

TCEQ Docket No. 2012-1329-SLG

JUNE 6<sup>TH</sup>, 2012 APPROVAL OF  
BENEFICIAL LAND APPLICATION  
REGISTRATION NO. 710921 OF  
CHILDRESS OUTHOUSES, LLC

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BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

2012 JUL - 5 PM 4: 5

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

MOTION TO OVERTURN EXECUTIVE DIRECTOR'S ISSUANCE OF BENEFICIAL  
LAND APPLICATION REGISTRATION NO. 710921

**I. Introduction**

Childress Outhouses, LLC ("Outhouses") proposes to apply domestic septage at a rate of 122,308 gallons/acre/year to a 30-acre area in Burnet County, Texas. Outhouses originally submitted a woefully deficient application to obtain a TCEQ Registration for this activity on October 21, 2011. Over the course of the next several months, TCEQ staff made several efforts to rehabilitate the application by notifying Outhouses of numerous specific deficiencies in the application. In the end, Outhouses failed to correct these deficiencies in its application, among others. Unfortunately, rather than properly deny the application, the Executive Director chose to abandon its own efforts at ensuring the application met all relevant requirements, and issued the requested registration on June 6, 2012.

Considering the numerous deficiencies in Outhouses' application, as discussed below, Texas Campaign for the Environment (TCE) and Greater Edwards Aquifer Alliance (GEAA) ask that the Commission overturn the Executive Director's decision to issue Registration No. 710921.

**II. About the movants**

TCE is a non-partisan, non-profit citizens' organization that works to hold public and private organizations accountable to public concern for local environmental issues. TCE promotes policies that ensure clean air and water, and strives to keeps local citizens informed of pollution

activities in their communities. With regard to this registration, TCE is particularly concerned about the repercussions of sludge application to ground- and surface water quality.

GEAA is a nonprofit organization that works to advocate on behalf of the health and preservation of the Edwards Aquifer, as well as its springs and watersheds. GEAA's goals are primarily education-based, but the organization also places a great deal of emphasis on rallying interest for sustainable water and land use practices.

While the registration site is outside of the boundaries of the Edwards Aquifer, GEAA has significant concerns regarding the potential adverse impacts of such facilities on groundwater. The registration at issue may not affect the Edwards Aquifer directly, but the willingness to willfully approve such applications has repercussions throughout the state.

**III. The location of the proposed site poses an unacceptable risk of groundwater contamination.**

The application site property lies in the recharge zone of the Granite Gravel Aquifer, the sole source of drinking water for between two and three thousand households in Burnet County. In particular, the site is upstream of a significant quarry that is dug into this aquifer and would provide a pathway for the migration of domestic sludge directly into the aquifer. The application of domestic septage waste at such a location poses an unacceptable risk for contamination of an important drinking water source.

The aquifer is a local water-bearing formation that is comprised of decomposed granite and enclosed by solid granite bedrock. Its water table is shallow and its rock formation is porous, making this particular aquifer vulnerable to contamination. This risk is multiplied by the fact that immediately adjacent and downhill from the proposed septage site, a gravel quarry has excavated and exposed the aquifer during its operations, leaving it vulnerable to additional contamination and runoff. Numerous households rely on this aquifer as a drinking water source.

This concern is complicated even further by the type of soil that the property of the proposed site is comprised of. The USDA Soil Survey indicates a Hye series of soil in this area, with a restrictive layer at 36 to 40 inches. The implication is that the uppermost layer of soil that is found on the property of this proposed site, sandy loam, is highly susceptible to rapid runoff. The proximity of the exposed aquifer would leave little time and opportunity for treatment before materials were carried to the water table.

Simply put, the proposed location of the sludge registration is completely unsuitable for the application of domestic septage products.

**IV. There are significant deficiencies in both the Application and Registration.**

**A. The application and registration do not adequately address on-site storage of septic waste.**

TCEQ rules provide that the Executive Director may require an applicant for a sludge registration to provide information about the site and the planned management of material to be land-applied, as well as a detailed description of proposed waste management methods.<sup>1</sup> In part to implement this requirement, the TCEQ registration application form requires that an applicant specifically address the structures and methods which an applicant intends to utilize when storing septic waste on-site.<sup>2</sup> Soon after the receipt of the application, the Executive Director sent a letter to Mr. Childress noting that Appendix C of the application, regarding on-site storage of waste, had not been satisfactorily completed. Ultimately, however, the Executive Director issued the registration without requiring Childress to correct the blatant deficiencies in the application with regard to on-site storage of waste.

In accordance with 30 TAC § 312.50(a)(5), TCEQ's application form requires that an applicant provide, "[a] complete description of operational plans for the temporary storage

<sup>1</sup> 30 TAC § 312.12(b)(1)(C), particularly § 312.12(b)(1)(C)(iv).

<sup>2</sup> In particular, Application form, Appendix C, submitted Oct. 21, 2011.

including all steps to be taken to control odors, vectors, and other nuisance conditions.”<sup>3</sup> Childress’ entire response to this request stated, “Lime and keep in an enclosed container.”<sup>4</sup> Perhaps this is the full extent of Childress’ plans, but this answer certainly does not demonstrate compliance with the relevant rule. No information is provided regarding how material will be transferred into storage, or transferred out of storage, which are the times when nuisance conditions are most likely to be created. Furthermore, no information is provided regarding if and how the storage area will be fenced to control access by domestic animals in accordance with 30 TAC § 312.50(6). Such fencing would be necessary in this case, given the potential for grazing domestic livestock to damage the berms which Childress has claimed will provide protection for surface waters.

In accordance with 30 TAC § 312.50(a), the application form requires that an applicant provide the certification of a licensed professional engineer or licensed professional geoscientist that the completed storage area liner meets applicable criteria to protect groundwater, and the berms at the storage area meet applicable criteria to protect surface waters.<sup>5</sup> Childress has simply failed to provide this certification. Issuance of the registration in the absence of this certification constitutes a violation of TCEQ’s own rules. Furthermore, the absence of this certification call into question the protectiveness of the on-site storage areas proposed.

The application form further requires that the location of temporary storage areas be accurately shown on a United States Geological Survey (USGS) submitted with the application.<sup>6</sup> The application form specifically notes that the depiction of these areas on a USGS map is important in order to provide adequate detail to ensure that the storage areas will be protective of

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<sup>3</sup> *Id.* at (a).

<sup>4</sup> *Id.* at (c) and (e).0.

<sup>5</sup> *Id.* at (c) and (e).0.

<sup>6</sup> *Id.* at (b).

the environment.<sup>7</sup> In response to a notice of deficiency, Childress has provided a back-of-the-envelope drawing of the site, on which vague locations of the on-site storage areas are depicted.<sup>8</sup> But Childress has not complied with the application requirement that he provide an accurate depiction of the location of the storage areas on a USGS map. This error is compounded by the fact that the Registration itself only includes the original map submitted by Childress, which does not depict the location of the on-site storage areas at all. Issuance of the registration without the required depiction of the location of the on-site storage areas constitutes a violation of TCEQ's own rules.

In addressing on-site storage, TCEQ further requires that an applicant provide, "[a] full description of the method for storm water runoff collection and disposal."<sup>9</sup> In response to this inquiry, Childress has simply stated, "This is an existing field and their [sic] is [sic] no drainage issues."<sup>10</sup> Such a response does not provide the full description of storm water runoff measures requested, particularly considering that a source of drinking water in the state crosses the site—a fact that Childress failed to acknowledge when making this statement.

Elsewhere, Childress has provided information claiming that a berm will be constructed around the storage area. Yet, Childress has provided no information regarding the construction, composition, design, or dimensions of such a berm. Considering this lack of information, Childress has wholly failed to demonstrate<sup>11</sup> compliance with the TCEQ rule that storage areas be operated and maintained in a manner to prevent surface water runoff.<sup>12</sup>

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<sup>7</sup> *Id.* at (b).

<sup>8</sup> Letter to Texas Commission on Environmental Quality from Robert Childress, March 27, 2012. See Appendix F.

<sup>9</sup> Application form, Appendix C, at (f), submitted Oct. 21, 2011.

<sup>10</sup> Application form, Appendix C, submitted Oct. 21, 2011.

<sup>11</sup> 30 TAC § 312.50(a).

<sup>12</sup> 30 TAC § 312.50(a)(2).

Regardless of the methods employed, TCEQ requires that septage may not be stored at a site for more than 90 days.<sup>13</sup> In order to ensure that this requirement is met, TCEQ's application asks that an applicant describe methods to be used to ensure compliance with this requirement, including how exceptions will be requested. In response, Childress has simply stated that, "If there is not a time that septage can not [sic] be applied it will be transported to another legal dump site."<sup>14</sup> This answer, which simply states the obvious, provides no information that would demonstrate that Childress will be able to determine how long waste has been stored on the site, nor the requested information regarding how Childress will seek exceptions from this requirement.

Likewise, the application form asks that an applicant provide, "[a] full explanation of proposed spill prevention and cleanup methods."<sup>15</sup> This request implements the TCEQ rule requirement that any storage area shall be designed, constructed, and operated in a manner which protects public health and the environment.<sup>16</sup> In response, Childress has simply stated, "Every application will be originated [sic] in application area. Any spill will be plowed in."<sup>17</sup> This answer provides virtually no useful information. Of course, every operator intends that application is initiated in the application area. This information request is directed at determining how the operator will respond to the unplanned spill of material outside of an application area. To simply claim that spills will be "plowed in" does not address this question. For example, three groundwater wells are present on and near the application site, with buffer zones established for each. Additionally, a buffer zone should be observed with regard to the water in the state which bisects the site. If a spill were to occur in one of these buffer zones, and Childress responded by

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<sup>13</sup> 30 TAC § 312.50(a).

<sup>14</sup> Application form, Appendix C at (g), submitted Oct. 21, 2011.

<sup>15</sup> *Id.* at (d).

<sup>16</sup> 30 TAC § 312.50(a)(3).

<sup>17</sup> Application form, Appendix C at (d), submitted Oct. 21, 2011.

simply plowing the material into the soil, then the entire purpose of the buffer zone would be defeated.

B. The Registration does not include adequate buffer zones.

TCEQ rules establish specific buffer zones for the application of sludge and septic waste which are intended to protect groundwater and surface waters.<sup>18</sup> These buffer zones include a required 200 foot buffer from water in the state when material will not be incorporated.<sup>19</sup> A tributary of Backbone Creek bisects the property where Childress intends to apply septic waste. Childress' initial application entirely failed to recognize the presence of this surface water. During the course of considering the Application, the Executive Director called Childress' attention to this water body, and indicated that a buffer zone for this surface water should be included.

The registration issued to Childress, however, includes the original depiction of the application areas submitted by Childress. This does not include a buffer zone for the tributary crossing the property. To ensure the preservation of this buffer zone, the Registration should explicitly recognize the presence of this surface water body, and delineate the required buffer zone.

Additionally, 30 TAC § 312.44(c)(2)(C) requires that a 200 foot buffer zone be preserved between the application of sludge or septic waste and any conduit to groundwater. As noted in comments filed by the Central Texas Groundwater Conservation District ("CTGCD"), the quarry adjacent to the application site is a conduit to the Granite Gravel Aquifer.<sup>20</sup> The presence of this groundwater conduit and the presence of a surface water body on the application site, which will

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<sup>18</sup> See 30 TAC § 312.44(c).

<sup>19</sup> 30 TAC § 312.44(c)(1)(A).

<sup>20</sup> Comments of CTGCD received by TCEQ on January 18, 2012.

drain runoff directly toward this conduit, render the site simply inappropriate for the application of domestic septage.

If TCEQ is determined to issue a registration for such an unsuitable site, however, at the least a 200 foot buffer must be provided between the quarry to any waste application areas at the site. The Registration fails to contain any such buffer.

C. Insufficient information regarding management of waste has been provided.

The application indicates that grazing will occur at the site, but this activity has not been adequately accounted for. When identifying deficiencies in the application, the Executive Director's staff specifically requested that Childress indicate a stocking rate if the fields were to be grazed.<sup>21</sup> Childress has confirmed that he intends to graze livestock on the application fields.<sup>22</sup> Yet, in performing the agronomic analysis for the application, Childress has not acknowledged that grazing will occur, nor has he provided the stocking rate on the fields as was specifically requested by the Executive Director.

Childress has also not adequately described the frequency with which septage will be applied. With regard to this application question, Childress has simply said, "year around, Daily weather permitting."<sup>23</sup> Such an answer provides no useful information regarding when septage will be applied, and provides no information regarding how often septage will be applied. In this manner, the answer fails to provide the required information regarding management practices for septage proposed to be applied at the site.

<sup>21</sup> February 9, 2012 Notice of Deficiency, at Item No. 8.

<sup>22</sup> March 27, 2012 submittal, revised answer to Application question 3.b.

<sup>23</sup> March 27, 2012 submittal, revised answer to Application question 1.b.

**V. Prayer**

For the reasons stated above, Texas Campaign for the Environment and Greater Edwards Aquifer Alliance respectfully pray that the Texas Commission on Environmental Quality:

- (1) Overturn the Executive Director's June 6<sup>th</sup> decision to issue Beneficial Land Application Registration No. 710921 to Childress Outhouses, LLC, and
- (2) Grant any other relief to which Movants may show themselves entitled.

Respectfully Submitted,



Eric Allmon

State Bar No. 24031819

**LOWERRE, FREDERICK, PERALES,  
ALLMON & ROCKWELL**  
707 Rio Grande, Suite 200  
Austin, Texas 78701  
(512) 469-6000 phone  
(512) 482-9346 facsimile

ATTORNEY FOR TEXAS CAMPAIGN  
FOR THE ENVIRONMENT AND  
GREATER EDWARDS AQUIFER  
ALLIANCE

**Certificate of Service**

By my signature below, I hereby certify that on July 5, 2012, copies of Texas Campaign for the Environment and Greater Edwards Aquifer Alliance's Motion to Overturn the Executive Director's Decision were served upon the Chief Clerk of the TCEQ and the following via facsimile:

  
Eric Allmon**FOR THE APPLICANT:**

Mr. Robert Lee Childress  
Childress Outhouses, LLC  
605 County Road 121  
Marble Falls, Texas 78654  
Phone: 512-755-3141  
Fax: 830-693-5963

**FOR THE CENTRAL TEXAS GROUNDWATER  
CONSERVATION DISTRICT:**

Charles Shell  
General Manager  
P.O.Box 870  
225 S. Pierce, Suite 104  
Burnet, Texas 78611  
Phone: 512-756-4900  
Fax: 512-756-4997

**FOR THE COUNTY OF BURNET:**

Herb Darling  
Burnet County Environmental Services  
220 S. Pierce St.  
Burnet, Texas 78611  
Phone: 512-756-5437  
Fax: 512-715-5201

# APPENDIX A

Reviews

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WATER QUALITY DIVISION  
TCEQ

# Application to Register a Site for the Beneficial Use of Domestic Septage

*Hand-delivered*

## SUBMISSION CHECKLIST

SUBMIT THIS WITH THE APPLICATION

Indicate if the following are included in the application. Additional blank spaces provided for referencing applicant's attachments to the application.

ATTACHMENTS	Y	N
Landowner Map and List <i>Required For New And Major Amendments</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
General Highway (County) Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
USGS Topographic Map <i>With Site Property Boundaries, Application Area And Buffer Zones</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
USDA NRCS Soils Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FEMA Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Required Signature Pages	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Appendix A	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Appendix B	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Water Quality Applications Team

# ADMINISTRATIVE REPORT

Registration No. 105366973

Expiration Date: 07/31/2012

Type of Application:

- New (original, site not registered)
- New (previously registered but allowed to expire or canceled)
- Major Amendment (including renewals with changes to substantive provisions of the registration)
- Renewal
- Renewal with minor amendment

If applying for an amendment/modification to a registration, please list the proposed changes.

## 1. APPLICANT INFORMATION (Instructions, Page 5)

### a. Registrant (applicant)

What is the Legal Name of the entity (applicant) applying for this permit?

Childress Outhouses, LLC

*(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)*

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)?

Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN 803886

What is the name and title of the person signing the application?

*(The person must be an executive official meeting signatory requirements in TAC*

*305.43(a).)*

Prefix: Mr

(Mr, Ms, Miss)

First/Last Name: Robert Lee Childress

Suffix: \_\_\_\_\_

Title: Owner

Credential: \_\_\_\_\_

What is the applicant's mailing address as recognized by the US Postal Service? You may verify the address at: <http://zip4.usps.com/zip4/welcome.jsp>

Organization Name: Childress Outhouses, LLC

Mailing Address: 805 County Road 121

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: Marble Falls

State: TX

ZIP Code: 78654

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Mailing Information if outside USA

Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Phone No.: (512) 765-9141 Extension: \_\_\_\_\_  
Fax No.: (830) 683-5963 E-mail Address: rjchildress@281.com

Indicate the type of Customer:

- Individual
- Limited Partnership
- Trust
- Federal Government
- County Government
- Other Government
- Sole Proprietorship-D.B.A.
- Corporation
- Estate
- State Government
- City Government
- Other: \_\_\_\_\_

Independent entity

- Yes
- No (If governmental entity, subsidiary, or part of a larger corporation)

Number of Employees:

- 0-20;  21-100;  101-250;  251-500; or  501 or higher

Customer Business Tax and Filing Numbers

(Not applicable to individuals, governments, general partnerships or sole proprietors. **REQUIRED** for corporations and limited partnerships)

State Franchise Tax ID Number: \_\_\_\_\_  
TX SOS Charter (filing) Number: \_\_\_\_\_  
Federal Tax ID: 45-2060192  
DUNS Number (if known): \_\_\_\_\_

b. Co-Registrant Information (complete only if the entity must be a co-permittee)

What is the Legal Name of the co-registrant applying for this permit?

Operator \_\_\_\_\_

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

If the entity is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at: <http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN \_\_\_\_\_

What is the name and title of the person signing the application?

(The person must be an executive official meeting signatory requirements in TAC 305.43(a).)

Prefix: \_\_\_\_\_

(Mr. Ms, Miss)

First/Last Name: \_\_\_\_\_

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Suffix: \_\_\_\_\_

Title: \_\_\_\_\_ Credential: \_\_\_\_\_

What is the applicant's mailing address as recognized by the US Postal Service? You may verify the address at: <http://zip4.usps.com/zip4/welcome.jsp>

Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: \_\_\_\_\_ State: TX ZIP Code: \_\_\_\_\_

Mailing Information if outside USA

Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Extension: \_\_\_\_\_

Fax No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Indicate the type of Customer:

- Individual
- Limited Partnership
- Trust
- Federal Government
- County Government
- Other Government
- Sole Proprietorship-D.B.A.
- Corporation
- Estate
- State Government
- City Government
- Other: \_\_\_\_\_

Independent entity

- Yes
- No (If governmental entity, subsidiary, or part of a larger corporation)

Number of Employees:

- 0-20;  21-100;  101-250;  251-500; or  501 or higher

Customer Business Tax and Filing Numbers  
(Not applicable to individuals, governments, general partnerships or sole proprietors.  
**REQUIRED** for corporations and limited partnerships)

State Franchise Tax ID Number: \_\_\_\_\_

TX SOS Charter (filing) Number: \_\_\_\_\_

Federal Tax ID: \_\_\_\_\_

DUNS Number (if known): \_\_\_\_\_

Provide a brief description of the need for a co-permittee:

**c. Individual information (complete only if the operator or co-registrant is an individual)**

What is the Legal Name (first/middle/last) of the operator/co-permittee applying for this permit?

\_\_\_\_\_

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If the co-permittee is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN \_\_\_\_\_

What is the name and title of the person signing the application?  
(The person must be the individual. See signatory requirements in TAC 305.43(a).)

Prefix: \_\_\_\_\_

(Mr. Ms, Miss)

First \_\_\_\_\_

Middle: \_\_\_\_\_

Last: \_\_\_\_\_

Suffix: \_\_\_\_\_

State Identification Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Assumed business or professional name: \_\_\_\_\_

Business name: \_\_\_\_\_

What is the applicant's mailing address as recognized by the US Postal Service? You may verify the address at: <http://zip4.usps.com/zip4/welcome.jsp>

Mailing Address: \_\_\_\_\_

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: \_\_\_\_\_

State: TX

ZIP Code: \_\_\_\_\_

Mailing Information if outside USA:

Territory: \_\_\_\_\_

Country Code: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Extension: \_\_\_\_\_

Fax No.: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

## 2. BILLING CONTACT (Instructions Page 8)

### a. Billing Contact and Address Information

*The permittee is responsible for paying the annual fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The permittee is responsible for terminating the permit when it is no longer needed.*

Is the billing address the same as the permittee or co-permittee?

Permittee     Co-permittee     No, fill out this section

Prefix: Mr. \_\_\_\_\_

(Mr. Ms, Miss)

First/Last Name: Robert Lee Childress

Suffix: \_\_\_\_\_

Title: \_\_\_\_\_

Credential: \_\_\_\_\_

Organization Name: Childress Outhouses, LLC

Billing Mailing Address: 605 County Road 121

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: Marble Falls

State: TX

ZIP Code: 78654

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**3. APPLICATION CONTACT INFORMATION (Instructions, Page 8)**

If TCEQ needs additional information regarding this application, who should be contacted?

**a. Application Contact**

Prefix: Mr  
 (Mr, Ms, Miss) First/Last Name: Robert Lee Childress  
 Suffix: \_\_\_\_\_  
 Title: Owner Credential: \_\_\_\_\_  
 Organization Name: Childress Outhouses, LLC  
 Mailing Address: 805 Co Rd 121  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls State: TX ZIP Code: 78654

Mailing Information if outside USA.

Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Phone No.: (512) 756-3141 Extension: \_\_\_\_\_  
 Fax No.: (830) 693-5863 E-mail Address: rchildress@281.com  
 Check on or both:  Administrative contact  Technical Contact

**b. Application Contact**

Prefix: Mr  
 (Mr, Ms, Miss) First/Last Name: Robert Lee Childress  
 Suffix: \_\_\_\_\_  
 Title: Owner Credential: \_\_\_\_\_  
 Organization Name: Childress Outhouses LLC  
 Mailing Address: 805 Co Rd 121  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls State: TX ZIP Code: 78654

Mailing Information if outside USA.

Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Phone No.: (512) 756-3141 Extension: \_\_\_\_\_  
 Fax No.: (830) 693-5863 E-mail Address: rchildress@281.com  
 Check on or both:  Administrative contact  Technical Contact

**4. NOTICE INFORMATION (Instructions, Page 8)**

Identify the individual for the public to contact for further information about the registration application; and identify the name and address of county judge in the county where the site is located.

**a. Individual Responsible for the notice**

Prefix: Mr  
 (Mr, Ms, Miss) First/Last Name: Robert Childress

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Suffix: \_\_\_\_\_  
 Title: Owner Credential: \_\_\_\_\_  
 Organization Name: Childrens Outhouses, LLC  
 Mailing Address: 605 Co Rd 121  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls State: TX ZIP Code: 78654  
 Mailing Information if outside USA.  
 Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Phone No.: (512) 755-3141 Extension: \_\_\_\_\_  
 Fax No.: (830) 883-5863 E-mail Address: rchildress@281.com

b. Provide the name, address, and telephone number of the County Judge in each County where the site is located (attach an additional page if there is more than one county).

First/Last Name: Donna Klaeger  
 Name of County: Burnet  
 Title: County Judge  
 Mailing Address: 605 Co Rd 121  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls State: TX ZIP Code: 78654  
 Phone No.: (512) 715-5276

**5. REGULATED ENTITY INFORMATION (Instructions, Page 8)**

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: <http://www12.tceq.texas.gov/crpnh/index.cfm?fuseaction=regent.RNSearch>  
 TCEQ issued RE Reference Number (RN):  
RN 105386973

- a. Name of project or site (the name known by the community where located):  
Fairland
- b. Does the site have a physical address?  
 If Yes, complete Section A for a physical address.  
 If No (the location description is not accurate or this is a new permit application, complete), complete Section B for site location information.

**Section A:** Enter the physical address for the site.  
 Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergencies, or other online map tool to confirm an address.

Give the physical address of the land application site (depicted on map):  
 Street Number: 121 Street Name: County Road  
 City: Marble Falls ZIP Code: 78654

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**Section B: Enter the site location information.**

If no physical address (Street Number & Street Name), provide a written location access description to the site:

[Empty rectangular box for site location description]

(Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

c. City where the site is located or, if not in a city, what is the nearest city:  
Marble Falls

d. ZIP Code where the site is located: 78664

e. County where the site is located Burnet

f. Latitude: N 30 degrees 38.997' Longitude: W 088 degrees 17.167'

g. In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code)

We primarily install septic systems, and pump some domestic sewage. I am after the sewage because fertilizer has gotten so high to purchase for my crops.

**h. Owner of the beneficial land use area**

If the owner of the beneficial land use area is not the same as the applicant, the owner of the land and the applicant must complete the affidavit found on page 7. (Attach an additional sheet if more than one landowner.)

Prefix: (Mr, Ms, Miss) Mr.

First/Last Name: Robert Childress Suffix:

Organization Name: Childress Outhouses, LLC

Mailing Address: 805 County Road 121

Internal Routing (Mail Code, Etc.):

City: Marble Falls State: TX ZIP Code: 78664

Mailing Information if outside USA.

Territory: Country Code: Postal Code:

Phone No.: (512) 765-3141 Extension:

**i. Property Boundary**

Site Area: 46.79 acres per legal description, includes the application area and buffer zones

**j. Application Area:**

30 acres, the area where septage may be applied according to the buffer zone restrictions in 30 TAC, Subsection 312.44(c) and (d).

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k. The septage application site is (check one):

- within the city limits of \_\_\_\_\_
- within the extraterritorial jurisdiction of \_\_\_\_\_
- outside the extraterritorial jurisdiction of Marble Falls

l. Describe the source of the septage i.e., residences, mobile homes, etc.

Domestic Septage

m. If the facility is located in a Major Sole-Source Impairment Zone, then please provide a copy of a nutrient management plan that has been prepared by a certified nutrient management specialist in accordance with the practice standards of the Natural Resources Conservation Service of the United States Department of Agriculture, and if the phosphorous level in the soil is greater than 200 parts per million, you must also submit a detailed Nutrient Utilization Plan.

6. DELINQUENT FEE QUESTIONS (Instructions, Page 10)

- a. Do you owe fees to the TCEQ?  Yes  No  
 If yes, please provide:  
 Account number: \_\_\_\_\_ Amount past due: \_\_\_\_\_
- c. Do you owe any penalties to the TCEQ?  Yes  No  
 If yes, please provide:  
 Enforcement order number: \_\_\_\_\_ Amount past due: \_\_\_\_\_

7. REPORTING INFORMATION (Instructions, Page 10)

a. Please provide a valid mailing address for receiving any annual sludge report correspondence.

First/Last Name: Robert Childress  
 Title: Owner Credential: \_\_\_\_\_  
 Organization Name: Childress Outhouses, LLC  
 Mailing Address: 605 Co Rd 121  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls State: TX ZIP Code: 78854  
 Mailing Information if outside USA.  
 Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Phone No.: (512) 755-3141 Extension: \_\_\_\_\_  
 Fax No.: (830) 693-5863 E-mail Address: rchildress@281.com

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**8. REQUIRED MAPS** (Instructions, Page 11)

**NEW and AMENDMENT applications**

**1. Landowners Property Boundary Map and Information:** This map is only required for new and amendment applications.

a. Provide a map or drawing which includes the following information (refer to Page 11 for an example):

- (1) The approximate property boundaries of the site being registered and all contiguous property owned or under the control of the applicant and/or the landowner(s).
- (2) The approximate boundaries of the landowners bordering the perimeter of the property owned or under the control of the applicant.

b. Provide a list of the property owners, giving the name and complete mailing address of each adjacent landowner. If separate from the map, the list must be cross-referenced to the map. At a minimum, include all landowners whose property borders the septage operation site and any contiguous land owned or under the control of the applicants (site operator and/or landowner).

c. Provide the source of the landowner's names and mailing addresses.

Burnet County Tax Office

(Source: County Tax Office, the local school or water district, an abstract company, etc.)

d. Either submit the mailing list on a CD-RW disc using software compatible with Microsoft Word, as allowed by 30 TAC 39.5(b), or if more convenient, four sets of printed labels of the list may be provided in lieu of a computer disc. One of these two methods of providing the affected landowners mailing addresses must be used. The application cannot be declared administratively complete until one of the two is received. Names and addresses must be typed in the format indicated below, all upper case and no punctuation. This format is required by the U.S. Postal Service for machine readability.

JOHN SMITH  
100 MAIN ST  
ANYWHERE TX 70000

**ALL APPLICATIONS:**

The following maps of the application site are required with the application. Mark the outline of the site boundaries in red. (Note: An exact copy of each map must be attached to each copy of the application)

**2. General Highway (County) Map**

Submit an original General Highway (County) Map showing all boundaries of the site area. These can be ordered from the Texas Department of Transportation Map Sales from the following web site: [http://www.txdot.gov/travel/county\\_grid\\_search.htm](http://www.txdot.gov/travel/county_grid_search.htm)

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**3. United States Geological Survey (USGS) Topographic Map (Example, Page 13)**

Submit an original United States Geological Survey (USGS) Topographic Map (1:24,000 scale) showing the items listed below:

- (1) all boundaries of the site
- (2) all residences and occupied structures within 1000 feet of the site (if the site is on the border of the USGS map, the adjoining map is also needed)
- (3) the location of all wells, structures, and public water supply facilities within 500 feet of the application area (including those off-site)
- (4) draw boundaries of the application area within the site boundaries including the labeled buffer zones, to conform with the site restrictions as per 30 TAC, Section 312.44. (Please refer to Item 8 of the instructions.)

(For assistance locating maps for your area, call the Texas Natural Resource Information System at 512/463-8337.)

**4. USDA Natural Resources Conservation Service (NRCS) Soil Map**

Submit a legible copy of a USDA Natural Resources Conservation Service (NRCS) Soil Map that shows the approximate application area boundaries along with a soil legend and necessary interpretative information. Show on this map the location of each grab sample of the composite soil sample(s) taken for analyses. Contact the nearest NRCS office for map information. The phone number for the State NRCS Headquarters in Temple is (254) 742-9800. If the specific county is not mapped, have a soil scientist identify the soils.

**d. Federal Emergency Management Agency (FEMA) Map**

Submit a copy of the Federal Emergency Management Agency (FEMA) Map that shows the approximate application area boundaries along with the appropriate legend. Several options are available for obtaining these: They can be obtained by requesting a Flood Insurance Study (no charge) from the FEMA Flood Map Distribution Center at (800) 358-9616. The flood insurance study will contain a booklet and the FEMA maps. The maps can also be downloaded from the following web site: [www.esri.com/hazards](http://www.esri.com/hazards)

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**9. ATTACHMENTS TO THE APPLICATION** (Instructions, Page 19)

Please index all attachments cross-referenced to the specific item (i.e. Item 8.a on Page 2) in this application.

- Attachment Number: A Item cross-referenced to: Fema Flood plain
- Attachment Number: B Item cross-referenced to: Crop Requirements
- Attachment Number: C Item cross-referenced to: Aerial View picture
- Attachment Number: \_\_\_\_\_ Item cross-referenced to: \_\_\_\_\_

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**10. AFFIDAVIT OF OWNER AND APPLICANT** (Instructions, Page 14)

APPLICANT/SITE OPERATOR:

I, Robert Childress Owner  
(Name) (Title)

understand that I am responsible for operating the site described in the legal description in accordance with the Texas Commission on Environmental Quality (TCEQ) requirements in 30 TAC Chapter 312, the conditions set forth in this application, and any additional conditions as required by the TCEQ. I also certify under penalty of law that all information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment for violations, and revocation of this registration.

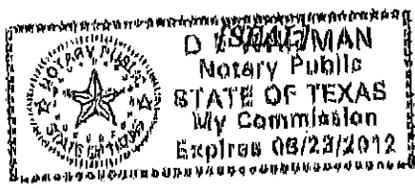
Signature: [Signature] Date: 10/21/11  
(Use blue ink)

Subscribed and sworn to before me by the said Robert Childress

on this 21<sup>st</sup> day of October, 2011

My commission expires on the 28 day of August, 2012

[Signature]  
Notary Public  
Burnet  
County, Texas



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**COMPLETE THE FOLLOWING ONLY IF THE LANDOWNER IS NOT THE SITE OPERATOR**

I, \_\_\_\_\_ (Name) \_\_\_\_\_ (Title)

owner of the land described in the attached legal description, have all rights and covenants to authorize, the applicant for this registration, to use this site for the beneficial reuse of \_\_\_\_\_ (type of waste). I understand that 30 TAC Chapter 312 requires me to make a reasonable effort to see that the applicant complies with the required operating conditions stated in the above paragraph. I also certify under penalty of law that all information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment for violations, and revocation of this registration.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Use blue ink)

Subscribed and sworn to before me by the said \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

[SEAL]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County, Texas

## TECHNICAL REPORT

### FOR A REGISTRATION FOR BENEFICIAL LAND APPLICATION OF SEPTAGE

#### 1. EQUIPMENT USE AND APPLICATION INFORMATION

- a. Describe the equipment and methods to be used to evenly distribute the septage, and if the septage is to be incorporated into the soil, describe the equipment and methods to be used:

After pH is achieved, septage is to be dumped into a screen box with a spreader bar on the back of a truck. This is to be done while the truck is in motion. Then it is to be plowed in the soil.

- b. Describe how often septage will be applied to the site and during which times of the year:

There are 2 types of crops, summer and winter. The septage will be applied in their off season in preparation of planting.

#### 2. SITE HISTORY

- a. Has septage been previously applied to this site?

Yes  No

- b. Please provide a description of the planned use (as well as historic use if amendment or renewal application) of the application area, including the type of crop(s) grown, crop rotation, tillage practices and previous septage application amounts (gallons) and rates (gallons per acre).

#### 3. PATHOGEN AND VECTOR ATTRACTION REDUCTION REQUIREMENTS:

Please check each of the following to ensure that the pathogen reduction and vector attraction options will be met prior to land application of domestic septage.

- Reduction of pathogens (as stated in §312.82) by the addition of lime before land application.
- Reduction of vector attraction (as stated in §312.83) by raising the pH to greater than 12 for at least 30 minutes.

**4. WELL DATA FOR SEPTAGE LAND APPLICATION SITES**

Provide the following information for **all types of wells** located on and within 500 feet of the application area including off-site wells of other landowners. By definition (30 TAC Chapter 238) a "well" is any artificial excavation constructed for the purpose of exploring, monitoring or producing substances, elements, chemicals or fluids beneath the surface of the ground. (Potable water wells, irrigation wells, gas wells, oil wells, etc.)

Show well locations and numbers on the USGS map and cross reference to the numbers on the list below.

Type of Well Example (Water Well)	Action Taken							
	Producing		Cased		Plugged		Capped	
	Yes	No	Yes	No	Yes	No	Yes	No
#1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
#2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
#3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Proper casing is a minimum of 10 feet of casing and cement.

(Casing, plugging and capping rules - 30 TAC Section 238.48)

\*\*Action that the site operator assures will be taken on each well before sludge/septage application begins on the site.

Condition of Well	Action to be Taken
If producing and cased	no action necessary.
If producing and not cased	case or describe other means of protection.
If non-producing and cased	must plug or cap before septage application.
If non-producing and not cased	must plug before septage application.

For the site water well history, contact the Texas Water Development Board (512) 936-0837.

For a thorough investigation of other well records, contact the Texas Railroad Commission: Mapping Office (512) 463-6851 or Records Retention Office (512) 463-6882.

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### APPENDIX A SEPTAGE APPLICATION RATE

#### STEP 1 - SOIL TEST ANALYSIS AND FERTILIZER RECOMMENDATIONS

Yield Goal(s): 500# pH: 6.5 up  
 \*\*Warm Season Intended Crop(s): 800#  
 \*\*Cool Season Intended Crop(s): + 145#  
 Total Nutrient Needed by crop for specific yield goal: 375# (Include in Line A)

A. Nutrient needed by crop for specified yield goal**	<u>375#</u>
B. Nutrient available in soil **	Minus <u>-.106</u>
C. Nutrient amount still needed to meet yield goal, N Equals =	<u>2.69</u>

\*\* Please provide the means of determining these values.

[Nutrient available in soil (lbs/Acre) = 2\*NO<sub>3</sub>-N(ppm)(0-6" soil depth) + 6\*NO<sub>3</sub>-N(ppm)(6-24" soil depth)]

#### STEP 2 - CALCULATE ANNUAL APPLICATION RATE BASED ON NITROGEN REQUIREMENTS OF CROP IN GALLONS PER ACRE PER 365 DAY PERIOD

$$AAR = N (\text{Line C}) / 0.0026 = \underline{327.89} / 0.0026 = \underline{12,603.5} \text{ gal/acre/yr}$$

AAR = Annual application rate in gallons per acre per 365 day period.  
 N = Amount of nitrogen in pounds per acre per 365 day period for the crop or vegetation grown on the land.

#### CERTIFICATION STATEMENT FOR ANALYTICAL DATA

Effective July 1, 2008, all laboratory tests performed must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification with the following general exemptions:

- a. The laboratory is an in-house laboratory and is:
  - (1) periodically inspected by the TCEQ; or
  - (2) located in another state and is accredited or inspected by that state; or
  - (3) performing work for another company with a unit located in the same site; or
  - (4) performing pro bono work for a governmental agency or charitable organization.
- b. The laboratory is accredited under federal law.
- c. The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- c. The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review 30 TAC Chapter 25 for specific requirements. The following certification statement shall be signed and submitted with every application.

I, Robert Childress Certify that all laboratory tests submitted with this application meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

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**APPENDIX B  
 SOIL TESTING INFORMATION**

**Procedures:**

- 1) Soil samples shall be taken prior to any application of commercial fertilizer. Do not use a galvanized container as this could give a false reading on zinc. Samples will need to be taken within the same 45 day time-frame each year, or by an approved sampling plan and analyzed within 30 days of procurement. The initial soil sample for application approval may be taken whenever necessary.
- 2) Attach a map which clearly delineates where the soil samples were taken on the site. It must match the scale of the soil survey map submitted with the application. The soil analysis data submitted must be clearly cross referenced to the location of the sample(s).
- 3) Composite samples shall be comprised of 10 - 15 random sample cores taken from each of the following soil depth zones: 0-8 inches and 8-24 inches.
- 4) Obtain one composite sample for each soil depth per 80 acres and per uniform soil type (soils with the same characteristics and texture) within the 80 acres, or per approved soil sampling plan.
- 5) Soil samples shall be submitted to a soil testing laboratory along with a previous crop history of the site, intended crop growth and yield goal. Soil reports shall include fertilizer recommendations for the crop yield goal.
- 6) Below are the parameters and soil sample depths to be taken to obtain the background samples. Submit copies of the laboratory reports for all required tests.

**Monitoring Requirements**

No.	Parameter	0-8"	8-24"	Please be advised that the maximum acceptable soil concentrations of metals are listed below. These rates are based on the maximum cumulative loading rates found in §312.49 Table 2- Cumulative Metal Loading Rate.	
1	Nitrate Nitrogen (NO <sub>3</sub> -N, mg/kg)	X	X		
2	Ammonium Nitrogen (NH <sub>4</sub> -N, g/kg)	X	X		
3	Total Kjeldahl Nitrogen (TKN, mg/kg) (1)	X	X		
4	Phosphorus (plant available, mg/kg) (2)	X	X		
6	Potassium (plant available, mg/kg) (2)	X	N/A		
8	Sodium (plant available, mg/kg) (2)	X	N/A		
7	Magnesium (plant available, mg/kg) (2)	X	N/A		
8	Calcium (plant available, mg/kg) (2)	X	N/A		
9	Electrical Conductivity (3)	X	N/A		
10	Soil Water pH (S.U.) (4)	X	X		
11.	Total Arsenic (mg/kg) *	X	N/A	Total Arsenic	20.6
12.	Total Cadmium (mg/kg) *	X	N/A	Total Cadmium	18.6
13.	Total Chromium (mg/kg) *	X	N/A	Total Chromium	1500
14.	Total Copper (mg/kg) *	X	N/A	Total Copper	750
15.	Total Lead (mg/kg) *	X	N/A	Total Lead	150
16.	Total Mercury (mg/kg) *	X	N/A	Total Mercury	8.5
17.	Total Molybdenum (mg/kg)*	X	N/A	Total Molybdenum	Monitor
18.	Total Nickel (mg/kg) *	X	N/A	Total Nickel	210
19.	Total Selenium (mg/kg) *	X	N/A	Total Selenium	60
20.	Total Zinc (mg/kg) *	X	N/A	Total Zinc	1,400

1. Determined by Kjeldahl digestion or an equivalent accepted procedure. Methods that rely on Mercury as a catalyst are not acceptable.
  2. Mehlich III extraction ( yields plant-available concentrations) with inductively coupled plasma.
  3. Electrical Conductivity (EC) - determine from extract of 2:1 (volume/volume) water/soil mixture and expressed in ds/m (same as mmho/cm).
  4. 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 - determine from extract of 2:1 (volume/volume) water/soil mixture.
- \* Analysis for metals in sludge and soil must be performed according to methods outlined in "Test Methods for Evaluating Solid Waste," EPA SW-846; method 3080.

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**APPENDIX C  
ON-SITE STORAGE**

If on-site storage will occur at the site, this Appendix must be completed in its entirety. On-site storage does not include staging of septage for up to seven (7) days prior to applying it. On-site storage cannot exceed the 90-day maximum per 30 TAC §312.50 unless properly authorized for each instance. Construction of the storage area cannot begin until written authorization for this action is received from the TCEQ. The on-site storage area must be shown on the U.S.G.S. topographic map submitted with the application, including the major features of the storage area (berms, tanks, pads, liners, storm water retention, etc.). No treatment of the materials can be authorized under a registration. Provide the following information:

- a. A complete description of operational plans for the temporary storage including all steps to be taken to control odors, vectors and other nuisance conditions.

Lime and keep in an enclosed container.

- b. The location of the temporary storage area(s) must be accurately shown on the U.S.G.S. topographic map submitted with the application, including all main features of the storage area(s). The intent of this requirement is to provide enough detail on the map to ensure adequate measures are taken to protect the environment.

- c. Liner and storage tank certification as per 30 TAC §312.50(a)(4), or 312.50(a)(8).

- d. A full explanation of proposed spill prevention and cleanup methods.

Every application will be originated in application area. Any spill will be plowed in.

- e. A certification that the berm(s) will hold the required volume(s) without discharging as per 30 TAC §312.50 (a)(7).

- f. A full description of the method for storm water runoff collection and disposal.

This is an existing field and there is no drainage issues.

- g. Describe methods to be used to ensure no loads of septage remain at the temporary storage site for longer than 90 days, including how exceptions to this restriction will be requested (as provided by 30 TAC §312.50) when needed.

If there is not a time that septage can not be applied it will be transported to another legal dump site.

## Property Owners

1#

Capital Aggregates  
P.O. Box 1206  
Marble Falls, TX 78654

#2

Jimmy Stanley  
P.O. Box 386  
Marble Falls, TX 78654

#3

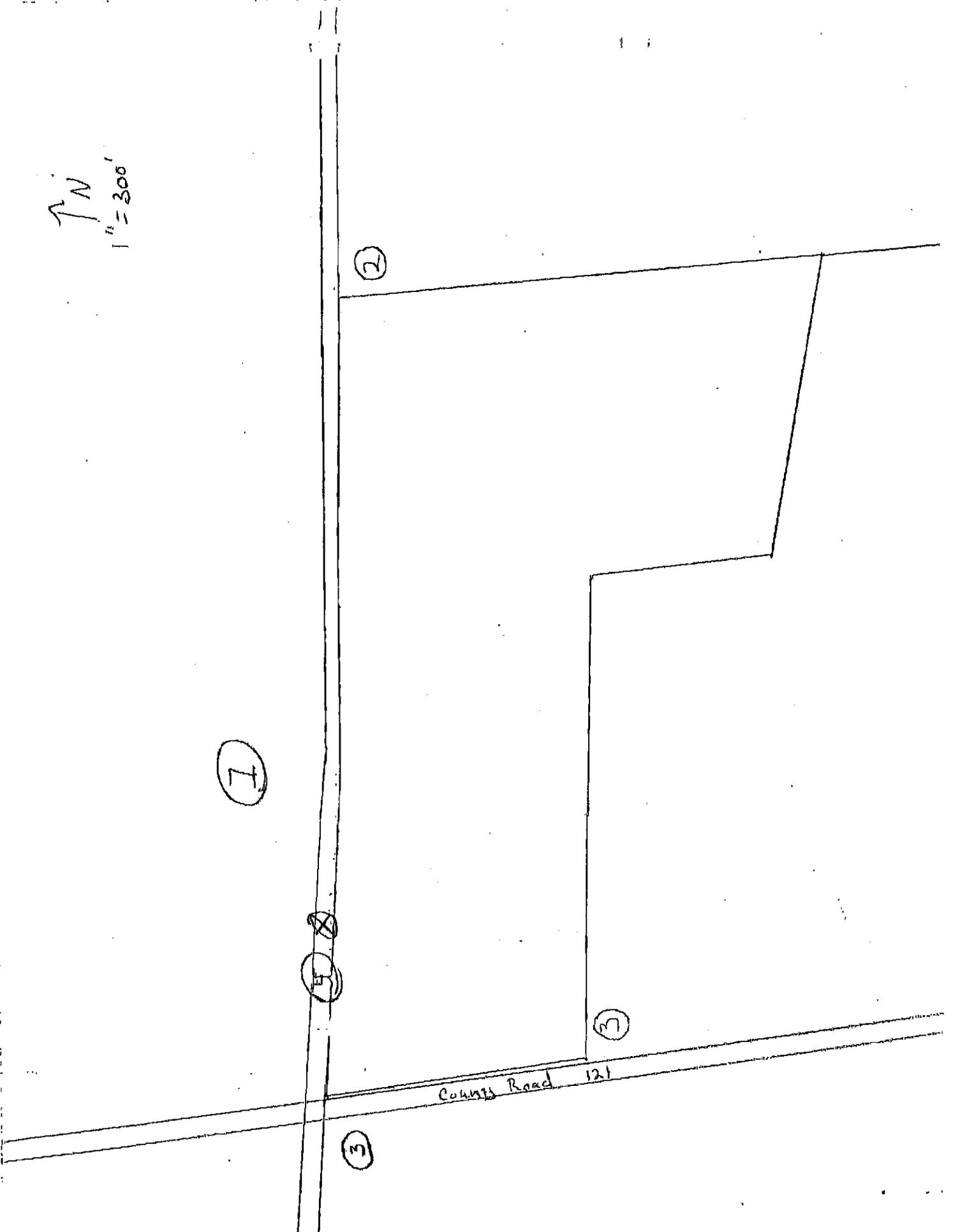
Stan Collier / Collier Material Inc.  
P.O. Box 86  
Marble Falls, TX 78654

#4

Capital Metro  
Attn: Vincent Sandoval  
2910 E. 5<sup>th</sup> St.  
Austin, TX 78702

Source Burnet County

↑ N  
1" = 300'

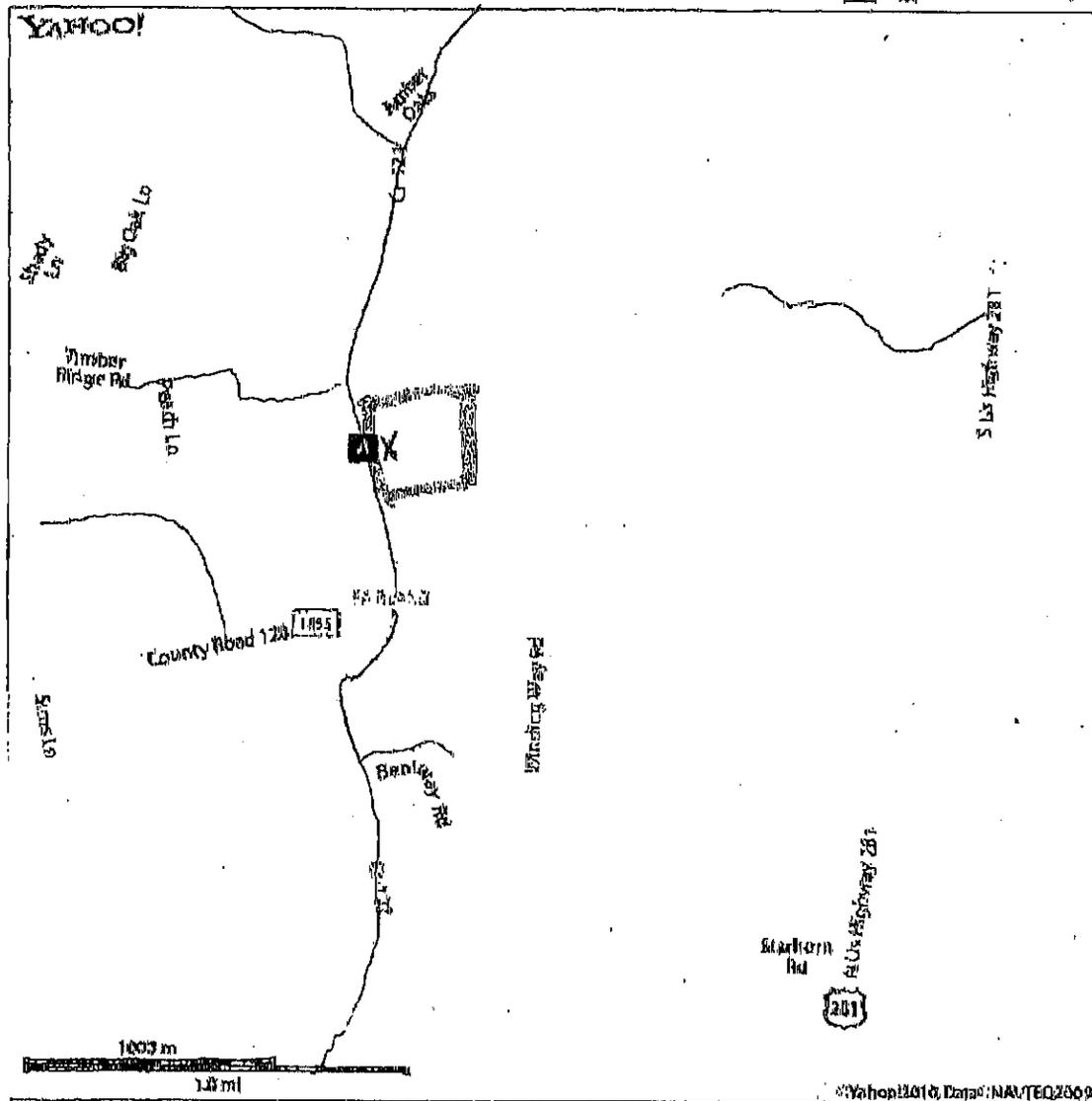


Map of 605 Cr-121, Marble Falls, TX 78654-3856

Page 1 of

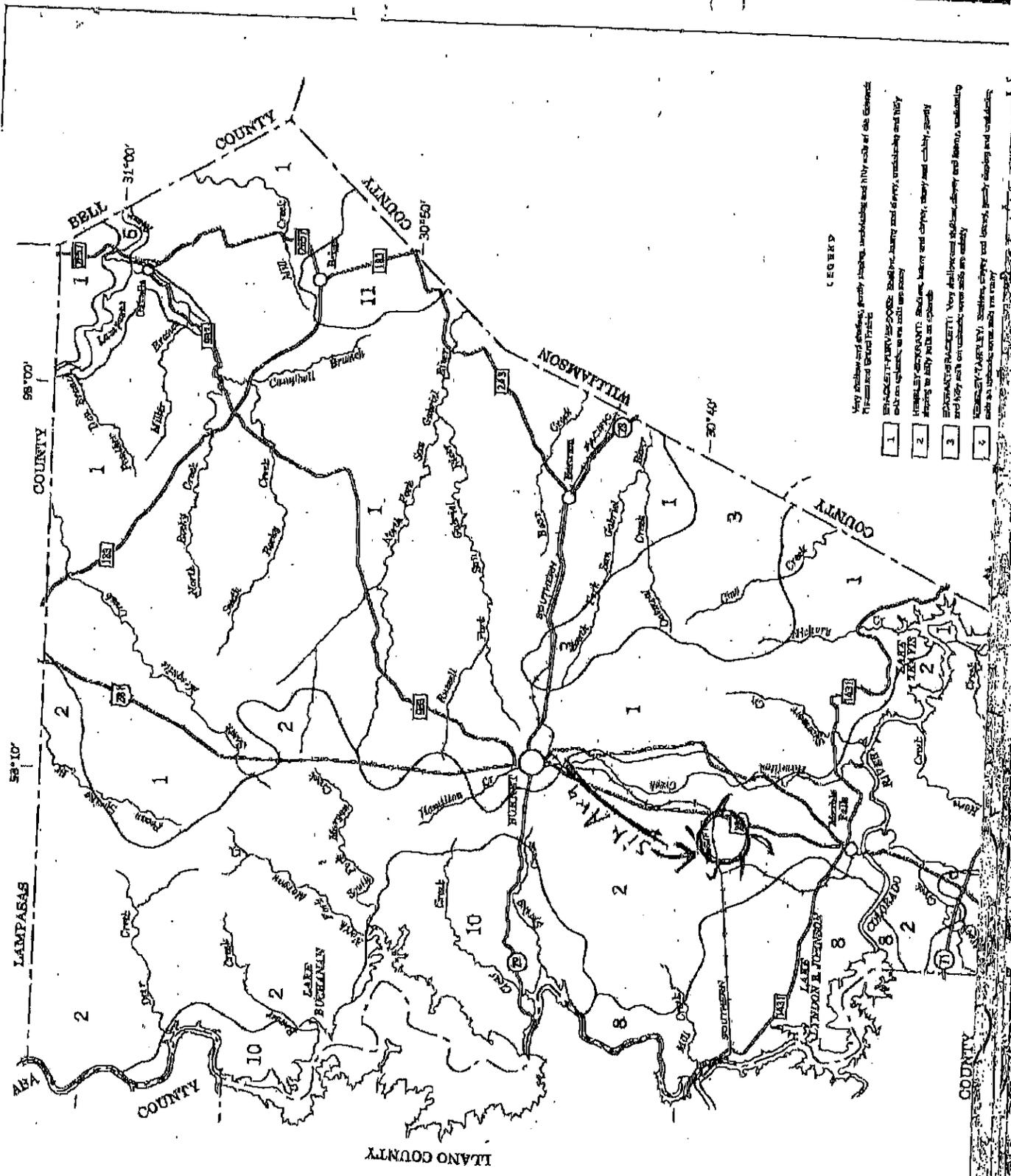
Map of 605 Cr-121, Marble Falls, TX 78654-3856

YAHOO!



When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.





- LEGEND
- 1 Very shallow and shallow, poorly flushing, including and fifty feet of the channel. High and ground traffic.
  - 2 BRACKET-PURPOSES: Road traffic and heavy machinery and fifty feet of the channel, where not too many.
  - 3 HEAVILY-DEGRADED: Shallow, heavy and deep, heavy and shallow, poorly flushing to fifty feet or above.
  - 4 DEGRADED: Very shallow and shallow, deep and heavy, including and fifty feet or above, where not too many.
  - 5 UNDESIRABLE: Shallow, deep and heavy, poorly flushing and including and fifty feet or above, where not too many.

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Water Quality Applications

98°20'

LLANO COUNTY

U.S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

BLANCO AND BURNET CO.

SOIL LEGEND

The map symbols are numeric. The soil name followed by the superscript 1/ designates a locally defined mapping unit and the composition of these mapping units are more variable than other mapping units in the survey area. Mapping has been controlled well enough for the anticipated use of the soil.

SYMBOL	NAME
1	Alata association, undulating 1/
2	Arhoit clay, 0 to 3 percent slopes
3	Arhoit clay, 1 to 3 percent slopes
4	Baker clay loam, 1 to 3 percent slopes
5	Baker clay loam, 3 to 6 percent slopes
6	Brooklet association, undulating 1/
7	Brooklet-Hart association, hilly 1/
8	Clark gravelly sandy loam, 1 to 5 percent slopes
9	Dean silty clay, 1 to 5 percent slopes
10	Hansen-Rock outcrop association, rolling 1/
11	Eckhart association, undulating 1/
12	Hansen-Rock outcrop association, hilly 1/
13	Hansen-Rock outcrop association, undulating 1/
14	Hansen loamy fine sand, 1 to 3 percent slopes
15	Hansley loam, 1 to 3 percent slopes
16	Hansley loam, 3 to 6 percent slopes
17	Hansley association, undulating 1/
18	Houston Black clay, 0 to 1 percent slopes
19	Houston Black clay, 1 to 3 percent slopes
20	Hwy Hwy sandy loam, 3 to 6 percent slopes
21	Karnes loam, 1 to 3 percent slopes
22	Karnes loam, 1 to 5 percent slopes
23	Karnes-Rock outcrop association, rolling 1/
24	Krumm clay, 1 to 3 percent slopes
25	Krumm clay, 3 to 6 percent slopes
26	Lewisville clay loam, 0 to 1 percent slopes
27	Lewisville clay loam, 1 to 3 percent slopes
28	Light-Rock outcrop association, undulating 1/
29	Litchfield clay loam, 1 to 3 percent slopes
30	Nelson-Dean-Rock outcrop association, rolling 1/
31	Ocala loam
32	Ocala silty clay loam
33	Okan (fine sandy loam), 1 to 5 percent slopes
34	Owens association, hilly 1/
35	Parryville (fine sandy loam), 1 to 3 percent slopes
36	Parryville (fine sandy loam), 3 to 6 percent slopes
37	Parryville gravelly clay, 1 to 3 percent slopes
38	Parryville association, undulating 1/
39	Reynolds sandy clay loam, 5 to 12 percent slopes
40	Spencer-Rock outcrop association, gently undulating 1/
41	Turnip clay, 1 to 3 percent slopes
42	Turnip association, undulating 1/
43	Turnip-Vernon silty clay loam, 1 to 3 percent slopes
44	Voca association, gently undulating 1/
45	Worland silty loam

CULTURAL

BOUNDARIES

National, state or province

County or parish

Minor civil division

Reservation (national for state forest or park, and large airport)

Land grant

Limit of soil survey (label)

Field sheet matchline &

AD HOC BOUNDARY (label)

Small airport, airfield, cemetery, or head post

STATE COORDINATE TICK

LAND DIVISION CORNERS (sections and land grants)

ROADS

Divided (median shown if scale permits)

Other roads

Trail

ROAD EMBLEMS & DESIGN

Interstate

Federal

State

County, farm or ranch

RAILROAD

POWER TRANSMISSION LINE (normally not shown)

PIPE LINE (normally not shown)

FENCE (normally not shown)

LEVERS

Without road

With road

With railroad

DAMS

Large (to scale)

Medium or small

PITS

Gravel pit

Mine or quarry



# APPENDIX B

Suffix: \_\_\_\_\_  
 Title: Owner \_\_\_\_\_ Credential: \_\_\_\_\_  
 Organization Name: Childress Outhouses, LLC  
 Mailing Address: 805 Co Rd 121  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls State: TX ZIP Code: 78654  
 Mailing Information if outside USA.  
 Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Phone No.: (612) 755-3141 Extension: \_\_\_\_\_  
 Fax No.: (830) 893-8083 E-mail Address: rchildress@281.com

b. Provide the name, address, and telephone number of the County Judge in each County where the site is located (attach an additional page if there is more than one county).

First/Last Name: Donna Klaeger  
 Name of County: Burnet  
 Title: County Judge  
 Mailing Address: ~~805 Co Rd 121~~ 220 South Pierce  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: Marble Falls Sarvek State: TX ZIP Code: ~~78654~~ 78611  
 Phone No.: (512) 715-6278

5. **REGULATED ENTITY INFORMATION** (Instructions, Page 8)

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: <http://www12.tceq.texas.gov/crph/index.cfm?fuseaction=regent.RNSearch>  
 TCEQ issued RE Reference Number (RN):  
RN 105386873

- a. Name of project or site (the name known by the community where located):  
Fairland
- b. Does the site have a physical address?  
 If Yes, complete Section A for a physical address.  
 If No (the location description is not accurate or this is a new permit application, complete), complete Section B for site location information.

Section A: Enter the physical address for the site.

Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergencies, or other online map tool to confirm an address.

Give the physical address of the land application site (depicted on map):

Street Number: 121 Street Name: County Road  
 City: Marble Falls ZIP Code: 78654

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k. The septage application site is (check one):

- within the city limits of \_\_\_\_\_
- within the extraterritorial jurisdiction of \_\_\_\_\_
- outside the extraterritorial jurisdiction of Marble Falls

l. Describe the source of the septage i.e., residences, mobile homes, etc.

Domestic Septage From residences, mobile homes, portable toilet, cesspool

m. If the facility is located in a Major Sole-Source Impairment Zone, then please provide a copy of a nutrient management plan that has been prepared by a certified nutrient management specialist in accordance with the practice standards of the Natural Resources Conservation Service of the United States Department of Agriculture, and if the phosphorous level in the soil is greater than 200 parts per million, you must also submit a detailed Nutrient Utilization Plan.

6. DELINQUENT FEE QUESTIONS (Instructions, Page 10)

a. Do you owe fees to the TCEQ?  Yes  No

If yes, please provide:  
Account number: \_\_\_\_\_ Amount past due: \_\_\_\_\_

c. Do you owe any penalties to the TCEQ?  Yes  No

If yes, please provide:  
Enforcement order number \_\_\_\_\_ Amount past due \_\_\_\_\_

7. REPORTING INFORMATION (Instructions, Page 10)

a. Please provide a valid mailing address for receiving any annual sludge report correspondence.

First/Last Name: \_\_\_\_\_

Title: \_\_\_\_\_ Credential: \_\_\_\_\_

Organization Name: Childress Outhouses

Mailing Address: 606 County Road 121

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: Marble Falls State: TX ZIP Code: 78854

Mailing Information if outside USA.

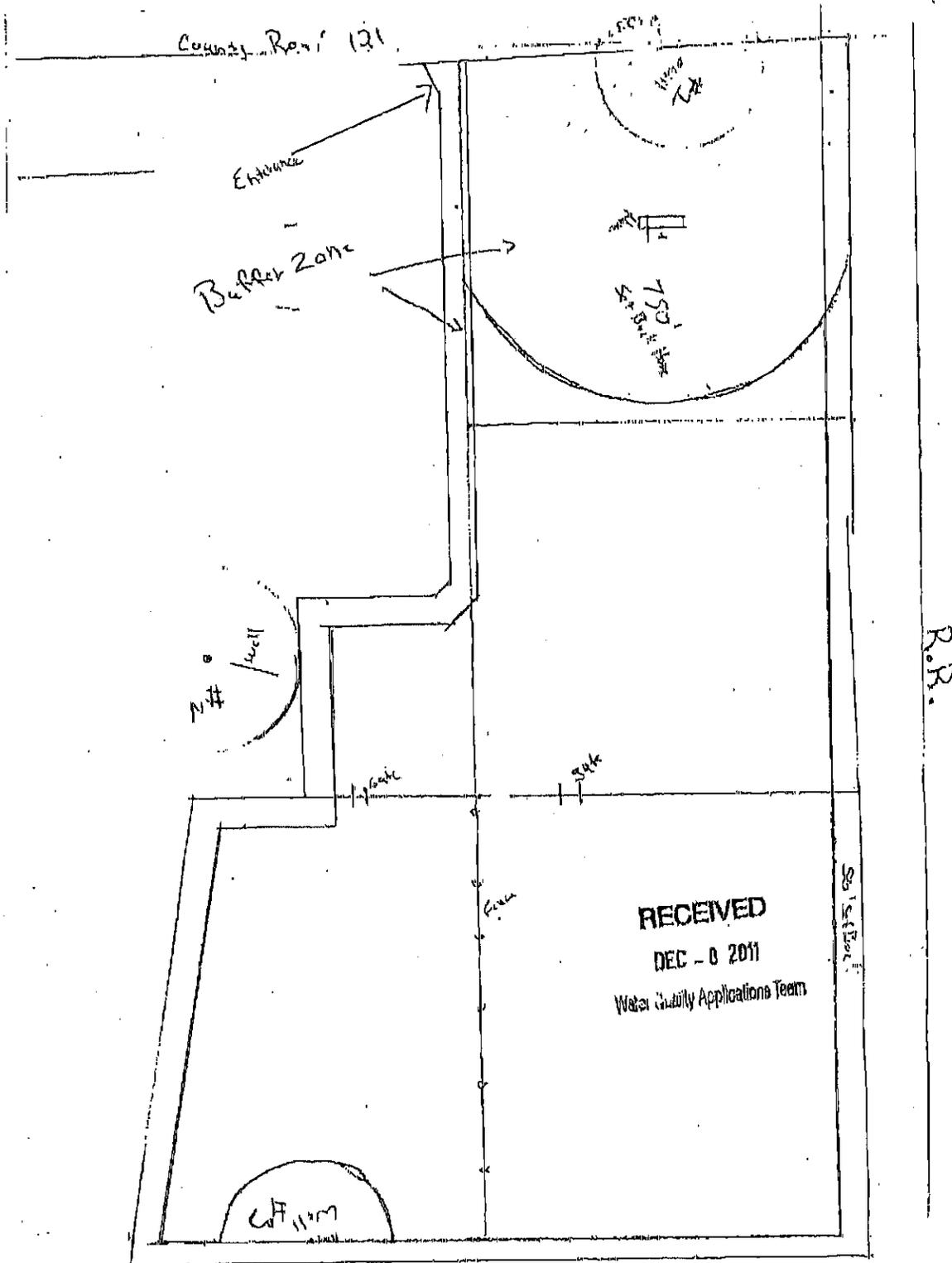
Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone No.: (830) 893-3983 Extension: \_\_\_\_\_

Fax No.: (830) 893-5963 E-mail Address: rjohldress@281.com

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DEC - 8 2011



1 = 20 Scale

Application Area

JUL-05-2012 THU 04:55 PM LOWERRE FREDERICK PERALE

# APPENDIX C

**Childress Outhouses**

605 CR 121

Marble Falls, TX 78654

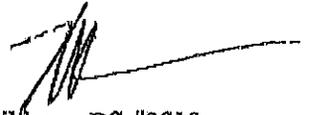
(830)693-5963

December 16, 2011

Application # 710921

If there is anything else please or questions, please do not hesitate to call  
(512) 755- 3141.

Sincerely,



Robert Childress, RS #3818  
605 CR 121  
Marble Falls, TX 78654

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DEC 19 2011  
Water Quality Applications Team

### Final Analysis Report

#### LCRA Environmental Laboratory Services

Date: 12-Dec-11

**CLIENT:** Childress Septic  
**Lab Order:** 1111247  
**Project:** Soil Sampling Requirements  
**Lab ID:** 1111247-001

**Client Sample ID:** 0-6 Inches  
**Collection Date:** 11/7/2011 1:00:00 PM  
**Matrix:** SOIL  
**Tag No:** CHILDRESS SEPTIC

Analyses	Result	PQL	Qual	Units	DT	Date Analyzed
<b>ICP METALS, TOTAL</b>						
SW8010B						
Arsenic	8.18	2.74		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Cadmium	1.87	0.647		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Chromium	9.34	2.18		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Copper	8.48	2.74		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Lead	< 2.74	2.74		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Molybdenum	< 1.08	1.08		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Nickel	6.84	0.647		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Selenium	< 4.92	4.92		mg/Kg-dry	1	11/7/2011 1:32:47 PM
Zinc	13.6	10.8		mg/Kg-dry	1	11/7/2011 1:32:47 PM
<b>MERCURY, TOTAL</b>						
SW7471A						
Mercury	< 117	117		µg/Kg-dry	1	11/11/2011 2:14:00 PM
<b>EXTRACTABLE ANIONS BY ION CHROMATOGRAPHY</b>						
E300.0 (300.0)						
Nitrogen, Nitrate (As N)	0.08	0.11		mg/Kg-dry	1	11/22/2011 8:52:00 PM
<b>CONDUCTANCE</b>						
SM2610B						
Specific Conductance	108	1		µmhos/cm	1	11/16/2011
<b>AMMONIA AS N</b>						
E350.1						
Nitrogen, Ammonia (As N)	10.8	2.10		mg/Kg-dry	1	11/18/2011
<b>PH</b>						
SW9040B						
pH @ 25°C [for information only]	8.38	0		pH Units	1	11/16/2011
<b>SOLIDS, TOTAL</b>						
SM2540G						
Percent Total Solids	95.2	0		wt%	1	11/8/2011
Percent Moisture for Dry Weight	4.80	0		wt%	1	11/8/2011

**Qualifiers:**

- A Not Available for Accreditation
- II Value Above Quantitation Range
- N Not Accredited
- X Value Exceeds Maximum Contaminant Level (MCL)

- Analyte Detected in Method
- Holding Time Exceeded
- Spike Recovery Outside Recovery Limits

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PQL: Principal Quantitation Limit

Value Below PQL Considered Estimated

DEC 19 2011