5.43 acre-feet per year per acre.

City of Farwell

Permit No. WQ0015005001

Statement of Basis/Technical Summary and Executive Director's Preliminary Decision

The application indicated that the buffer zone requirements have been met by ownership. However, the language in the draft permit acknowledges that right-of-way easements have been used.

#### SUMMARY OF CHANGES FROM EXISTING PERMIT

Not applicable.

#### BASIS FOR PROPOSED DRAFT PERMIT

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

1. Application submitted with letter dated April 26, 2011 and additional information submitted with letter dated June 23, 2011, September 29, 2011, January 14, 2014, and March 10, 2014.
2. The facility was previously permitted under Permit No. WQ0010661001 which expired March 1, 2009.
3. Interoffice Memorandum from the Water Quality Assessment Team, Water Quality Assessment & Standards Section, Water Quality Division.
4. This facility was previously permitted under Permit No. WQ0010661001, which expired March 1, 2009.

#### 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.

City of Farwell

Permit No. WQ0015005001

Statement of Basis/Technical Summary and Executive Director's Preliminary Decision

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 Dex Dean at (512) 239-4570.

---

Dex Dean  
Municipal Permits Team  
Wastewater Permitting Section (MC 148)

---

Date



**ATTACHMENT C**



PERMIT NO. WQ0015005001

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

This is a new permit.

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

City of Farwell

whose mailing address is

P.O. Box 338  
Farwell, Texas 79325

Nature of Business Producing Waste: Domestic wastewater treatment operation, SIC Code 4952.

General Description and Location of Waste Disposal System:

Description: The City of Farwell Wastewater Treatment Facility consists of a pond system. Treatment units include a bar screen, three aerated lagoons in series with a total surface area of 1.3 acres and volume of 9.4 acre-feet. The permittee is authorized to dispose of treated domestic wastewater effluent at a daily average flow not to exceed 0.134 million gallons per day (MGD) via surface irrigation of up to 34 acres of non-public access agricultural land (equivalent to 4.41 acre-feet per year). Application rates to the irrigated land shall not exceed 5.43 acre-feet per year per acre irrigated. The facility includes one storage pond with a total surface area of 0.93 acres and total capacity of 6.3 acre-feet for storage of treated effluent prior to irrigation. The irrigated crops include alfalfa.

Location: The wastewater treatment facility and disposal site are located at 300 County Road Y, approximately 0.25 mile east of the City of Farwell and immediately north of The Panhandle and Santa Fe Railroad, in Parmer County, Texas 79325. (See Attachment A.)

Drainage Area: The wastewater treatment facility and disposal site are located in the drainage basin of Double Mountain Fork Brazos River in Segment No. 1241 of the Brazos River Basin. No discharge of pollutants into water in the State is authorized by this permit.

This permit and the authorization contained herein shall expire at midnight on **March 1, 2017**.

ISSUED DATE:

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

**EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**Conditions of the Permit: No discharge of pollutants into water in the State is authorized.**

A. Effluent Limitations

- Character: Treated Domestic Sewage Effluent
- Volume: Daily Average Flow.- 0.134 MGD from the treatment system
- Quality: The following effluent limitations shall be required:

<u>Parameter</u>	<u>Effluent Concentrations</u>	
	<u>(Not to Exceed)</u>	
	<u>Daily Average</u> mg/l	<u>Single Grab</u> mg/l
Biochemical Oxygen Demand (5-day)	N/A	100

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units.

B. Monitoring Requirements:

<u>Parameter</u>	<u>Monitoring Frequency</u>	<u>Sample Type</u>
Flow	Continuous	Totalizing meter
Biochemical Oxygen Demand (5-day)	One/month	Grab
pH	One/month	Grab

The monitoring shall be done after the final treatment unit and prior to storage of the treated effluent. If the effluent is land applied directly from the treatment system, monitoring shall be done after the final treatment unit and prior to land application. These records shall be maintained on a monthly basis and be available at the plant site for inspection by authorized representatives of the Commission for at least three years.

## STANDARD PERMIT CONDITIONS

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

## DEFINITIONS

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

### 1. Flow Measurements

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

### 2. Concentration Measurements

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

### 3. Sample Type

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

### 1. Monitoring Requirements

Monitoring results shall be collected 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 in accordance with 30 TAC §§ 319.4 - 319.12.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Texas Water Code, Chapters 26, 27, and 28, and Texas Health and Safety Code, 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, records 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, monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, and records of all data used to complete the application for this permit 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, or application. 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 determining compliance with permit requirements.

### 5. Calibration of Instruments

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

### 6. Compliance Schedule Reports

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

## 7. Noncompliance Notification

- a. In accordance with 30 TAC § 305.125(9), any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
  - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
    - i. Unauthorized discharges as defined in Permit Condition 2(g).
    - ii. Any unanticipated bypass which exceeds any effluent limitation in the permit.
  - c. In addition to the above, any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
  - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible.
8. In accordance with the procedures described in 30 TAC §§ 35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.
9. Changes in Discharges of Toxic Substances

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

- a. That any activity has occurred or will occur which 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) which 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 µg/L);
  - ii. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/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 which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which 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 µg/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).

### 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 which has a reasonable likelihood of adversely affecting human health or the environment.
  - e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
  - f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§ 305.62 and 305.66 and Texas Water Code Section 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
  - g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Special Provisions section of this permit.
  - h. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties).
3. Inspections and Entry
- a. Inspection and entry shall be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.
  - b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in

charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in Texas Water Code Section 7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment and/or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
  - i. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9;
  - ii. 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 which are not described in the permit application or which 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 Texas Water Code § 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.

## 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 which requires a permit or other authorization pursuant to the Texas Health and Safety Code.

## 7. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

## 8. 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.

## 9. 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.

## 10. Notice of Bankruptcy.

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
  - i. the permittee;
  - ii. an entity (as that term is defined in 11 USC, § 101(14)) 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 Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under Texas Water Code § 7.302(b)(6).
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 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 which 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 percent 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 percent 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 which reaches 75 percent 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 judgement 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. Facilities which generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:
  - a. Any solid waste, as defined in 30 TAC § 335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
  - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
  - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.8(b)(1), to the Environmental Cleanup Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
  - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.
  - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
  - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
    - i. Volume of waste and date(s) generated from treatment process;
    - ii. Volume of waste disposed of on-site or shipped off-site;
    - iii. Date(s) of disposal;
    - iv. Identity of hauler or transporter;
    - v. Location of disposal site; and
    - vi. Method of final disposal.

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

the TCEQ for at least five years.

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

TCEQ Revision 06/2008

## SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site or co-disposal landfill. **The disposal of sludge by land application on property owned, leased or under the direct control of the permittee is a violation of the permit unless the site is authorized by the TCEQ. This provision does not authorize Distribution and Marketing of sludge. This provision does not authorize land application of Class A Sludge. This provision does not authorize the permittee to land apply sludge on property owned, leased or under the direct control of the permittee.**

### SECTION I. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE LAND APPLICATION

#### A. General Requirements

1. The permittee shall handle and dispose of sewage sludge in accordance with 30 TAC Chapter 312 and all other applicable state and federal regulations in a manner which protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants which may be present in the sludge.
2. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the owner or lease holder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.
3. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

#### B. Testing Requirements

1. Sewage sludge shall be tested prior to sludge disposal in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other method, which receives the prior approval of the TCEQ for the contaminants listed in Table 1 of 40 CFR Section 261.24. Sewage sludge failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal. Following failure of any TCLP test, the management or disposal of sewage sludge at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division and the Regional Director (MC Region 1) within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to:



Director, Permitting and Remediation Support Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 1) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

2. Sewage sludge shall not be applied to the land if the concentration of the pollutants exceed the pollutant concentration criteria in Table 1. The frequency of testing for pollutants in Table 1 is found in Section I.C.

TABLE 1

<u>Pollutant</u>	<u>Ceiling Concentration</u> (Milligrams per kilogram)*
Arsenic	75
Cadmium	85
Chromium	3000
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
PCBs	49
Selenium	100
Zinc	7500

\* Dry weight basis

3. Pathogen Control

All sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following methods to ensure that the sludge meets either the Class A or Class B pathogen requirements.

- a. Six alternatives are available to demonstrate compliance with Class A sewage sludge. The first 4 options require either the density of fecal coliform in the sewage sludge be less than 1000 Most Probable Number (MPN) per gram of total solids (dry weight basis), or the density of Salmonella sp. bacteria in the sewage sludge be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. Below are the additional requirements necessary to meet the definition of a Class A sludge.

Alternative 1 - The temperature of the sewage sludge that is used or disposed shall be maintained at or above a specific value for a period of time. See 30 TAC Section 312.82(a)(2)(A) for specific information.

Alternative 2 - The pH of the sewage sludge that is used or disposed shall be raised to above 12 std. units and shall remain above 12 std. units for 72 hours.

The temperature of the sewage sludge shall be above 52 degrees Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12 std. units.

At the end of the 72-hour period during which the pH of the sewage sludge is above 12 std. units, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50 percent.

Alternative 3 - The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC Section 312.82(a)(2)(C)(i-iii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC Section 312.82(a)(2)(C)(iv-vi) for specific information.

Alternative 4 - The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed.

Alternative 5 (PFRP) - Sewage sludge that is used or disposed of shall be treated in one of the processes to Further Reduce Pathogens (PFRP) described in 40 CFR Part 503, Appendix B. PFRP include composting, heat drying, heat treatment, and thermophilic aerobic digestion.

Alternative 6 (PFRP Equivalent) - Sewage sludge that is used or disposed of shall be treated in a process that has been approved by the U.S. Environmental Protection Agency as being equivalent to those in Alternative 5.

- b. Three alternatives are available to demonstrate compliance with Class B criteria for sewage sludge.

Alternative 1 -

- i. A minimum of seven random samples of the sewage sludge shall be collected within 48 hours of the time the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge.
- ii. The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2 - Sewage sludge that is used or disposed of shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in 40 CFR Part 503, Appendix B, so long as all of the following requirements are met by the generator of the sewage sludge.

- i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;

- ii. An independent Texas Licensed Professional Engineer must make a certification to the generator of sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification shall include a statement indicating the design meets all the applicable standards specified in Appendix B of 40 CFR Part 503;
- iii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;
- iv. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review; and
- v. If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the PSRP, and shall meet the certification, operation, and record keeping requirements of this paragraph.

Alternative 3 - Sewage sludge shall be treated in an equivalent process that has been approved by the U.S. Environmental Protection Agency, so long as all of the following requirements are met by the generator of the sewage sludge.

- i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;
- ii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;
- iii. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review;
- iv. The Executive Director will accept from the U.S. Environmental Protection Agency a finding of equivalency to the defined PSRP; and

- v. If the sewage sludge is generated from a mixture of sources resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the Processes to Significantly Reduce Pathogens, and shall meet the certification, operation, and record keeping requirements of this paragraph.

In addition, the following site restrictions must be met if Class B sludge is land applied:

- i. Food crops with harvested parts that touch the sewage sludge/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of sewage sludge.
- ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of sewage sludge when the sewage sludge remains on the land surface for 4 months or longer prior to incorporation into the soil.
- iii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than 4 months prior to incorporation into the soil.
- iv. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.
- v. Animals shall not be allowed to graze on the land for 30 days after application of sewage sludge.
- vi. Turf grown on land where sewage sludge is applied shall not be harvested for 1 year after application of the sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn.
- vii. Public access to land with a high potential for public exposure shall be restricted for 1 year after application of sewage sludge.
- viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.
- ix. Land application of sludge shall be in accordance with the buffer zone requirements found in 30 TAC Section 312.44.

#### 4. Vector Attraction Reduction Requirements

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following alternatives 1 through 10 for Vector Attraction Reduction.

Alternative 1 - The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38 percent.

- Alternative 2 - If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. Volatile solids must be reduced by less than 17 percent to demonstrate compliance.
- Alternative 3 - If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. Volatile solids must be reduced by less than 15 percent to demonstrate compliance.
- Alternative 4 - The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.
- Alternative 5 - Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of the sewage sludge shall be higher than 45 degrees Celsius.
- Alternative 6 - The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours at the time the sewage sludge is prepared for sale or given away in a bag or other container.
- Alternative 7 - The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75 percent based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.
- Alternative 8 - The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90 percent based on the moisture content and total solids prior to mixing with other materials at the time the sludge is used. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.
- Alternative 9 -
- i. Sewage sludge shall be injected below the surface of the land.
  - ii. No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.

- iii. When sewage sludge that is injected below the surface of the land is Class A with respect to pathogens, the sewage sludge shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10-

- i. Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.
- ii. When sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

- Toxicity Characteristic Leaching Procedure (TCLP) Test - prior to sludge disposal
- PCBs - prior to sludge disposal

All metal constituents and fecal coliform or Salmonella sp. bacteria shall be monitored at the appropriate frequency shown below, pursuant to 30 TAC § 312.46(a)(1):

<u>Amount of sewage sludge (*) metric tons per 365-day period</u>	<u>Monitoring Frequency</u>
0 to less than 290	Once/Year
290 to less than 1,500	Once/Quarter
1,500 to less than 15,000	Once/Two Months
15,000 or greater	Once/Month

*(\*) The amount of bulk sewage sludge applied to the land (dry weight basis).*

Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 30 TAC § 312.7

**SECTION II. REQUIREMENTS SPECIFIC TO BULK SEWAGE SLUDGE FOR APPLICATION TO THE LAND MEETING CLASS A or B PATHOGEN REDUCTION AND THE CUMULATIVE LOADING RATES IN TABLE 2, OR CLASS B PATHOGEN REDUCTION AND THE POLLUTANT CONCENTRATIONS IN TABLE 3**

For those permittees meeting Class A or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below listed in Table 3, the following conditions apply:

**A. Pollutant Limits**

Table 2

<u>Pollutant</u>	<u>Cumulative Pollutant Loading Rate</u> <u>(pounds per acre)*</u>
Arsenic	36
Cadmium	35
Chromium	2677
Copper	1339
Lead	268
Mercury	15
Molybdenum	Report Only
Nickel	375
Selenium	89
Zinc	2500

Table 3

<u>Pollutant</u>	<u>Monthly Average Concentration</u> <u>(milligrams per kilogram)*</u>
Arsenic	41
Cadmium	39
Chromium	1200
Copper	1500
Lead	300
Mercury	17
Molybdenum	Report Only
Nickel	420
Selenium	36
Zinc	2800

\*Dry weight basis

**B. Pathogen Control**

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, shall be treated by either Class A or Class B pathogen reduction requirements as defined above in Section I.B.3.

### C. Management Practices

1. Bulk sewage sludge shall not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk sewage sludge enters a wetland or other waters in the State.
2. Bulk sewage sludge not meeting Class A requirements shall be land applied in a manner which complies with the Management Requirements in accordance with 30 TAC Section 312.44.
3. Bulk sewage sludge shall be applied at or below the agronomic rate of the cover crop.
4. An information sheet shall be provided to the person who receives bulk sewage sludge sold or given away. The information sheet shall contain the following information:
  - a. The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land.
  - b. A statement that application of the sewage sludge to the land is prohibited except in accordance with the instruction on the label or information sheet.
  - c. The annual whole sludge application rate for the sewage sludge application rate for the sewage sludge that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Section II above are met.

### D. Notification Requirements

1. If bulk sewage sludge is applied to land in a State other than Texas, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk sewage sludge is proposed to be applied. The notice shall include:
  - a. The location, by street address, and specific latitude and longitude, of each land application site.
  - b. The approximate time period bulk sewage sludge will be applied to the site.
  - c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk sewage sludge.
2. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

### E. Record keeping Requirements

The sludge documents will be retained at the facility site and/or shall be readily available for review by a TCEQ representative. The person who prepares bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative for a



period of five years. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC Section 312.47 for persons who land apply.

1. The concentration (mg/kg) in the sludge of each pollutant listed in Table 3 above and the applicable pollutant concentration criteria (mg/kg), or the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (lbs/ac) listed in Table 2 above.
2. A description of how the pathogen reduction requirements are met (including site restrictions for Class B sludges, if applicable).
3. A description of how the vector attraction reduction requirements are met.
4. A description of how the management practices listed above in Section II.C are being met.
5. The following certification statement:

"I certify, under penalty of law, that the applicable pathogen requirements in 30 TAC Section 312.82(a) or (b) and the vector attraction reduction requirements in 30 TAC Section 312.83(b) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

6. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained.

The person who applies bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative indefinitely. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC Section 312.47 for persons who land apply.

- a. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 30 TAC Section 312.47(a)(4)(A)(ii) or 30 TAC Section 312.47(a)(5)(A)(ii), as applicable, and to the permittee's specific sludge treatment activities.
- b. The location, by street address, and specific latitude and longitude, of each site on which sludge is applied.
- c. The number of acres in each site on which bulk sludge is applied.
- d. The date and time sludge is applied to each site.

- e. The cumulative amount of each pollutant in pounds/acre listed in Table 2 applied to each site.
- f. The total amount of sludge applied to each site in dry tons.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

#### F. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 1) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30 of each year the following information:

1. Results of tests performed for pollutants found in either Table 2 or 3 as appropriate for the permittee's land application practices.
2. The frequency of monitoring listed in Section I.C. which applies to the permittee.
3. Toxicity Characteristic Leaching Procedure (TCLP) results.
4. Identity of hauler(s) and TCEQ transporter number.
5. PCB concentration in sludge in mg/kg.
6. Date(s) of disposal.
7. Owner of disposal site(s).
8. Texas Commission on Environmental Quality registration number, if applicable.
9. Amount of sludge disposal dry weight (lbs/acre) at each disposal site.
10. The concentration (mg/kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) as well as the applicable pollutant concentration criteria (mg/kg) listed in Table 3 above, or the applicable pollutant loading rate limit (lbs/acre) listed in Table 2 above if it exceeds 90% of the limit.
11. Level of pathogen reduction achieved (Class A or Class B).
12. Alternative used as listed in Section I.B.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B sludge, include information on how site restrictions were met.
13. Vector attraction reduction alternative used as listed in Section I.B.4.
14. Annual sludge production in dry tons/year.
15. Amount of sludge land applied in dry tons/year.

16. The certification statement listed in either 30 TAC Section 312.47(a)(4)(A)(ii) or 30 TAC Section 312.47(a)(5)(A)(ii) as applicable to the permittee's sludge treatment activities, shall be attached to the annual reporting form.
17. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.
  - a. The location, by street address, and specific latitude and longitude.
  - b. The number of acres in each site on which bulk sewage sludge is applied.
  - c. The date and time bulk sewage sludge is applied to each site.
  - d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk sewage sludge applied to each site.
  - e. The amount of sewage sludge (i.e., dry tons) applied to each site.

The above records shall be maintained on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

**SECTION III. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE  
DISPOSED IN A MUNICIPAL SOLID WASTE LANDFILL**

- A. The permittee shall handle and dispose of sewage sludge in accordance with 30 TAC Chapter 330 and all other applicable state and federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present. The permittee shall ensure that the sewage sludge meets the requirements in 30 TAC Chapter 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
- B. If the permittee generates sewage sludge and supplies that sewage sludge to the owner or operator of a Municipal Solid Waste Landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.
- C. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.
- D. Sewage sludge shall be tested prior to sludge disposal in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method, which receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR Section 261.24. Sewage sludge failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal.

Following failure of any TCLP test, the management or disposal of sewage sludge at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division and the Regional Director (MC Region 1) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Remediation Support Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 1) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

- E. Sewage sludge shall be tested as needed, in accordance with the requirements of 30 TAC Chapter 330.

F. Record keeping Requirements

The permittee shall develop the following information and shall retain the information for five years.

1. The description (including procedures followed and the results) of all liquid Paint Filter Tests performed.
2. The description (including procedures followed and results) of all TCLP tests performed.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

G. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 1) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year the following information:

1. Toxicity Characteristic Leaching Procedure (TCLP) results.
2. Annual sludge production in dry tons/year.
3. Amount of sludge disposed in a municipal solid waste landfill in dry tons/year.
4. Amount of sludge transported interstate in dry tons/year.
5. A certification that the sewage sludge meets the requirements of 30 TAC Chapter 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
6. Identity of hauler(s) and transporter registration number.
7. Owner of disposal site(s).
8. Location of disposal site(s).
9. Date(s) of disposal.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

**SPECIAL PROVISIONS:**

1. This permit is granted subject to the policy of the Commission to encourage the development of areawide waste collection, treatment and disposal systems. The Commission reserves the right to amend this permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an areawide 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 areawide 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.
2. The permittee shall employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license or registration according to the requirements of 30 Texas Administrative Code (TAC) Chapter 30, Occupational Licenses and Registrations and in particular 30 TAC Chapter 30, Subchapter J, Wastewater Operators and Operations Companies.

This Category D facility must be operated by a chief operator or an operator holding a Category D license or higher. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator or operator holding the required level of license or higher must be available by telephone or pager seven days per week. Where shift operation of the wastewater treatment facility is necessary, each shift which does not have the on-site supervision of the licensed chief operator must be supervised by an operator in charge who is licensed not less than one level below the category for the facility.

3. The permittee shall maintain and operate the treatment facility in order to achieve optimum efficiency of treatment capability. This shall include required monitoring of effluent flow and quality as well as appropriate grounds and building maintenance.
4. Within 180 days of permit issuance, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) of the Water Quality Division, a summary submittal letter according to the requirements in 30 TAC Section 217.6(c). If requested by the Wastewater Permitting Section, the permittee shall submit plans, specifications and a final engineering design report which comply with the requirements of 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the final permitted effluent limitations required on Page 2 of the permit.
5. The permittee has submitted sufficient evidence of legal restrictions prohibiting residential structures within the part of the buffer zone not owned by the permittee according to 30 TAC Section 309.13(e)(3). The permittee shall comply with the requirements of 30 TAC Section 309.13(a) through (d). (See Attachment B.)
6. The irrigated crops include alfalfa. Application rates to the irrigated land shall not exceed 5.43 acre-feet per year per acre irrigated. The permittee is responsible for providing equipment to determine application rates and maintaining accurate records of the volume of effluent applied. These records shall be made available for review by the Texas Commission on Environmental Quality and shall be maintained for at least three years.

7. Irrigation practices shall be designed and managed so as to prevent ponding of effluent or contamination of ground and surface waters and to prevent the occurrence of nuisance conditions in the area. Crops or other ground cover shall be established and well maintained in the irrigation area throughout the year for effluent and nutrient uptake by the crop and to prevent pathways for effluent surfacing. Tailwater control facilities shall be provided as necessary to prevent the discharge of any effluent from the irrigated land.
8. Effluent shall not be applied for irrigation during rainfall events or when the ground is frozen or saturated.
9. The permittee shall erect adequate signs stating that the irrigation water is from a non-potable water supply for any area where treated effluent is stored or where there exist hose bibs or faucets. Signs shall consist of a red slash superimposed over the international symbol for drinking water accompanied by the message "DO NOT DRINK THE WATER" in both English and Spanish. All piping transporting the effluent shall be clearly marked with these same signs.
10. Spray fixtures for the irrigation system shall be of such design that they cannot be operated by unauthorized personnel.
11. The permittee shall maintain a long term contract with the owner(s) of the land application site which is authorized for use in this permit, or own the land authorized for land application of treated effluent.
12. Holding or storage ponds shall conform to the design criteria for stabilization ponds with regard to construction and levee design and shall maintain a minimum freeboard of two feet according to 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems.
13. Permanent transmission lines shall be installed from the holding pond to each tract of land to be irrigated utilizing effluent from that pond.
14. The permittee shall use cultural practices to promote and maintain the health and propagation of the alfalfa crop and avoid plant lodging. The permittee shall harvest the crop (cut and remove it from the field) at least once per year. Harvesting and mowing dates shall be recorded in a log book kept on site to be made available to TCEQ personnel upon request.
15. The physical condition of the land application fields must be monitored on a weekly basis. Any areas with problems such as surface runoff, surficial erosion, stressed or damaged vegetation, etc., will be recorded in the field log kept onsite and corrective measures will be implemented immediately.
16. All application areas shall be bermed to prevent runoff and runoff.
17. Soil Testing Plan

The permittee shall obtain representative soil samples from the root zones of each land application area. Composite sampling techniques shall be used. Each composite sample shall represent no more than 34 acres with no less than 10 to 15 subsamples representing each composite sample. Subsamples shall be composited by like sampling depth, type of crop and soil type for analysis and reporting. Soil types are soils that have like topsoil or plow layer textures. These soils shall be sampled individually from 0 to 6 inches, 6 to 18 inches, and 18 to 30 inches below ground level. The permittee shall sample and analyze soils in December to February of each year. Soil samples shall be analyzed within 30 days of procurement.

The permittee shall provide annual soil analyses of the land application area according to the following table:

Parameter	Method	Reporting Limit	Reporting units
pH	2:1 (v/v) water to soil mixture	0.1	Standard units
Electrical Conductivity	Obtained from the SAR water saturated paste extract	0.01	dS/m (same as mmho/cm)
Nitrate-nitrogen, ammonium-nitrogen	From a 1 N KCl soil extract	1	mg/kg (dry weight basis)
Total Kjeldahl Nitrogen (TKN)	For determination of Organic plus Ammonium Nitrogen. Procedures that use Mercury (Hg) are not acceptable.	20	mg/kg (dry weight basis)
Total Nitrogen	= TKN plus Nitrate-nitrogen		mg/kg (dry weight basis)
Plant-available: Phosphorus	Mehlich III with inductively coupled plasma	1	mg/kg (dry weight basis)
Plant-available: Potassium (K) Calcium (Ca) Magnesium (Mg) Sodium (Na) Sulfur (S)	May be determined in the same Mehlich III extract with inductively coupled plasma	5 (K) 10 (Ca) 5 (Mg) 10 (Na) 1 (S)	mg/kg (dry weight basis)
Water-soluble: Sodium (Na) Calcium (Ca) Magnesium (Mg)	Obtained from the SAR water saturated paste extract	1 (Na) 1 (Ca) 1 (Mg)	Water soluble constituents are reported in mg/L
Sodium Adsorption Ratio (SAR)	$SAR = \frac{Na}{\sqrt{\frac{Ca + Mg}{2}}}$		Express concentrations of Na, Ca and Mg in the water saturated paste extract in milliequivalents/liter (meq/L) to calculate the SAR. The SAR value is unit less. If the SAR is greater than 10, amendments (e.g., gypsum) shall be added to the soil to adjust the SAR to less than 10.
Amendment addition, e.g., gypsum	Recommendation from analytical laboratory		Report in short tons/acre in the year effected



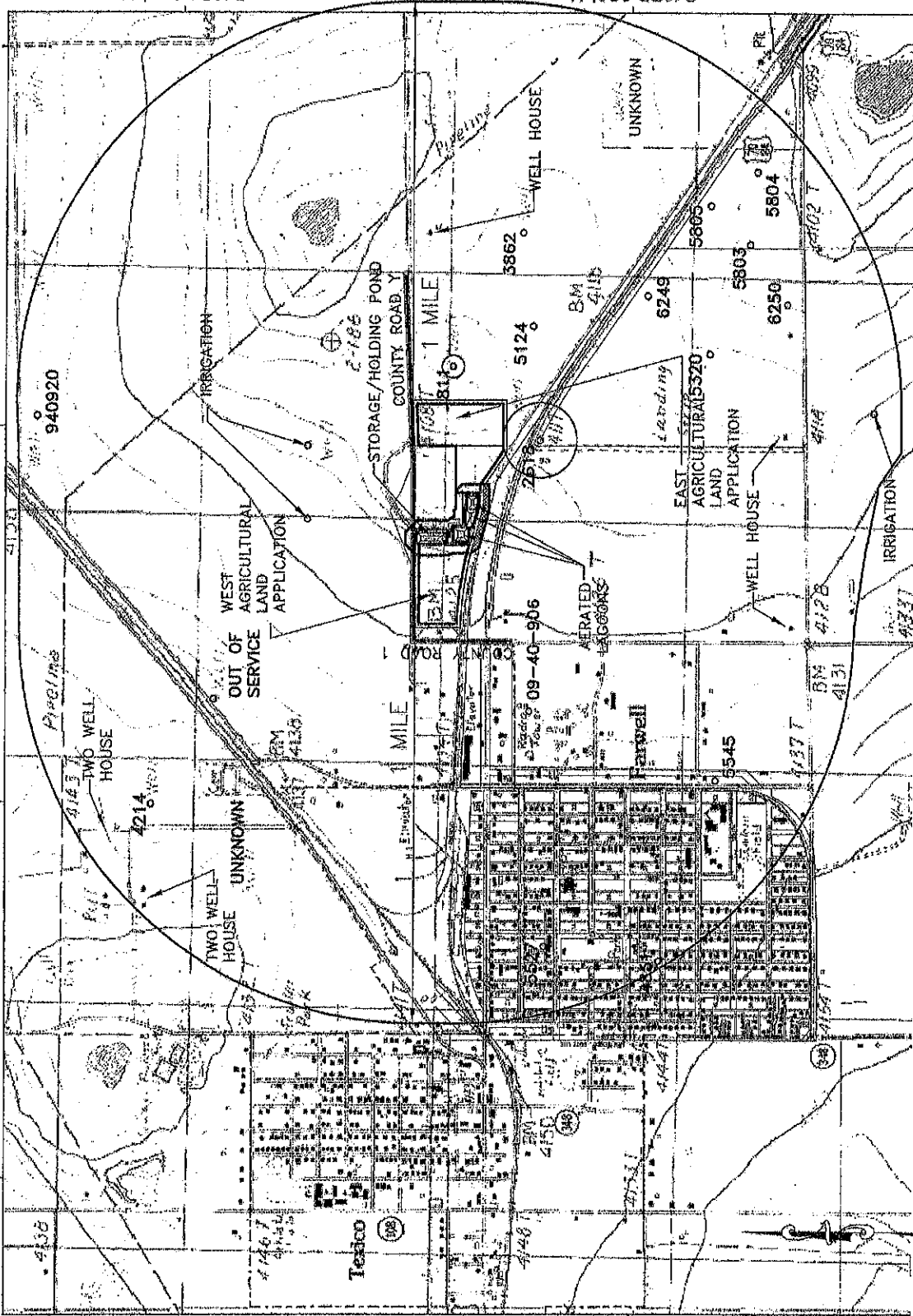
A copy of this soil testing plan shall be provided to the analytical laboratory prior to sample analysis. The permittee shall submit the results of the annual soil sample analyses with copies of the laboratory reports to the TCEQ Regional Office (MC Region 1) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division, no later than the end of September of each sampling year. If wastewater is not applied in a particular year, the permittee shall notify the same TCEQ offices and indicate that wastewater has not been applied on the approved land irrigation site(s) during that year.

18. The permittee shall comply with the buffer zone requirements of 30 TAC §309.13(c). A wastewater treatment plant unit and land where surface irrigation using wastewater effluent occurs must be located a minimum horizontal distance of 150 feet from a private water well, and a minimum horizontal distance of 500 feet from a public water well site as provided by 30 TAC §290.41(c)(1)(C) of this title, spring, or other similar sources of public drinking water.
19. Wastewater effluent shall not be discharged to the playa basin located east of the storage/holding pond and north of the City Irrigation.
20. The excavated pit area located within the City Irrigation area shall be filled with soil material capable of supporting crop growth and shall have an established crop before being used for irrigation. Documentation including photographs must be submitted to the Water Quality Assessment (WQA) Team (MC-150) and TCEQ Region 1 Office prior to surface irrigation of effluent.
21. The permittee shall apply to amend this permit, prior to March 1, 2017, for construction of treatment facilities that will meet all liner requirements in 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems.
22. The liner shall be recertified by a Texas Licensed Professional Engineer ensuring that the liner for each pond meets the requirements noted in Special Provision No. 21 each time the liner undergoes repair or each time sediments are cleaned from the pond. Within 180 days of completion of repair or cleaning, liner certifications must be provided to the TCEQ Water Quality Assessment Team (MC-150) and to the TCEQ Regional Office (Region 1). A copy of the liner certification shall be kept on-site for future reference.
23. This facility was previously permitted under Permit No. WQ0010661001, which expired March 1, 2009.

# Attachment A

WQ0015005001

City of Farwell



SCALE: 1" = 2000'

USGS TAKEN FROM FARWELL, TEX. - N. MEX. 7.5 QUADRANGLE  
MAP

WASTEWATER TREATMENT PLANT  
FARWELL, TEXAS

ATTACHMENT T-7



**J. SHEGAN  
ENGINEERING P.C.**

Texas Registered Professional Engineer  
Firm Registration # F-021345  
P.O. Box 150  
Compton, TX 75015  
jshegan@jse-corp.com  
806-557-4090

# Attachment B

## WQ0015005001

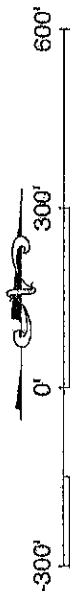
### City of Farwell

**NOTES:**

- 1) ATTACHMENT A-3 SHOWS THE PLANT AND IRRIGATION AREA. THE IRRIGATION AREA IS SURROUNDED BY FARM LAND ON THE NORTH, WEST AND EAST SIDES.
- 2) SOUTH OF THE TREATMENT PLANT IS RAILROAD RIGHT-OF-WAY WITH INDUSTRIAL USES SOUTH OF THE RAILROAD RIGHT-OF-WAY. NO RESIDENTIAL CONSTRUCTION WILL BE ALLOWED OR DESIRED IN THIS LOCATION.
- 3) A SMALL AREA NORTH OF THE HOLDING POND ACROSS THE EXISTING COUNTY ROAD Y IS CURRENTLY FARM/RANCH LAND. DUE TO EXISTING USES IN THE AREA AND DISTANCE FROM COUNTY ROAD RIGHT-OF-WAY (75'±) RESIDENTIAL CONSTRUCTION IS NOT DESIRABLE OR LIKELY. THE PROPERTY WAS PART OF THE CITY OF FARWELL LANDFILL AND THE CITY STILL OWNS THE PROPERTY.

**LEGEND**

DESCRIPTION	SYMBOL
150' BUFFER ZONE	-----
EXISTING RIGHT-OF-WAY	▣



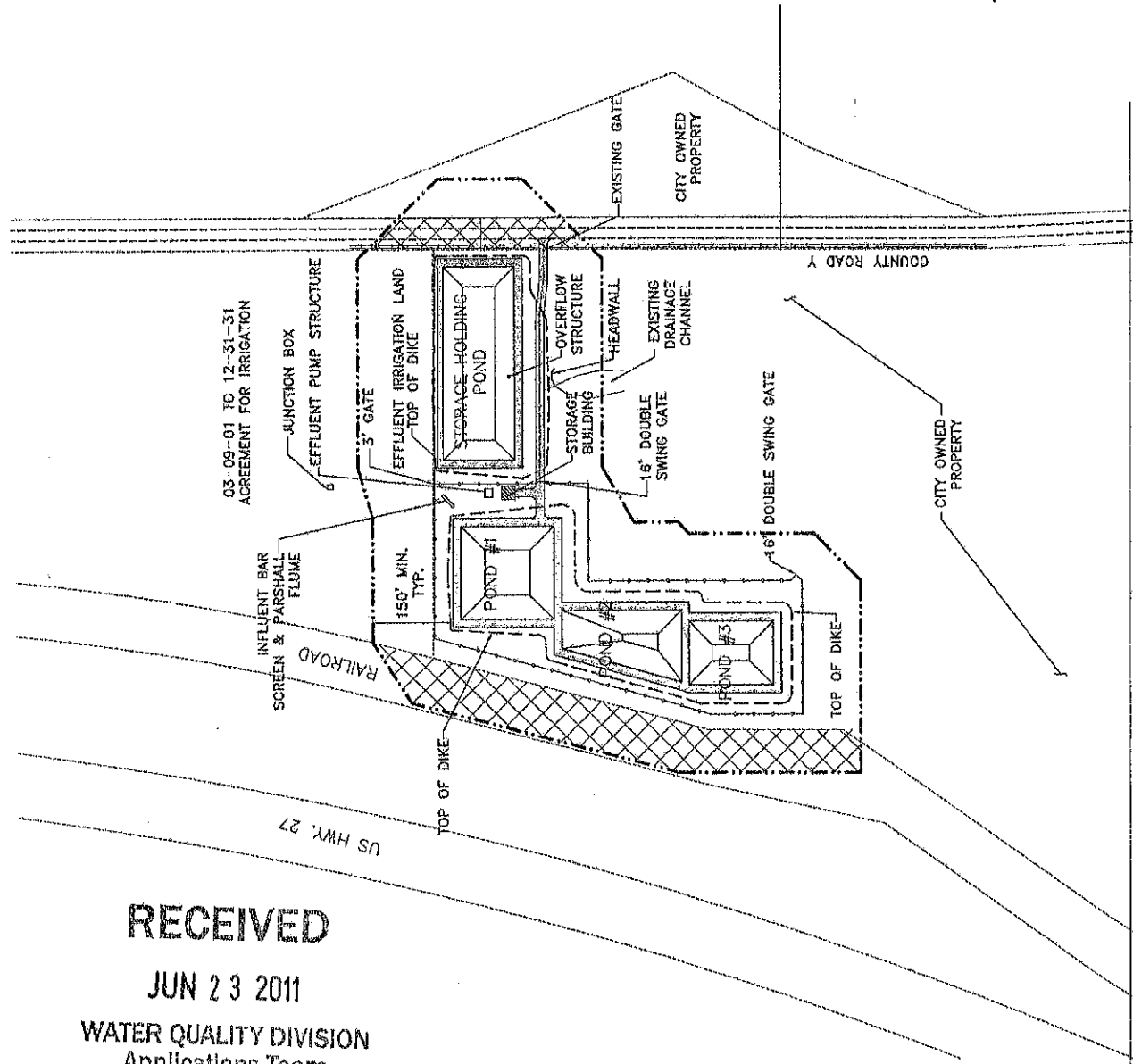
SCALE : 1" = 300'



**J. SHEKHAN**  
**ENGINEERING P.C.**

Texas Board of Professional Engineering  
 Firm Registration # F-001343

P.O. Box 150  
 Canyon, TX 79015  
 806-557-4090



BUFFER ZONE  
 ATTACHMENT A-4

WASTEWATER TREATMENT PLANT  
 FARWELL, TEXAS

**RECEIVED**

JUN 23 2011

WATER QUALITY DIVISION  
 Applications Team

**ATTACHMENT D**

TPDES Permit No. WQ0015005001

APPLICATION BY CITY OF	§	BEFORE THE TEXAS
FARWELL FOR NEW TEXAS LAND	§	
APPLICATION PERMIT (TLAP)	§	COMMISSION ON
PERMIT NO. WQ0015005001	§	
	§	ENVIRONMENTAL QUALITY

**EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT**

The Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this Response to Public Comment on the City of Farwell's (Applicant) application for new TLAP Permit No. WQ0015005001 and the ED's preliminary decision. As required by Title 30, Section 55.156 of the Texas Administrative Code (30 TAC § 55.156), before a permit is issued, the ED prepares a response to all timely, relevant, and material, or significant comments. The Office of the Chief Clerk timely received a comment letter from Laurance Kriegel. This response addresses all such timely public comments received, whether or not withdrawn. For more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found on the TCEQ web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

**I. BACKGROUND**

**A. Facility Description**

The Applicant applied to the TCEQ for new TLAP Permit No. WQ0015005001 to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 185,000 gallons per day via surface irrigation of 34 acres of non-public access agricultural land. The facility was previously permitted under Permit No. WQ0010661001, which expired March 1, 2009. The ED's draft permit, if issued, would authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 134,000 gallons per day via surface irrigation of 34 acres of non-public access agricultural land. The facility is a pond system, with treatment units that include a bar screen and three aerated lagoons in series, with a total surface area of 1.3 acres and a volume of 9.4 acre-feet. The facility includes one storage pond with a total surface area of 0.93 acres and total capacity of 6.3 acre-feet for storage of treated effluent prior to irrigation. The irrigated crops include alfalfa. The effluent limit in the draft permit, based on a grab sample, is 100 milligrams per liter (mg/L) BOD<sub>5</sub> (biochemical oxygen demand (five-day)).

The wastewater treatment facility and disposal site are located at 300 County Road Y, approximately 0.25 miles east of the City of Farwell and immediately north of The Panhandle and Santa Fe Railroad, in Parmer County, Texas 79325. The wastewater treatment facility and disposal site are located in the drainage basin of Double Mountain

Fork Brazos River in Segment No. 1241 of the Brazos River Basin. No discharge of pollutants into water in the State is authorized by this permit.

## **B. Procedural Background**

The TCEQ received the application on April 26, 2011, and declared it administratively complete on June 29, 2011. The Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) was published on July 21, 2011, in the *State Line Tribune*. ED staff completed the technical review of the application on June 27, 2013, and prepared a draft permit. The Notice of Application and Preliminary Decision for a Water Quality Permit (NAPD) was published on August 22, 2013, in the *State Line Tribune*. A revised Notice of Application and Preliminary Decision for a Water Quality Permit (NAPD) was published on April 17, 2014, in the *State Line Tribune*. The public comment period ended on May 19, 2014. This application was administratively complete on or after September 1, 1999. Therefore, it is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

## **C. Access to Rules, Statutes, and Records**

- Secretary of State web site for all Texas administrative rules: [www.sos.state.tx.us](http://www.sos.state.tx.us).
- TCEQ rules in title 30 of the Texas Administrative Code: [www.sos.state.tx.us/tac](http://www.sos.state.tx.us/tac) (select "View the current *Texas Administrative Code*" on the right, then "Title 30 Environmental Quality").
- Texas statutes: [www.statutes.legis.state.tx.us](http://www.statutes.legis.state.tx.us).
- TCEQ web site: [www.tceq.texas.gov](http://www.tceq.texas.gov) (for downloadable rules in Adobe portable document format, select "Rules," then "Download TCEQ Rules").
- Federal rules in title 40 of the Code of Federal Regulations: [www.epa.gov/lawsregs/search/40cfr.html](http://www.epa.gov/lawsregs/search/40cfr.html).
- Federal environmental laws: [www.epa.gov/lawsregs/laws/index.html](http://www.epa.gov/lawsregs/laws/index.html).

Commission records for this application are available for viewing and copying at the TCEQ's main office in Austin, 12100 Park 35 Circle, Building F, First Floor (Office of the Chief Clerk), until the TCEQ takes final action. The application for this facility was made available for viewing and copying at Farwell City Hall, 100 9<sup>th</sup> Avenue, Farwell, Texas 79325, since publication of the NORI. The draft permit and the Fact Sheet and ED's Preliminary Decision have been available for viewing and copying at the same location since publication of the NAPD.

If you would like to file a complaint about the facility concerning its compliance with provisions of its permit or TCEQ rules, you may call the TCEQ Environmental Complaints Hot Line at 1-888-777-3186 or the TCEQ Region 12 Office directly at 1-713-767-3500. Citizen complaints may also be filed by sending an e-mail to [cmplaint@tceq.texas.gov](mailto:cmplaint@tceq.texas.gov) or online at the TCEQ web site (select "Reporting," then "Make an Environmental Complaint"). If the facility is found to be out of compliance, it may be subject to enforcement action.

## II. COMMENTS AND RESPONSES

### **Comment 1**

Laurance Kriegel expressed concern about how the facility would affect air quality and how pathogens from the facility would affect grain elevators, cotton gins, and citizens in the area.

### **Response 1**

This is an application for a water quality permit, which was reviewed according to the requirements 30 Texas Administrative Code, chapters 30, 305, 309, 312, and 319, along with Commission policies. Air quality is outside the scope of this review, unless it pertains to buffer zones for nuisance odor control.

However, the application states that the treatment facility that would be covered under this permit has been operating since August 1987. The TCEQ does not have any records of complaints from the public or from businesses operating in the area around the City of Farwell's wastewater treatment facility. The City of Farwell is not required to obtain an air permit for the facility because the facility should not significantly affect air quality. Wastewater treatment plants are permitted by rule under TCEQ air permit rules found at title 30, chapter 106, subchapter X of the Texas Administrative Code. The Texas Clean Air Act provides that certain facilities may be exempt from the requirements of an air quality permit if, upon review, it is found that those facilities will not make a significant contribution of air contaminants to the atmosphere and that human health and the environment will be protected. Wastewater treatment plants have undergone this review and are permitted by rule so long as the wastewater treatment plant only performs those functions listed in section 106.532.

### **Comment 2**

Laurance Kriegel expressed concern that the facility will waste significant amounts of water and electricity, and stated that most of the 134,000 gallons per day of flow authorized in the draft permit is fresh water that will be used to flush out the pipe line to the new sewer treatment plant.

### **Response 2**

The City of Farwell did not propose a new wastewater treatment facility in this application. According to the application, the facility that would be covered by this draft permit has been operating since August 1987. The City of Farwell allowed their previous water quality permit, Permit No. WQ0010661001, to expire on March 1, 2009. This application is for a new permit that would replace Permit No. WQ0010661001.

The flow coming to the existing wastewater treatment facility is not fresh water; it is domestic wastewater, which originates primarily from kitchen, bathroom, and laundry sources, including waste from food preparation, dishwashing, garbage grinding, toilets, baths, showers, and sinks of a residential dwelling.

According to the application, the City of Farwell already receives approximately 96,000 gallons of domestic wastewater per day for treatment at the facility, based on average flows from February 2009 through January 2011. The application reported an average flow of 109,000 gallons per day during January 2010. Applicants for a water quality permit typically request a daily average flow limit that is higher than their immediate need to allow for population growth and variations in flow.

### **Comment 3**

Laurance Kriegel expressed concern about who would cover the cost for operating the facility and the cost of impacts on nearby citizens and local business. He asked whether there is a bond proposal for this project, and how high taxes will be raised. Mr. Kriegel also stated that maybe TCEQ would furnish each house with a port a potty because that would be a cheaper project.

### **Response 3**

The ED does not consider a city's financial status or profit issues in determining whether a water quality permit can be issued. The application was reviewed according to the requirements 30 Texas Administrative Code, chapters 30, 305, 309, 312, and 319, along with Commission policies.

Questions about operating costs, bonds, and taxes should be directed to the City of Farwell.

### **Comment 4**

Laurance Kriegel stated that the land that would be irrigated under this draft permit would no longer qualify for agricultural land use under the Texas statutes if the water contains pathogens.

### **Response 4**

Neither the Texas Agriculture Code nor the Texas Water Code contains a definition of "agricultural land". TCEQ rules at 30 TAC § 312.8(4) define "agricultural land" as land on which a food crop, a feed crop, or a fiber crop is grown. This includes range land and land used as pasture. TCEQ rules allow for the land application of this treated domestic wastewater to non-public access agricultural land that will be used to grow crops including alfalfa.

### **Comment 5**

Laurance Kriegel expressed concern about whether the facility's treatment process is more cost-effective than providing citizens with cesspools and lateral lines.

### **Response 5**

The applicant for a water quality permit proposes the treatment processes that will be used at their wastewater treatment facility, subject to an engineering review by the TCEQ. The ED does not mandate a specific type of treatment process, or consider



the cost of constructing and operating the treatment process in determining whether a permit can be issued.

The City of Farwell's decision to provide a central wastewater treatment system is also compatible with the state's interest in encouraging and promoting the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state. *See Texas Water Code, Chapter 26, §§ 26.081 through 26.086.*

### **Comment 6**

Laurance Kriegel claimed that he holds title to the land where the City of Farwell's wastewater treatment facility is located.

### **Response 6**

The ED was not able to find Mr. Kriegel's name on any of the long-term lease agreements for the property that the City of Farwell provided with the application, or in any of the records for the property on the Parmer County Appraisal District's interactive property search website.

However, the draft permit does not limit the ability of landowners to use common law remedies for trespass, nuisance, or other causes of action in response to activities that may or actually do result in injury or adverse effects on human health or welfare, or property, or that may or actually do interfere with the normal use and enjoyment of property.

The issuance of a permit does not grant the Applicant the right to use private or public property for disposal of wastewater. This includes property belonging to any individual, partnership, corporation or other entity. The permit does not authorize any invasion of personal rights or any violation of federal, state, or local laws or regulations. It is the Applicant's responsibility to acquire the necessary property rights for the wastewater treatment plant site and to use the irrigation site associated with this draft permit.

### **Comment 7**

Laurance Kriegel claimed that the facility is larger than required for a town with a population of 1,500 people. Mr. Kreigel asked if the facility is designed for a city with a population of 30,000, like the nearby city of Bovina, Texas.

### **Response 7**

The daily average flow limit of 134,000 gallons per day in the draft permit, based on the population of 1,578 people predicted in the application, is approximately 85 gallons per person per day. A flow rate of 85 gallons per person per day is not unreasonable compared with other cities in the state.

The wastewater treatment facility in nearby Bovina, Texas is permitted for a daily average flow 250,000 gallons per day. The 2010 census estimated the population of Bovina at 1,868 people. The equivalent flow per person in Bovina would be approximately 134 gallons per person per day with 1,868 people, and 83 gallons per person per day with 3,000 people.

**Comment 8**

Laurance Kriegel asked if the TCEQ is a private group.

**Response 8**

TCEQ is an agency of the state of Texas.

**III. CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT**

The ED did not make any changes to the draft permit in response to public comment.

Respectfully submitted,

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

Richard Hyde, P.E.,  
Executive Director

Robert Martinez, Director  
Environmental Law Division

By: 

---

Alicia Ramirez  
Staff Attorney  
Environmental Law Division  
State Bar of Texas No. 24032665  
MC-173, P.O. Box 13087  
Austin, Texas 78711-3087  
Phone: (512) 239-0133  
Fax: (512) 239-0606  
E-mail: Alicia.Ramirez@tceq.texas.gov

**ATTACHMENT E**

## Compliance History

Customer/Respondent/Owner-Operator:	CN600915821 City of Farwell	Classification: AVERAGE	Rating: 32.75
Regulated Entity:	RN102075207 CITY OF FARWELL WASTEWATER TREATMENT PLANT	Classification: POOR	Site Rating: 62.50
ID Number(s):	WASTEWATER PERMIT WASTEWATER LICENSING LICENSE		WQ0015005001 WQ0010661001
Location:	.25 MILE E OF THE CITY OF FARWELL & IMMEDIATELY OF THE PANHANDLE & SANTA FE RAILROAD IN PARMIL COUNTY		
TCEQ Region:	REGION 01 - AMARILLO		
Date Compliance History Prepared:	November 04, 2011		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	April 26, 2006 to November 04, 2011		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Dex Dean	Phone:	239 - 4570

### 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: 9/1/2011 Repeat Violator:      NO

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
- Effective Date: 10/31/2009      ADMINORDER 2009-0948-MWD-E
- Classification: Moderate
- Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
30 TAC Chapter 305, SubChapter F 305.125(9)
- Rqmt Prov: VII., Standard Provisions, pg 20 PERMIT
- Description: Failed to provide noncompliance notification reports for effluent limit violations. Specifically, the carbonaceous biochemical oxygen demand (5-day) values recorded for November 2008 exceeded the permitted limits by more than 40% and were not reported to the Regional office and the Enforcement Division as required by the permit.
- Classification: Major
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter D 305.65  
30 TAC Chapter 305, SubChapter F 305.125(2)
- Description: Failed to maintain a permit for the operation of the Facility. Specifically, the City allowed TCEQ Permit No. 10661001 to expire on March 1, 2009 and continued to operate and discharge from the Facility.
- 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 06/21/2006 (464341)
- 2 06/04/2009 (745169)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)  
N/A

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

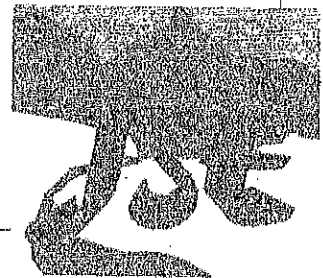
**ATTACHMENT F**

ATTACHMENT A-1  
REFERENCE ITEM 7.1., PAGE 11

RECEIVED

APR 26 2011

WATER QUALITY SECTION  
APPLICANTS GROUP



## Lease Agreement Clarification

### WEST AREA

Some of the previous area owned by Glen & Freda Neie will remain as part of the land application west area with an agreement date of December 31, 2021. The area is displayed with bearing and distance on the attached layout. Glen & Freda Neie now leave at 710 County Road 1, Farwell, TX 79325.

### EAST AREA

New property owner Mitzi Lee Campbell became owner of record on May 28, 2010 per special warranty deed. Exhibit A is reproduced here to clarify.

### EXHIBIT A

Tract One: (1) All of Lots One (1), Two (2), Seven (7) and Eight (8), North of Railroad in Section Thirty-two (S32), Township Nine (T9N) South, Range One (R1E) East, Capitol Syndicate Subdivision in Parmer County, Texas.

Tract One: Two (2), Three (3), Four (4), Five (5), Six (6), Twelve (12) and Thirteen (13) North of Railroad in Section Thirty-three (S33) all in Township Nine (T9S), Range One (R1E) East, Capitol Syndicate Subdivision in Parmer County, Texas.

City of Farwell entered into a ten year Lease Agreement for the east area from October 25, 2010 to October 24, 2020. A layout with bearing and distance and description are attached for reference only. This information is provided to clarify legal documents and is not intended to represent survey information.

### CITY OWNED AREA

The west portion of the east area is part of the existing WWTP facility and owned by the City of Farwell.

RECEIVED

APR 26 2011

WATER QUALITY DIVISION  
APPLICANT SERVICES







of sewage deposited in the same by the sewage system of the City of Farwell, and is desirous of using the waste water and the holding pond situated upon said lands for the purpose of supplying irrigation water to their lands; and

WHEREAS, The City of Farwell is interested in disposing of the excess water in said sewage disposal system.

NOW, THEREFORE, IT IS MUTUALLY AGREED by and between the parties hereto as follows:

1. The City of Farwell (hereinafter referred to as "Lessor") gives and grants to Glen Neic and wife, Freda Neic, (hereinafter referred to as "Lessee") the right to use the excess water which accumulates upon the above described lands for a term of thirty (30) years, beginning upon the execution of this Lease Agreement and terminating on December 31, 2031.
2. The consideration for this lease shall be the sum of \$ 1<sup>00</sup> per year to be paid by Lessee to Lessor on the 9<sup>th</sup> day of March of each year during the term of this lease.
3. Lessee is hereby granted full rights to use said waters under this contract. Lessee shall use said waters in a manner that meets the Texas Natural Resource Conservation Commission rules and regulations.
4. Lessee further agrees that in the event Lessee is unable to use all of said waters, Lessee shall notify the City Council of the City of Farwell, who in turn will have the right to sell any such excess water to a third party. Notification shall allow one year for arrangement of different and/or additional third party users.

RECEIVED  
APR 26 2011  
WATER QUALITY DIVISION  
Agriculture Team

5. Lessee hereby agrees to use the excess water to prevent the pond from overflowing. The failure of Lessee to use such excess water and prevent the pond from overflowing shall be a default of Lessee's obligations under the contract. Upon such default Lessor shall have the right to terminate this Contract upon a one year written notification to Lessee.

6. Any overflowing of the pond resulting from no fault of Lessee, but caused by an act of God, including, but not limited to, excessive rain, snow or other condition shall not be considered a default of the Lease Agreement by Lessee.

7. In the event of an accident to Lessee which renders Lessee unable to turn on the pump to use the excess water from the pond, Lessor, upon notification, shall agree to provide assistance in turning on the pump.

8. This Lease Agreement shall not be assignable by either party. Any assignment or sublease shall be considered a breach of this Lease Agreement, which shall allow the non-breaching party to terminate this Lease Agreement upon a one year written notice to the other party.

9. In the event Lessee shall sell the lands adjoining the herein described lands during the term of this Lease Agreement, this Lease Agreement shall be considered terminated upon the closing of such land sale.

10. Upon the termination of this Lease Agreement, Lessee shall return peaceable possession of the sewage systems and waters to the Lessor and Lessee shall remove any improvements placed upon the land by Lessee during the term of this Lease Agreement and return the premises to a condition similar to its condition upon the execution of this Lease Agreement.

RECEIVED

APR 25 2011

WATER & SEWER DEPARTMENT  
CITY OF WASHINGTON

WITNESS OUR HANDS this the 9 day of March, 2001.

LESSOR:

CITY OF FARWELL

By *Jimmy Mace*  
Jimmy Mace

ATTEST:

*Cynthia Skippen*  
City Secretary

LESSEE:

*Glen Nele*  
Glen Nele

*Freda Nele*  
Freda Nele

*New Mexico*  
THE STATE OF ~~TEXAS~~ §  
COUNTY OF ~~FARMER~~ §  
*CURRY*

This instrument acknowledged before me this the 9<sup>th</sup> day of March, 2001 by Jimmy Mace, Mayor of the City of Farwell, a Municipal Corporation, on behalf of said corporation.

*Jim Sharp*  
Notary Public, State of ~~Texas~~ *New Mexico*

*New Mexico*  
THE STATE OF ~~TEXAS~~ §  
COUNTY OF ~~FARMER~~ §  
*CURRY*

This instrument acknowledged before me this the 9<sup>th</sup> day of March, 2001 by Glen Nele and wife, Freda Nele.

*Jim Sharp*  
Notary Public, State of ~~Texas~~ *New Mexico*

RECORDED

APR 25 2011

NOTARY PUBLIC DIVISION  
NOTARY JAMES SHARP

Vol. 69 - Pg. 69

Doc 49377 Bk OR Vol 69 Pg 69

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS §  
§  
COUNTY OF FARMER §

Mitzi Lee Campbell, of the State of Texas, as Trustee of the Walling Farms Supplemental Needs Trust, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto Mitzi Lee Campbell, Grantee herein, of the County of Farmer and State of Texas, whose mailing address is 3513 Saint Johns Dr., Denton, TX 76210, all of the following described real property in Farmer County, Texas, to-wit:

See exhibit "A" attached hereto and made a part hereof for all purposes

**Reservations from and exceptions to conveyance and warranty:**

This deed is executed and delivered subject to all easements, reservations, conditions, covenants and restrictive covenants as the same appear of record in the office of the County Clerk of the county aforesaid. It is also subject to any outstanding oil, gas and other mineral interest owned by others of record in the Office of the County Clerk of the county aforesaid.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, her successors or assigns forever and she does hereby bind herself, her heirs, executors, administrators,

SPECIAL WARRANTY DEED, PAGE 1

RECEIVED

APR 25 2011

successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through or under Grantor but not otherwise.

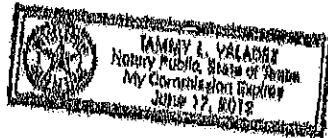
EXECUTED this 28<sup>th</sup> day of May, 2010.

GRANTOR:

*Mitchell Lee Campbell*  
Mital Lee Campbell Trust, Trustee

THE STATE OF TEXAS                    §  
   §  
COUNTY OF DENTON                    §

This instrument was acknowledged before me on the 28<sup>th</sup> day of May, 2010 by Mital Lee Campbell.



*James Valadez*  
Notary Public, State of Texas

SPECIAL WARRANTY DEED, PAGE 2

RECEIVED  
APR 26 2011  
WATER QUALITY DIVISION  
Applications Team

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE  
RENTAL OR USE OF THE DESCRIBED REAL PROPERTY  
RECORDED BY COLOR OR DATE IS INVALID AND UNENFORCEABLE  
UNDER FEDERAL LAW

STATE OF TEXAS }  
                  } OFFICIAL PUBLIC RECORDS  
COUNTY OF PARKER }

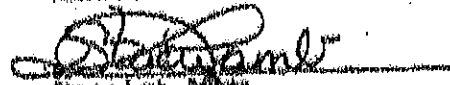
I hereby certify that this instrument was FILED  
on the date and at the time stated herein by  
me and was duly RECORDED in the Volume and Page  
of the RECORDS of Parker County, Texas.

FILED FOR RECORD IN PARKER COUNTY  
Colleen Stevely COUNTY CLERK

ON: Jun 07 2010 AT 09:30P

Document Number: 49377

Receipt Number - 11872

  
Colleen Stevely

RECEIVED

APR 26 2011

WATER QUALITY DIVISION  
Appl. Servs. Team

Doc 49377 Bk OR Vol 69 Pg 71

EXHIBIT A

Tract One: (1) All of Lots One (1), Two (2), Seven (7) and Eight (8) North of Railroad in Section Thirty-two (32), Township Nine (9N) South, Range One (R1E) East, Capitol Syndicate Subdivision in Parker County, Texas.

Tract One: Two (2), Three (3), Four (4), Five (5), Six (6), Twelve (12) and Thirteen (13) North of Railroad in Section Thirty-three (33) all in Township Nine (9N) South, Range One (R1E) East, Capitol Syndicate Subdivision in Parker County, Texas.

AFTER RECORDING RETURN TO:

Mitzi Lee Campbell  
3513 Saint Johns Dr.  
Denton, TX 76210

Warranty Deed Prepared by  
Leigh Hilton, 2717 Wind River Lane, Suite 131, Denton, TX 76210

RECEIVED

APR 26 2011

WATER QUALITY DIVISION  
APPLICANTS TEAM

SPECIAL WARRANTY DEED, PAGE 3



EAST LEASE AGREEMENT

THE STATE OF TEXAS §  
COUNTY OF FARMER § KNOW ALL MEN BY THESE PRESENTS:

This Lease Agreement is made and entered into this the 25<sup>th</sup> October day of September, 2010, by and between the City of Farwell, a Municipal Corporation of Parmer County, Texas, (herein after Lessee) acting herein by and through its duly authorized officers in pursuance to resolution passed at a regular meeting of City Council of said City, and Mitzi Lee Campbell, (hereinafter Lessor) of 3513 Saint John Dr., Denton, Texas 76120.

WITNESSETH:

WHEREAS, the City of Farwell, (Lessee) operates and maintains a sewer system situated upon lands described as follows:

TRACT ONE:

Thirty four acres of land out of Capitol League 549 and being all of that part of Lot 3 lying North of the B.N.S.F. Railroads, Section 32, Township 9 South, Range 1 East of a Capitol Syndicate Subdivision, Parmer County, Texas; and

TRACT TWO:

.78 acres of land out of Capitol League 549 and described as all of that portion of Lot 4 that was heretofore reserved by the Capitol Freehold Land & Investment Co., Ltd., out of said Lot 4 as a right-of-way for proposed railroad company, of Section 32, Township 9 South, Range 1 East of a Capitol Syndicate Subdivision, Parmer County, Texas;

and for a better description said lands are the same as those described in a lease executed by Parmer County, Texas, as Lessor, to the City of Farwell, as Lessee, dated November 10, 1958, recorded in Volume 108, Page 435 of the Deed Records of Parmer County, Texas; and

WHEREAS, the said Mitzi Lee Campbell, owns land adjoining the above described tracts upon which the City of Farwell maintains a sewage disposal system and is desirous of using the waste water and the holding pond situated upon said lands for the purpose of supplying irrigation water to lands of Lessor described on Exhibit "A"; and

WHEREAS, The City of Farwell is interested in disposing of the excess water in said sewage disposal system upon the lands of Lessor.

RECEIVED

APR 20 2011

NOW, THEREFORE, IT IS MUTUALLY AGREED by and between the parties hereto as follows:

1. Mitzi Lee Campbell (hereinafter referred to as "Lessor") gives and grants to The City of Farwell, (hereinafter referred to as "Lessee") the right to release the excess water from the City sewer system upon the land of lessor described on exhibit "A" for a term of ten (10) years, beginning upon the execution of this Lease Agreement and renewable every year thereafter on the anniversary of the Lease, unless terminated by either party within 30 days before the anniversary of the lease.

2. The consideration for this lease shall be the sum of \$1,000.00 per year to be paid by Lessee to Lessor on the anniversary of the lease each year during the term of this lease.

3. Lessor is hereby granted full rights to use said waters under this contract. Lessor shall use said waters in a manner that meets the Texas Natural Resource Conservation Commission rules and regulations.

4. Lessor further agrees that in the event Lessor is unable to use all of said waters, Lessee shall notify the City Council of the City of Farwell, who in turn will have the right to sell any such excess water to a third party. Notification shall allow one year for arrangement of different and/or additional third party users.

5. Lessee has no obligation to supply any water to the land of Lessor. The property leased by Lessee is anticipated to be used in the unlikely event of excess water accumulated on the city sewage system.

6. This Lease Agreement shall not be assignable by either party. Any assignment or sublease shall be considered a breach of this Lease Agreement, which shall allow the non-breaching party to terminate this Lease Agreement upon a one year written notice to the other party.

7. In the event Lessor shall sell the lands adjoining the herein described lands during the term of this Lease Agreement, Lessee shall have the First Right of Refusal to purchase property. Should Lessor receive an offer to sell the lands adjoining the herein described lands, Lessor shall provide written notice to Lessee of said offer. Lessee would have the right to match that offer within thirty (30) days of receiving said notice.

RECEIVED

APR 26 2011

WATER ...

8. Upon the termination of this Lease Agreement, Lessee shall return peaceable possession of the property to the Lessor and Lessee shall remove any improvements placed upon the land by Lessee during the term of this Lease Agreement and return the premises to a condition similar to its condition upon the execution of this Lease Agreement.

WITNESS OUR HANDS this the 25 day of October, 2010.

LESSOR:

CITY OF FARWELL

By Jimmy Mace  
Jimmy Mace

ATTEST:

Mckinzi Hall  
City Secretary

RECEIVED

APR 29 2011

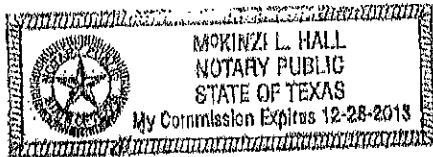
WATER QUALITY DIVISION  
REGISTRATION UNIT

LESSEE:

Mitzi Lee Campbell  
Mitzi Lee Campbell

THE STATE OF TEXAS §  
COUNTY OF FARMER §

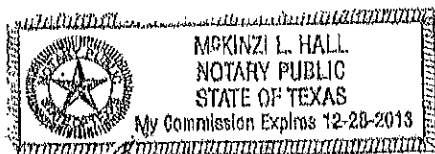
This instrument acknowledged before me this the 25 day of October, 2010 by Jimmy Mace, Mayor of the City of Farwell, a Municipal Corporation, on behalf of said corporation.



Mckinzi Hall  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF FARMER §

This instrument acknowledged before me this the 25 day of October, 2010<sup>10</sup> by Mitzi Lee Campbell.



Mckinzi Hall  
Notary Public, State of Texas

Doc 49377 Bk OR Vol 69 Pg 71

EXHIBIT A

Tract One: (1) All of Lots One (1), Two (2), Seven (7) and Eight (8) North of Railroad in Section Thirty-two (32), Township Nine (9N) South, Range One (R1E) East, Capital Syndicate Subdivision in Panzer County, Texas.

Tract One: Two (2), Three (3), Four (4), Five (5), Six (6), Twelve (12) and Thirteen (13) North of Railroad in Section Thirty-three (33) and in Township Nine (9N) South, Range One (R1E) East, Capital Syndicate Subdivision in Panzer County, Texas.

AFTER RECORDING RETURN TO:  
Milti Leo Campbell  
3513 Saint Johns Dr.  
Denton, TX 76210

Warranty Deed Prepared by  
Leigh Hilton, 2717 Whad River Lane, Suite 131, Denton, TX 76210

RECEIVED  
APR 25 2011  
WATER CONTROL DIVISION  
Applications Team

**ATTACHMENT G**

LANDOWNER 3  
WALTER DIDYOUNG  
P.O. BOX 311  
TEXICO, NM 88135

LANDOWNER 5  
KEITH ROBB  
1065 N AVE. B  
FARWELL, TX 79325

LANDOWNER 1  
LUNDSFORD AUTO  
P.O. BOX 710  
FARWELL, TX 79325

LANDOWNER 4  
DON OPPLIGER  
P.O. BOX 569  
FARWELL, TX 79325

WEST LEASE  
AREA

LANDOWNER 1  
LUNDSFORD AUTO  
P.O. BOX 710  
FARWELL, TX 79325

LANDOWNER 2  
MITZI LEE CAMPBELL  
3513 SAINT JOHIN DR  
DENTON, TX 76120

EAST LEASE  
AREA

COUNTY ROAD 1

COUNTY ROAD Y

STORAGE/HOLDING POND

CITY OF FARWELL

AERATIONS LAGOONS

CITY AREA

RAILROAD

US HWY 84

RECEIVED

APR 26 2011

WATER QUALITY DIVISION  
Applications Team



SCALE: 1" = 500'

WASTEWATER TREATMENT PLANT  
FARWELL, TEXAS

LANDOWNER'S MAP  
ATTACHMENT A-3



J STEPHAN  
ENGINEERING P.C.

Texas Board of Professional Engineers  
www.RegistrationofE.com

P.O. Box 150  
Canyonville, TX 79015  
806-357-4050

1  
LUNDSFORD AUTO  
P O BOX 710  
FARWELL TX 79325

2  
MITZI LEE CAMPBELL  
3513 SAINT JOHN DR  
DENTON TX 76120

3  
WALTER DIDYOUNG  
P O BOX 311  
TEXICO NM 88135

4  
DON OPPLIGER  
P O BOX 669  
FARWELL TX 79325

5  
KEITH ROBB  
1065 N AVE B  
FARWELL TX 79325