TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CANCELLATION OF

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

REGISTRATION NO. 710921

ISSUED TO: Childress Outhouses, LLC and Robert Lee Childress

ISSUED June 6, 2012

The holder of Registration No. 710921 has consented to the cancellation of the registration. The registration was issued to a land application site located at 605 County Road 121, Marble Falls, Burnet County, Texas. The activities authorized by the registration have been terminated, as confirmed by the staff of the Texas Commission on Environmental Quality.

THEREFORE:

1. Pursuant to the provisions of 30 Texas Administrative Code Section 305.67, Registration No. 710921 is revoked.

2. A copy of this revocation shall be sent to the holder of this registration.

Effective Date: August 15, 2012

For The Commission

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2013 AUG 15 PM 2:31
CHIEF CLERKS OFFICE

August 15, 2012

Mr. Robert Childress, Owner
Childress Outhouses, LLC
605 County Road 121
Marble Falls, Texas 78654

Re: Cancellation of Registration No.710921 (RN106255631)
Childress Outhouses, LLC (CN603976200) and Robert Lee Childress (CN601931611)

Dear Mr. Childress:

Enclosed for your records is a copy of an order canceling the above-referenced registration. This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

Should you need additional information, please contact Lane Thomas of the Texas Commission on Environmental Quality, Water Quality Division, Water Quality Assessment Section (MC148) at (512) 239-6815.

Sincerely,

Deirdre Shepphard, Team Leader
Applications Review and Processing Team
Water Quality Assessment Section (MC 148)
Water Quality Division

DS/lkt

Enclosure

cc: TCEQ Region 11, Water Program Manager

State Registration No. 710921

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

DOMESTIC SEPTAGE REGISTRATION

I. Registration No: 710921

II. Sludge Registration Issued to:

Site Operator	and	Landowner
Childress Outhouses, LLC		Robert Lee Childress
605 County Road 121		605 County Road 121
Marble Falls, Texas 78654		Marble Falls, Texas 78654

III. Sludge Site: Domestic septage will be beneficially land applied on 30 acres located within an approximate 45.79 acres. This site is located at 605 County Road 121, Marble Falls, Burnet County, Texas 78654. (See Attachment A).

IV. Authorization: Land Application of Domestic Septage (SIC Code 4952)

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

DATE ISSUED: June 6, 2012

For the Commission

V. Standard Provisions

A. Limitations:

1. Domestic septage cannot be applied in excess of the maximum septage application rate based on crop nitrogen needs (i.e., the agronomic rate), which is calculated based on the total amount of nitrogen in the septage to be applied and in the soils at the application site and on the nitrogen requirements of the vegetation in the application area.

2. The maximum domestic septage application rate must be calculated using Appendix A of the "Application to Register a Site for the Beneficial Use of Domestic Septage."

3. Pathogen reductions and vector attraction reduction must be met, as per 30 TAC §312.82(c) and §312.83(b)(9), (10) or (12) respectively, for any septage applied.

4. Domestic septage can be applied only to the application area shown on Attachment B.

5. The registrant is authorized to accept domestic septage only.

B. Operation Requirements:

The operation and maintenance of this land application site must be in accordance with 30 TAC Chapter 312 and Title 40 of the Code of Federal Regulations (40 CFR) Part 503 as they relate to land application for beneficial use. All applicable local and county ordinances must also be followed.

C. Reporting Requirements:

A report will be required annually to document the use of the site. The report must include the following information:

1. Site registration number, and the location (address or latitude/longitude) of the site.

2. Total number of acres where domestic septage applications occurred.

3. Date and time of each domestic septage application.

4. The annual nitrogen requirement for each crop or the vegetation grown at the site.

5. Rate of domestic septage application (gallons/acre/year).

6. The certification statement in 30 TAC §312.47(b)(6).

7. A description of how the pathogen requirements in 30 TAC §312.82(c)(1) and (2) were met.

8. A description of how the vector attraction requirements in 30 TAC §312.83(b)(9), (10) or (12) were met.

9. Soil test reports, as per Section V.G.

10. All laboratory tests submitted to demonstrate compliance with this registration must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

An annual report must be submitted by September 30th of each year per 30 TAC §312.48 which includes all required information above for a period covering September 1st of the previous year through August 31st of the current year. Additionally an "Annual Sludge Summary Report Form" (Attachment C) should be filled out and submitted with the annual report. Submit your report to the Water Quality Division, Municipal Permits Team (MC 148) and the TCEQ Regional Office (MC Region 11). Record retention requirements must be followed in accordance with 30 TAC §312.47(b) for domestic septage.

D. Regulated Management Conditions:

1. Domestic septage applications must not cause or contribute to the harm of a threatened or endangered species of plant, fish, or wildlife or result in the destruction or adverse modification of the critical habitat of a threatened or endangered species.

2. Domestic septage must not be applied to land that is flooded, frozen or snow-covered.

3. Domestic septage applied to the land must maintain the following buffer zones for each application area:

a.	Established school, institution, business or residence	750 feet
b.	Public water supply well, intake, public water supply spring or similar source, public water treatment plant, or public water supply elevated or ground storage tank	500 feet
c.	Solution channels, sinkholes, or other conduits to groundwater	200 feet
d.	Waters in the State of Texas - when septage is not incorporated	200 feet
e.	Waters in the State of Texas - when septage is incorporated within 48 hours of application and a vegetated cover is established	33 feet
f.	Private water supply well	150 feet
g.	Public right of way	50 feet
h.	Property boundary	50 feet
i.	Irrigation conveyance canals	10 feet

4. Domestic septage must be applied to the land at an annual application rate that is equal to or less than the agronomic rate for the vegetation in the area on which the material is applied.

5. Septage cannot be applied to soils with permeation rates greater than twenty inches per hour.

6. For soils with permeability greater than 2 inches per hour and less than 20 inches per hour, the land application of domestic septage is prohibited if the soil is saturated or groundwater is present within a depth of 4 feet of the treatment zone as demonstrated through the determination of presence or absence of the perched or apparent water table. Records of monitoring data shall be maintained per 30 TAC §312.47. In the absence of groundwater monitoring, land application is prohibited during months that the most recently published soil survey data indicate that a perched or apparent water table may be present within 4 feet of the treatment zone.

7. For soils with permeability less than 2 inches per hour, the land application of domestic septage is prohibited if the soil is saturated or groundwater is present within a depth of 3 feet of the treatment zone as demonstrated through the determination of presence or absence of the perched or apparent water table. Records of monitoring data shall be maintained per 30 TAC §312.47. In the absence of groundwater monitoring, land application is prohibited during months that the most recently published soil survey data indicate that a perched or apparent water table may be present within 3 feet of the treatment zone.

8. Land application of domestic septage must not occur when the soil is water saturated as evidenced by visible pooling of water. Regulatory support for this condition can be found at 30 TAC §312.44(h)(3).

9. Domestic septage must be applied by a method and under conditions that prevent runoff beyond the active application area and that protect the quality of the surface water and the soils in the unsaturated zone. In addition, the following conditions must be met:

   a. Domestic septage must be applied uniformly over the surface of the land.

   b. Domestic septage must not be applied to areas where permeable surface soils are less than 2 feet thick.

   c. Domestic septage must not be applied during rainstorms or during periods in which surface soils are water-saturated.

   d. Domestic septage must not be applied to any areas having a slope in excess of 8%.

   e. Where runoff from the active application area is evident, the operator must cease further domestic septage application until the condition is corrected

10. The site operator must prevent public health nuisances. Domestic septage debris must be prevented from leaving the site. Where nuisance conditions exist, the operator must eliminate the nuisance as soon as possible.

11. Domestic septage application practices must not allow uncontrolled public access, so as to protect the public from potential health and safety hazards at the site.

E. Pathogen Control:

1. Domestic septage applied to the site must have a pH raised to 12 or higher by alkali addition and, without the addition of more alkali, remain at 12 or higher for a period of at least 30 minutes. Records that demonstrate these conditions for each load of domestic septage must be maintained at this site for five (5) years. If the alkali addition occurs in a transport vehicle, the records must also be maintained in the vehicle for one (1) month and at the offices of the transporter's company for five (5) years.

2. In addition to controlling pathogens, the following site restrictions must be met:

   a. Food crops with harvested parts totally above the land surface in areas where domestic septage has been applied must not be harvested from the land for at least 14 months after the last application of domestic septage if any of the harvested parts contact the domestic septage or soil.

   b. Food crops with harvested parts below the surface of the land must not be harvested from the land for at least 20 months after application of domestic septage when the material remains on the land surface for four months or longer prior to incorporation into the soil.

   c. Food crops with harvested parts below the surface of the land must not be harvested for at least 38 months after application of domestic septage when the material remains on the land surface for less than four months prior to the incorporation into the soil.

   d. Food crops (when grown and harvested in a manner that prevents any part of the crop from contacting the soil or domestic septage), feed crops, and fiber crops must not be harvested for at least 30 days after application of domestic septage.

e. Animals must not be allowed to graze on the land for at least 30 days after application of domestic septage.

f. Public access to land with a high potential for public exposure must be restricted for at least one year after application of domestic septage.

g. Public access to land with a low potential for public exposure must be restricted for at least 30 days after application of the domestic septage.

F. Vector Attraction Reduction Requirement:

Domestic septage must demonstrate vector attraction compliance by meeting one of the following compliance alternatives:

1. Alkali addition is a compliance alternative [30 TAC §312.83(b)(6)]. If this option is selected, the pH of the domestic septage must be raised to 12 or higher by alkali addition and, without the addition of more alkali, shall remain at 12 or higher for 30 minutes.

2. Domestic septage may be injected below the surface of the land [30 TAC §312.83(b)(9)]. If this alternative is used, no significant amount of the domestic septage can be present on the land surface within one hour after injection.

3. Incorporation into the soil is another compliance alternative [30 TAC §312.83(b)(10)]. If this option is used, domestic septage applied to the surface must be incorporated into the soil within six hours after application to the surface of the land.

G. Soil Sampling and Analysis:

The registrant is required to notify the local TCEQ Regional Office 48 hours prior to taking annual soil samples at the registered site. Samples will need to be taken within the same 45-day period each year, or by an approved sampling plan and analyzed within 30 days of procurement.

The registrant must monitor the soil-septage mixture for the site as follows using soil sampling requirements described in 30 TAC §312.12(b)(1)(I) and (J). Analytical results must be provided on a dry weight basis. The Soil Sampling and Analysis plan shall be provided to the analytical laboratory prior to sample analysis.

No.	PARAMETER	NOTE	FREQUENCY	SAMPLE DEPTH	
				0" - 6"	6" - 24"
1.	Nitrate Nitrogen (NO_3-N, mg/kg)	1	1 per year	X	X
2.	Ammonium Nitrogen (NH_4-N,	1	1 per year	X	X
3.	Total Nitrogen (TKN, mg/kg)	2	1 per year	X	X
4.	Phosphorus (plant available, mg/kg)	3	1 per year	X	X
5.	Potassium (plant available, mg/kg)	3	1 per year	X	X
6.	Sodium (plant available, mg/kg)	3	1 per year	X	X
7.	Magnesium (plant available, mg/kg)	3	1 per year	X	X
8.	Calcium (plant available, mg/kg)	3	1 per year	X	X
9.	Electrical Conductivity	4	1 per year	X	X
10.	Soil Water pH (S.U.)	5	1 per year	X	X
11.	Total Arsenic (mg/kg)	6	1 per 5 years	X	N/A
12.	Total Cadmium (mg/kg)	6	1 per 5 years	X	N/A
13.	Total Chromium (mg/kg)	6	1 per 5 years	X	N/A
14.	Total Copper (mg/kg)	6	1 per 5 years	X	N/A
15.	Total Lead (mg/kg)	6	1 per 5 years	X	N/A
16.	Total Mercury (mg/kg)	6	1 per 5 years	X	N/A
17.	Total Molybdenum (mg/kg)	6	1 per 5 years	X	N/A
18.	Total Nickel (mg/kg)	6	1 per 5 years	X	N/A
19.	Total Selenium (mg/kg)	6	1 per 5 years	X	N/A
20.	Total Zinc (mg/kg)	6	1 per 5 years	X	N/A

1. Determined in a 1 N KCl soil extract (http://soiltesting.tamu.edu/webpages/swftlmethods1209.html).
2. Determined by Kjeldahl digestion or an equivalent accepted procedure. Methods that rely on Mercury as a catalyst are not acceptable.
3. Mehlich III extraction (yields plant-available concentrations) with inductively coupled plasma.
4. Electrical Conductivity (EC) - determined from extract of 2:1 (volume/volume) water/soil mixture and expressed in dS/m (same as mmho/cm).
5. Soil pH must be analyzed by the electrometric method in "Test Methods for Evaluating Solid Waste," EPA SW-846, 40 CFR 260.11; method 9045C - determined from extract of 2:1 (volume/volume) water/soil mixture.
6 Analysis for metals in soil must be performed according to methods outlined in "Test Methods for Evaluating Solid Waste," EPA SW-846; method 3050.

VI. Special Provisions:

A. Annual domestic septage application rate shall not exceed 122,308 gallons/acre/year at this site.

B. The registrant shall perform periodic visual inspections and remove any debris on the site after application of domestic septage to the land.

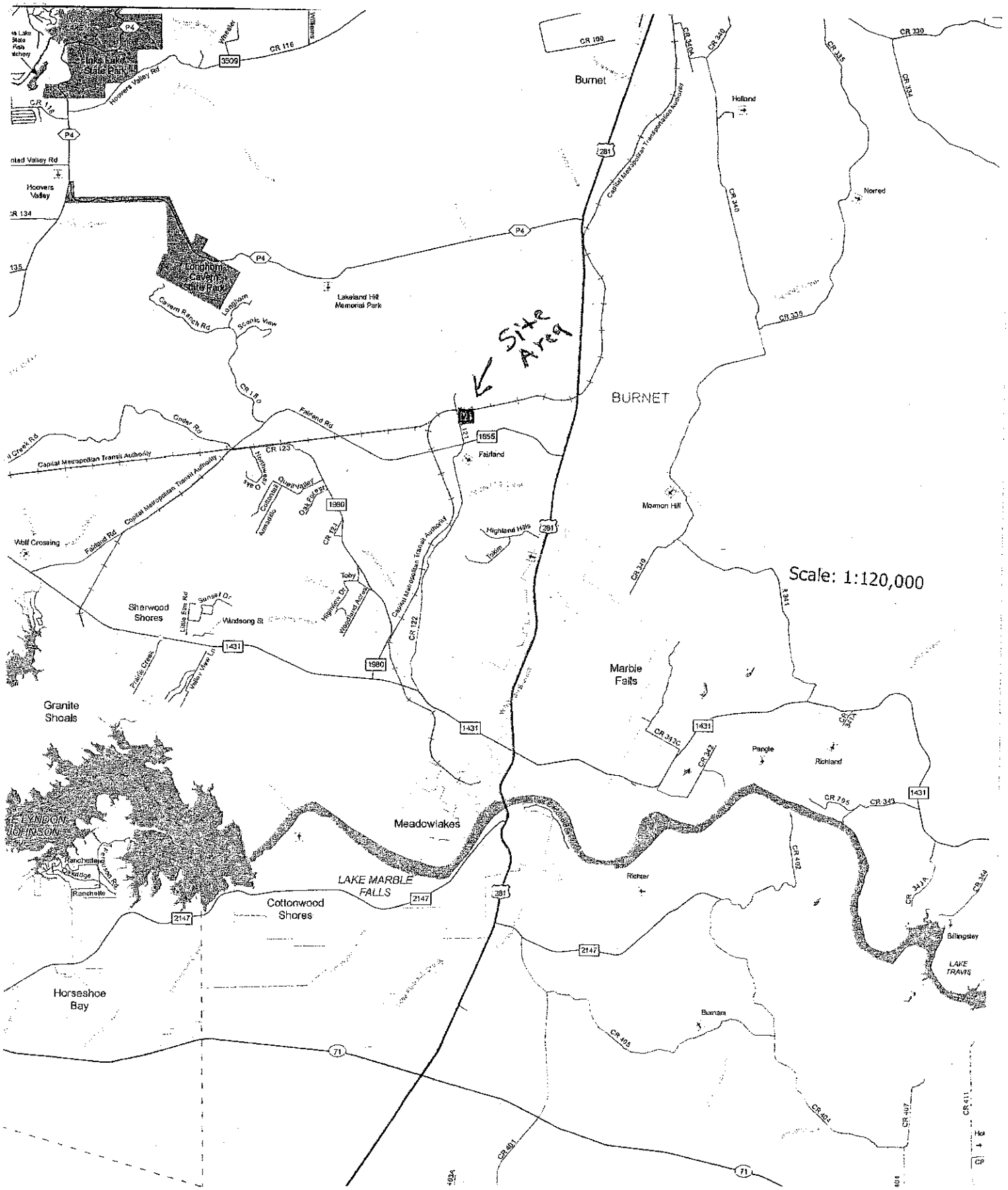
C. The registrant shall comply with 30 TAC §312 and any best management practices proposed in the registration application, including buffer requirements of 30 TAC §312.44(c) and groundwater and surface water protection requirements of 30 TAC §312.44(g) and (h).

D. Permanent markers shall be installed to indicate required buffers from all surface water features. An elevation survey of the area, aerial photographs of the area, or other resources may be used to determine the outline of the buffered areas.

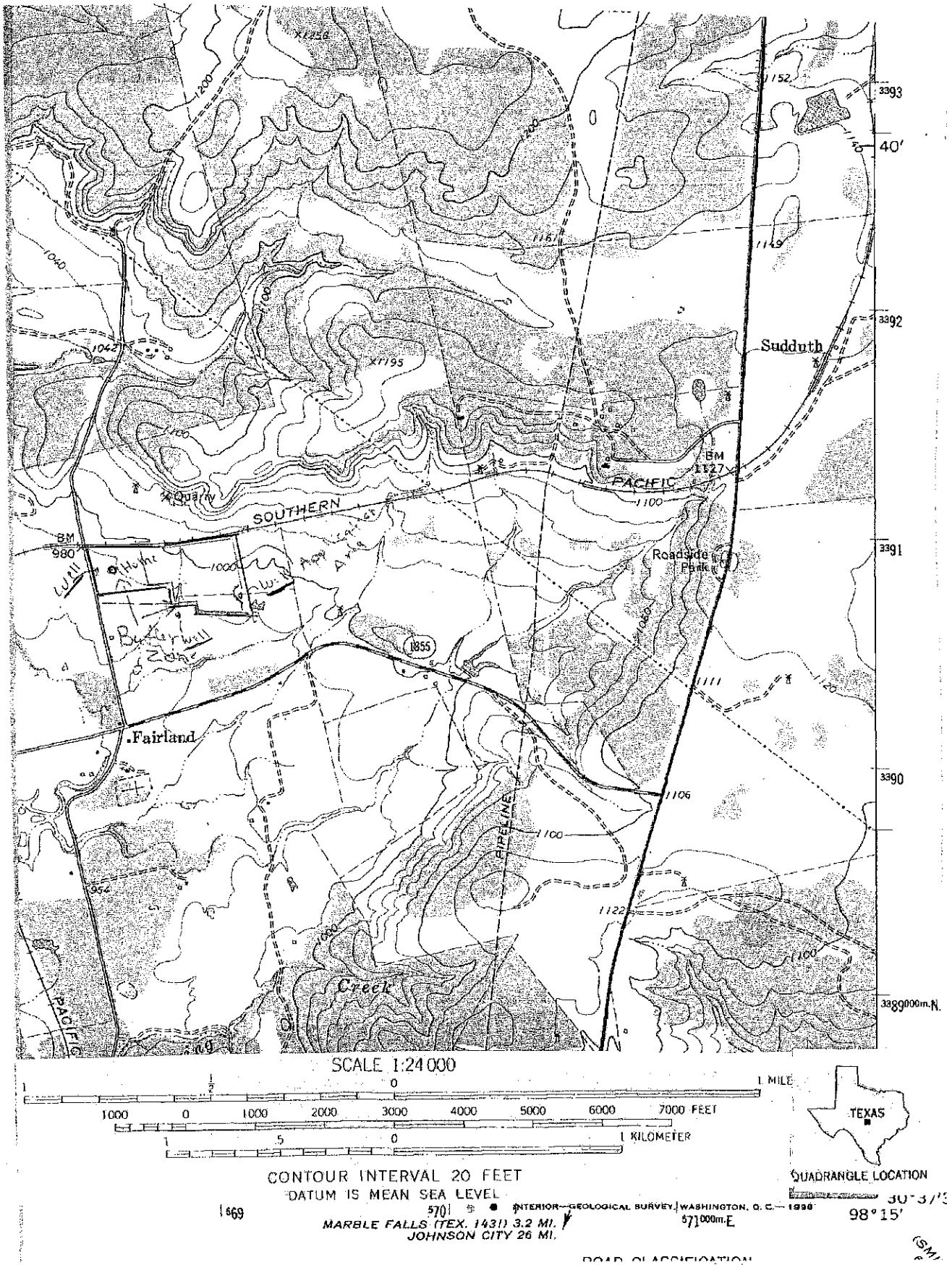
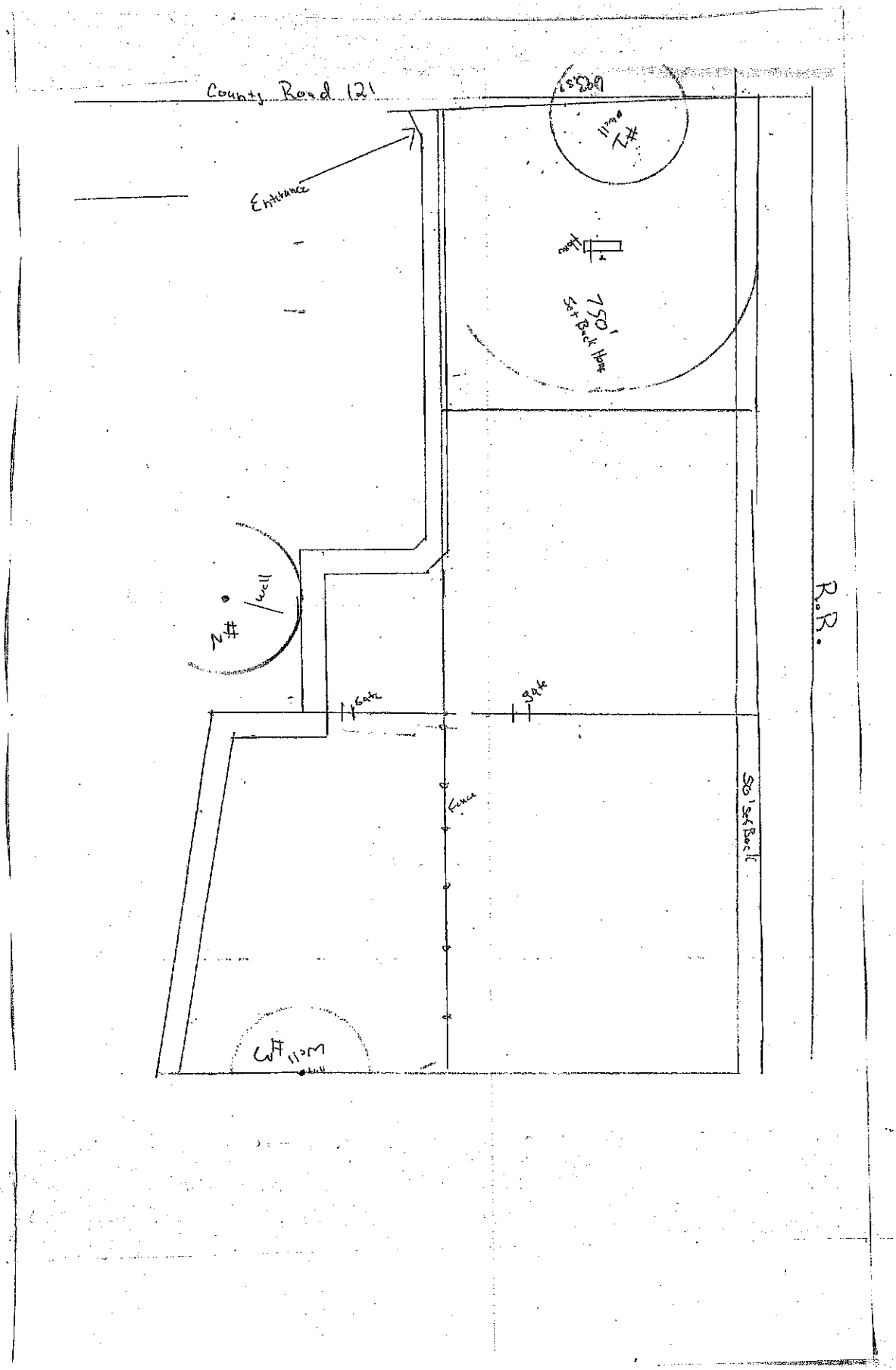
E. All septage staging areas shall be located outside of buffers required by 30 TAC §312.44(c).

F. Cultural practices shall be used to promote and maintain the health and propagation of the bermudagrass and ryegrass crops at the site and prevent plant lodging.

Attachment A
General Highway Map



Attachment B
USGS Topographic Map
(1 of 2)



Attachment B
USGS Topographic Map
(2 of 2)