

TCEQ DOCKET # 2014-1339-MWD

PETITION BY THE CITY OF	§	BEFORE THE TEXAS COMMISSION
MISSION TO REVOKE TEXAS	§	
POLLUTION DISCHARGE	§	ON
ELIMINATION SYSTEM PERMIT NO	§	
WQ0014415003	§	ENVIRONMENTAL QUALITY

**AGUA SPECIAL UTILITY DISTRICT’S RESPONSE
TO PETITION TO REVOKE TPDES PERMIT**

On or about September 12, 2014, the City of Mission (the “City” or “Petitioner”) filed its Petition to Revoke TPDES Permit No. WQ0014415003 (the “Petition”), which was issued to the Agua Special District (“Agua SUD” or the “District”) by the Executive Director (“ED”) of the Texas Commission on Environmental Quality (“TCEQ”) on May 17, 2013. In its Petition, the City readily admits that it received three separate forms of notice of Agua SUD’s permit application – including one notice mailed directly to the City itself – but failed to pursue any of its administrative remedies with regard to the District’s permit application. The City now comes to TCEQ over a year and a half later to seek revocation of that permit based on a clerical error in the application that has no bearing on the discharge point or water quality, and that can be corrected without even a minor amendment of the permit. The timing of this Petition is not an accident, as the City has sued the District seeking to enjoin construction of the District’s proposed Palmview wastewater treatment system. TPDES Permit No. WQ00114415003 authorizes the operation of the wastewater treatment plant that would serve as the heart of that system. With its Petition, the City seeks to use a TCEQ procedure to revoke a permit as leverage in unrelated litigation. For the reasons stated below, the Petition should be denied.

I. Background

Agua SUD is special utility district in Hidalgo and Starr Counties created under Section 59, Article XVI of the Texas Constitution and Chapter 7201 of the Texas Water Code, and is a political subdivision of the State of Texas. The District is taking all necessary efforts to construct what is known as the Palmview wastewater treatment system in order to serve the eastern portion of its CCN area, which currently relies on septic systems, with wastewater service.¹ In order to do so, the District has purchased a site for a wastewater treatment plant, has obtained the environmental permits needed, has engineered the plant and collection system feeding the plant, and is currently obtaining easements for the collection system pipes. The District has worked with the Texas Water Development Board (“TWDB”) and the Environmental Protection Agency (“EPA”) to obtain approximately \$44 million in funding for the construction of the Palmview wastewater treatment system, of which roughly \$4 million is revenue bonds and \$40 million is in the form of grant money. The project cannot be built without this grant money.² In June of 2014, the District closed on the first series of bonds, which fund the construction of the wastewater treatment plant. The second series of bonds, which include approximately \$30 million in grant money from the TWDB’s Economically Distressed Areas Program, must close by December 31, 2014.

Mission’s Petition to revoke Agua SUD’s wastewater discharge permit is the City’s effort to use a TCEQ proceeding as part of a strategy in unrelated litigation to prevent the District from constructing the Palmview wastewater treatment system within the City’s limits or its extraterritorial jurisdiction. The City first sued Agua SUD on July 8, 2014, Cause No. C-6183-14-A, *City of Mission, Texas v. Agua Special Utility District*, in the 92nd Judicial District Court

¹ See **Exhibit A**, Affidavit of Francisco Flores.

² *Id.*

of Hidalgo County, seeking to enjoin Agua SUD from constructing its wastewater treatment project (the “Hidalgo County suit”). In order to obtain binding declarations declaring the legality and validity of the District’s two series of bonds for the construction of the Palmview wastewater treatment system, as well as the District’s expenditure of money, proposed contracts, and pledge of revenues necessary to repay these Bonds, Agua SUD then filed a bond validation suit pursuant to Chapter 1205 of the Texas Government Code in the 250th Judicial District of Travis County, Texas, *Ex Parte Agua Special Utility District*, Cause No. D-1-GN-14-002373 (the “bond validation suit”). At issue in both the Hidalgo County suit and the bond validation suit is whether the City may use its zoning and subdivision ordinances to prevent the District from constructing a wastewater treatment plant that is within the District’s CCN and also within the City’s limits. Following a trial on the merits, the bond validation suit and Hidalgo County suit were consolidated, and have been directly appealed to the Texas Supreme Court.

The Petition to revoke the District’s TPDES permit is an attempt to use a Commission procedure to frustrate the District’s ability to bring first-time sewer service to its customers in an economically distressed area. Whether Mission may use its zoning ordinances to prevent the construction of the District’s proposed wastewater treatment plant is currently being addressed by litigation in court. Because the Petition is without merit, it should be denied without the need for a contested case hearing.

II. The violation alleged by Petitioner is not significant as the City admits it had actual notice of the application, and any alleged violation can easily be corrected.

TCEQ’s Rules state that before suspending or revoking a permit, the TCEQ must first find that the violation is significant, *and* that the permit holder has not made a substantial attempt to correct the violation.³ Neither factor has been met here.

³ 30 Texas Administrative Code § 305.66(g)(1).

a. The alleged violation is not “significant” because Petitioner had actual notice of the District’s discharge permit application.

The heart of the City’s Petition is that the “proper City authorities”⁴ were unaware of the District’s application due to lack of notice until after the District’s permit was issued and, as such, the City did not have the opportunity to participate in the administrative proceeding on the permit application. However, the City concedes that, in fact, it received *three different forms* of actual notice of the application at each relevant point in the TCEQ’s consideration of the application.

Specifically, the City acknowledges that it received the following notices of the District’s permit application:

- November 19, 2012 Notice of Receipt of Application and Intent to Obtain Water Quality Permit (“NORI”) published in a newspaper of general circulation in Hidalgo County (where the City is located);⁵
- March 29, 2013 Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New (“NAPD”) published in a newspaper of general circulation in Hidalgo County;⁶
- Mailed notice of the application to landowners regarding both the NORI and NAPD, including City of Mission, because Mission is the owner of property located downstream of the permitted discharge point.⁷

⁴ See Petition to Revoke TPDES Permit at p. 4.

⁵ See **Exhibit B**, November 19, 2012 Publisher’s Affidavit for notice of NORI in Hidalgo County Monitor and TCEQ Notice of Receipt of Application; *see also* Petition to Revoke TPDES Permit at p. 2 (“The NORI was published in a newspaper of general circulation in Hidalgo County on November 19, 2012.”).

⁶ See **Exhibit C**, March 26 and 29, 2013 Publisher’s Affidavit for notice of NAPD in Hidalgo County Monitor and TCEQ Notice of Application and Preliminary Decision; *see also* Petition to Revoke TPDES Permit at p. 2 (“The NAPD was published in a newspaper of general circulation in Hidalgo County on March 26, 2013.”).

⁷ See **Exhibit D**, Landowner Information Table, Agua SUD WWTP East (which is the District’s internal name for what is referred to herein as the Palmview wastewater treatment plant), listing City of Mission, 1201 E 8th St, Mission TX 78572-5812 as a landowner receiving mailed notice based on Mission’s ownership of property with the legal description of a number of lots downstream of the Palmview wastewater treatment plant site; 11-27-12 list of landowners receiving notice, again including City of Mission and same mailing address; 2-5-13 list of landowners receiving notice, again including City of Mission and same mailing address. *See also* Petition to Revoke TPDES Permit at p. 2 (“The chief clerk included the generic reference to the “City of Mission” on its list of landowners

The City therefore admits that it received actual notice of the permit application on numerous occasions. Evidence that a party received actual notice defeats a later claim for due process violations.⁸ The City’s notice claims are factually similar to those made in a recent Austin Court of Appeals decision. In *McMaster v. Public Utility Commission of Texas*, 2012 WL 3793257 (Tex. App.—Austin 2012, no pet.) (*mem. op.*), a landowner complained that he did not receive notice of a contested case hearing in the form prescribed by the Commission’s rules, and sought judicial review of the order granting the application. However, the applicant twice published notice of its application in the appropriate newspapers, and then incorrectly mailed notice to the landowner’s neighbor, who then told the landowner about the notice and advised him to investigate the matter.⁹ The Court found that, despite the fact that not every element of the Commission’s notice rule was observed, the landowner had *actual* knowledge of the administrative proceeding, and simply failed to timely file a motion to intervene.¹⁰ The Court held that to require mailed notice of the application when the landowner had received actual notice of it would be an “absurd interpretation of the rule” because “it would allow a person who had *actual knowledge* of the CCN proceeding to wait until after resolution of the matter – *i.e.*, after all the other parties expended considerable time and money on the issue—to step forward with a complaint.”¹¹ Such a result would also thwart the Commission’s rules that proceedings be just and efficient.¹²

attached to the mailed notice for the Application. Agua SUD correctly identified the City of Mission as the owner of a one-acre parcel of property located near the proposed discharge route within one mile downstream of the proposed discharge point.”).

⁸ *Pierce v. Texas Racing Commission*, 212 S.W.3d 745, 758 (Tex. App.—Austin 2006, pet. denied).

⁹ *Id.* at *1.

¹⁰ *Id.* at *5.

¹¹ *Id.* (emphasis added).

In another similar and recent case, *Texas Commission on Environmental Quality v. Denbury Onshore*,¹³ a mineral interest owner and its successor in interest complained that the TCEQ granted an application to construct four wastewater injection wells despite not receiving proper mailed notice pursuant to the governing statutes and TCEQ rules, and because the application misrepresented that the applicant owned the minerals under the proposed facility. However, the land manager of the actual mineral interest owner offered an affidavit stating that he “was aware” of the application, and stated in responsive briefing that it was aware of the contested case hearing at a time when administrative remedies (including intervention in the contested case hearing, or filing a petition with the TCEQ urging that the application contained material misrepresentations) were still available, but failed to avail itself of those remedies.¹⁴ Assertions of fact in live pleadings of a party are regarded as formal judicial admissions.¹⁵ However, because the mineral interest owner judicially admitted that it had actual notice of the contested case hearing when it could have availed itself of administrative remedies – even though that notice was not in the form proscribed by statute or rule, and even though the application contained a misrepresentation – the mineral interest owner failed to exhaust its administrative remedies and therefore the district court was without jurisdiction to consider its claims challenging the TCEQ’s order granting the permit application.¹⁶

¹² *Id.*

¹³ 2014 WL 3055912 (Tex. App.—Austin 2014, no pet. h.) (*mem. op.*).

¹⁴ *Id.* at *6-7.

¹⁵ *Holy Cross Church of God in Christ v. Wolf*, 44 S.W.3d 562, 568 (Tex. 2001).

¹⁶ *Id.* at *8.

Here, the City judicially admits in its Petition to Revoke that it received three separate forms of actual notice of the District’s application, including published notice as well as the notices of the NORI and NAPD that were mailed directly to the City, as an affected landowner. The City complains, however, that despite having actual notice of the application, the Permit should be revoked because it was not mailed to the “mayor and health authorities” as well. Like in *McMaster* and *Denbury Onshore*, the City had actual notice of the District’s application at a time that allowed it the opportunity – which it declined to exercise – to participate in the administrative proceeding on the application. The notices of the application, whether mailed or published, are the same no matter to whom they are addressed; it is the duty of the recipient to then look at the application to learn more about the project and decide whether or not to contest the application. The City simply failed to do so. The City has therefore failed to present a “significant” violation of TCEQ rules because of the actual notice it received.

Furthermore, the City has known of Palmview’s intent to construct a wastewater treatment plant on this site since 2009. During the trial on the merits of the bond validation suit, Francisco Flores, District Manager of Agua SUD, testified that the District’s engineers had already identified the site of the proposed Palmview wastewater treatment plant in 2009, and at that time had a meeting with the present mayor of the City, a former mayor of the City, and an engineer of the City regarding the District’s intent to construct a wastewater treatment plant on the site identified in the application.¹⁷ Mr. Flores testified that at that meeting, none of the representatives from the City expressed any concerns about the plant site.¹⁸ Further, as part of

¹⁷ **Exhibit E**, excerpt of Reporter’s Record, Volume 3, from *Ex Parte Agua Special Utility District*, Cause No. D-1-GN-14-002373, September 30, 2014 hearing on the merits testimony of Francisco Flores, at p. 88, ln. 7 – p. 89, ln. 13.

¹⁸ *Id.* at p. 89, ln. 12-15.

the District’s environmental review of this site, public hearings were held in the community regarding the Environmental Assessment, the Finding of No Significant Impact, and the discharge permit beginning in 2009.¹⁹ Mission’s claim that it did not know of the District’s application, or the location of the proposed wastewater treatment plant, until “well after it was issued by the Executive Director”²⁰ and that it had no opportunity to participate in the administrative process due to lack of notice is simply disingenuous.

Finally, regardless of whether the Permit application inadvertently states “Palmview” as the City where the proposed plant would be located, the application identifies the location of the plant by street address as well as by latitude and longitude. The application also contains maps that clearly identify the location of the proposed wastewater treatment plant and discharge point, as well as the property owned by the City that triggered mailed notice to Mission as an affected landowner.²¹ The City of Mission received three different forms of notice of the Permit application as a downstream landowner, and therefore had actual knowledge that a permit application that potentially affected its interests had been filed. Mission simply opted not to participate until this late date when it seeks to revoke a properly issued permit in order to serve its litigation strategy.

b. The permit application clearly identifies the location of the wastewater treatment plant as well as its discharge point.

Further, the alleged violation that Petitioner complains of is not significant because the application – of which Petitioner received three forms of actual notice – clearly identifies the exact location of the proposed wastewater treatment plant as well as its discharge point. Mission

¹⁹ *Id.* at p. 92, ln. 16 – p. 94, ln. 14.

²⁰ Petition to Revoke TPDES Permit at p. 4.

²¹ See **Exhibit F**, TCEQ Domestic Wastewater Permit Application – Domestic Administrative Report and Domestic Technical Report 1.0.

asserts that “no reading of the Application would reveal that the proposed facility was intended to be located within the City of Mission’s corporate boundaries.”²² This is disingenuous. The application notices and the Permit application itself state that the proposed wastewater treatment plant would be located one mile south of West Loop 374, on the east side of Goodwin Road in Hidalgo County, Texas 78572.²³ Further, the application specifically identifies the location of the proposed plant as well as the location of the discharge point by latitude and longitude.²⁴ With this information and knowledge of its own corporate boundaries, the City of Mission would be able to ascertain that the location of the plant and its discharge point are within the City of Mission.

In 2007, the Commission received a petition to revoke the wastewater discharge permit of Far Hills Utility District.²⁵ In that case, which was decided in 2011, the applicant failed to properly publish notice of the application, made false or misleading statements with respect to the mailed notice, failed to disclose relevant facts related to the ownership and configuration of the property, and located the outfall in a different place than as was described in the permit application.²⁶ After a contested case hearing on the matter, the Commission found that the misrepresentations by Far Hills were significant. However, instead of revoking Far Hills’ permit, the Commission dismissed the petition to revoke the discharge permit, and ordered the

²² Petition to Revoke Permit Application at p. 3.

²³ See **Exhibit F** at p. 11.

²⁴ *Id.*

²⁵ See An Order Regarding the Petition to Revoke TCEQ Water Quality Permit No. WQ0014555002 Issued to Far Hills Utility District, TCEQ Docket No. 2009-0290-MWD; SOAH Docket No. 582-09-5727, September 29, 2011.

²⁶ *Id.*

district to comply with certain conditions established in the order and to submit a major amendment to its permit to come into compliance.

Unlike the Far Hills Utility District case, here the City received actual mailed and published notice of the application and the location of the wastewater treatment plant and discharge point are clearly and accurately described in the application, permit, and notice. Further, the allegations regarding the District's application are not related to a water quality violation, or the quantity, quality, pattern, or place of the discharge, and therefore the alleged discrepancy in the permit application is not significant and thus the Petition to revoke this permit should be denied.

c. TCEQ rules allow clerical errors in permits to be easily corrected, and the District is taking substantial steps to do so.

Finally, the alleged violation can be easily corrected. Under the TCEQ's rules, a minor amendment is an amendment to improve or maintain the permitted quality or method of disposal of waste if there is neither a significant increase of the quantity of waste to be discharged nor a material change in the pattern or place of discharge.²⁷ It is also defined as "any other change to a permit . . . that will not cause or relax a standard or criterion which may result in a potential deterioration of quality of water in the state."²⁸ A minor modification of a TPDES permit may be made by the ED of the TCEQ.²⁹ The ED may issue nonsubstantive permit corrections, which include the correction of a clerical or typographical error, to update any provision in a permit without changing the authorizations or requirements of that provision, or "to describe more accurately the location of the authorized point or place of discharge . . . or disposal of any waste,

²⁷ 30 Texas Administrative Code § 305.62(b)(2).

²⁸ *Id.*

²⁹ *Id.* at § 305.62(b)(3).

or the route which any waste follows along the watercourses in the state after being discharged.”³⁰

To the extent that the District’s permit requires correction, it meets the definition of a minor amendment. The discharge location, and the volume and character of the discharge will remain unchanged. The plant location and discharge point would have the same physical location; the complained-of description in Appendix A listing the location of the site or nearest city would simply be changed from Palmview, Texas to Mission, Texas. The appropriate remedy is not to revoke a properly issued, properly noticed wastewater discharge permit, but to correct the minor alleged error in the application.

And the District is taking substantial steps to do so. On May 19, 2014, the District received notice from TCEQ that TPDES Permit No. WQ0014415003 would expire at midnight, May 31, 2015. The process to renew this Permit is currently underway. On October 20, 2014, the District awarded a contract to an engineering firm to prepare and submit a renewal application to TCEQ.³¹ The District will file its renewal application on or before December 2, 2014.³² As part of the permit renewal process, the District intends to correct those points that inadvertently refer to the city in which the proposed wastewater treatment plant and discharge point as “Palmview.”³³

III. Conclusion

The alleged violation that Petitioner complains of is not significant, and is easily correctable. The City of Mission received three forms of actual notice, including several mailed

³⁰ *Id.* at § 50.45(b).

³¹ **Exhibit A**, Affidavit of Francisco Flores.

³² *Id.*

³³ *Id.*

notices, of the District's application for a wastewater discharge permit. That application described the physical location of the proposed plant as well as its discharge point by address and by latitude and longitude. Each of the notices received by the City came at times that allowed the City to participate in the administrative proceeding on the District's permit application, but the City elected not to do so. Now, with Mission utilizing litigation in an effort to prevent construction of the District's Palmview wastewater treatment system, the City attempts to reopen the administrative record to revoke a properly issued permit. To the extent that the Commission believes corrective action is necessary with regard to this Permit, the proper course is to make a minor modification during the permit renewal process to correct any reference to a "Palmview" location, not to revoke the permit altogether.

Respectfully submitted,

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By: /s/ Emily W. Rogers
Emily W. Rogers
State Bar No. 24002863

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ATTORNEYS FOR AGUA SPECIAL UTILITY
DISTRICT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served via electronic filing service provider, email, facsimile, and/or Certified Mail Return Receipt Requested to all parties of record on this the 28th day of October, 2014.

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/s/ Emily W. Rogers

Emily W. Rogers

EXHIBIT A

THE STATE OF TEXAS

§
§
§

COUNTY OF HIDALGO

AFFIDAVIT OF FRANCISCO FLORES

Before me, the undersigned notary, on this day personally appeared **FRANCISCO FLORES**, a person whose identity is known to me. Upon his oath, he stated:

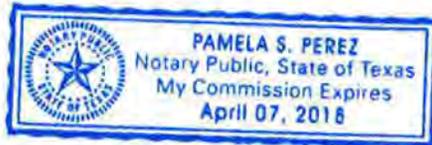
1. My name is Francisco Flores. I am over twenty-one (21) years of age, of sound mind, I have personal knowledge and I am fully competent to testify to the matters stated herein.
2. I am the district manager of the Agua Special Utility District ("Agua SUD"). I was appointed by the Receiver of La Joya Water Supply Corporation to be the general manager of La Joya Water Supply Corporation, which was Agua SUD's predecessor in interest, in 2005. When Agua SUD was created in 2008, I became its district manager.
3. Agua SUD holds Certificate of Convenience and Necessity ("CCN") No. 20785 for the provision of sewer utility service to the public in Hidalgo County, Texas. The CCN was issued on July 26, 2006 to La Joya Water Supply Corporation, which later became Agua SUD. The proposed Palmview wastewater treatment plant would serve the eastern part of this CCN area and would be constructed pursuant to Texas Pollution Discharge Elimination System Permit No. WQ0014415003. This is the permit that the City of Mission has filed a petition to revoke.
4. The majority of the portion of Agua SUD's CCN area that would be served by the proposed Palmview wastewater treatment system is currently served by on-site septic systems.
5. If Agua SUD is unable to close on its Series 2014B bonds because of litigation with the City of Mission, it will lose the bond and grant funding that are necessary to construct the Palmview wastewater treatment system. The nearly \$30 million in grant money from the Texas Water Development Board, as well as \$8 million in grant money from the Environmental Protection Agency that are predicated on the District's ability to close on these bonds make the system possible to build from an economic standpoint.
6. On May 19, 2014, the District received notice from TCEQ that TPDES Permit No. WQ0014415003 would expire at midnight, May 31, 2015. The process to renew this Permit is currently underway. On October 20, 2014, the District awarded a contract to an engineering firm to prepare and submit a renewal

application to TCEQ. The District will file its renewal application on or before December 2, 2014. As part of the permit renewal process, the District intends to correct those points that inadvertently refer to the city in which the proposed wastewater treatment plant and discharge point as "Palmview."

FURTHER AFFIANT SAYETH NOT.


FRANCISCO FLORES

SUBSCRIBED AND SWORN TO BEFORE ME on this 21 day of October, 2014.



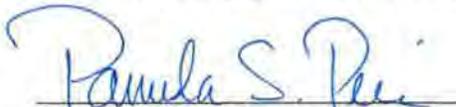

NOTARY PUBLIC IN AND
FOR THE STATE OF TEXAS

EXHIBIT B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**NOTICE OF RECEIPT OF APPLICATION AND
INTENT TO OBTAIN WATER QUALITY PERMIT****PROPOSED PERMIT NO. WQ0014415003**

APPLICATION. Agua Special Utility District, 3120 North Abram Road, Palmview, Texas 78572, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014415003 (EPA I.D. No. TX0133841) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 7,550,000 gallons per day. The facility is located approximately 1 mile South of West Loop 374, on the east side of Goodwin Road, in Hidalgo County, Texas 78572. The discharge route is from the plant site via pipe into an unnamed drainage ditch; thence to Arroyo Colorado; thence to the Gulf of Mexico. TCEQ received this application on September 24, 2012. The permit application is available for viewing and copying at Palmview City Hall, Conference Room, 400 West Veterans Boulevard, Palmview, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.209722&lng=-98.395277&zoom=13&type=r>

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's**

decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from Agua Special Utility District at the address stated above or by calling Mr. Frank Flores, General Manager, at (956) 585-2459.

Issuance Date: November 9, 2012

TCEQ-OFFICE OF THE CHIEF CLERK

Applicant Name: Agua Special Utility District

MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Permit No.: WQ0014415003
Notice of Intent to Obtain Permit

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §
COUNTY OF Hidalgo §

Before me, the undersigned notary public, on this day personally appeared

Sandra Perez, who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the Salesperson of the
(title of person representing newspaper)

El nuevo Herald; that said newspaper is
(name of newspaper)

generally circulated in Hidalgo County, Texas and
(same county as proposed facility)

is published primarily in Spanish language; that the
(alternative language)

enclosed notice was published in said newspaper on the following date(s):

November 19, 2012

Subscribed and sworn to before me this the 19th day of November,

20 12, by Sandra Perez
(newspaper representative's signature)

(Seal)



Elizabeth D. Flores
Notary Public in and for the State of Texas

Elizabeth D. Flores
Print or Type Name of Notary Public

My Commission Expires 09/29/13

STATE OF TEXAS
COUNTY OF HIDALGO
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILED WITH THE CLERK OF THE COUNTY OF HIDALGO, TEXAS.
OCT 23 2012
CHIEF CLERK'S OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2012 DEC -3 AM 10:38

COMISIÓN DE CALIDAD AMBIENTAL DEL ESTADO DE TEXAS



**AVISO DE RECIBO DE LA SOLICITUD Y
EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA
PERMISO PROPUESTO NO. WQ0014415003**

SOLICITUD. Agua Special Utility District, 3120 North Abram Road, Palmview, Texas 78572, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ0014415003 (EPA I.D. No. TX 0133841) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 7,550,000 galones por día]. La planta de tratamiento de aguas negras domésticos está ubicada 1 milla al Sur de West Loop 374, en la parte Oriental de la Carretera Goodwin en el Condado de Hidalgo, Texas. La ruta de descarga es del sitio de la planta a través de la tubería hacia una zanja de drenaje sin nombre, consecuentemente a Arroyo Colorado, y consiguiente a el Golfo de Mexico. La TCEQ recibió esta solicitud el 24 De Septiembre de 2012. La solicitud para el permiso está disponible para leerla y copiarla en la oficina municipal de la Ciudad de Palmview, 400 West Veterans Boulevard, Palmview, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.209722&lng=-98.395277&zoom=13&type=r>

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar **comentarios públicos o pedir una reunión pública sobre esta solicitud.** El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para**

recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; y la declaración "[Yo/nosotros] solicito/solicitamos un/a audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar el nombre y la dirección de una persona que representa al grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la planta o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los períodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contencioso a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión otorgará solamente un audiencia administrativa de lo contencioso sobre los hechos reales disputados del caso que son pertinentes y esenciales para la decisión de la Comisión sobre la solicitud. Además, la Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o mas de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agrega su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN DE LA TCEQ. Todos los comentarios escritos del público y los pedidos para una reunión deben ser presentados a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o por el internet at www.tceq.state.tx.us/about/comments.html. Si necesita más información en Español sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040. La información general sobre la TCEQ puede ser encontrada en nuestro sitio de la red: www.tceq.state.tx.us.

También se puede obtener información adicional del Agua Special Utility District a la dirección indicada arriba o llamando a Frank Flores, Director General al (956) 585-2459.

Fecha de emission: 9 De Noviembre de 2012

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

PROPOSED PERMIT NO. WQ0014415003

APPLICATION. Agua Special Utility District, 3120 North Abram Road, Palmview, Texas 78572, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014415003 (EPA ID. No. TX0133841) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 7,550,000 gallons per day. The facility is located approximately 1 mile South of West Loop 374, on the east side of Goodwin Road, in Hidalgo County, Texas 78572. The discharge route is from the plant site via pipe into an unnamed drainage ditch; thence to Arroyo Colorado; thence to the Gulf of Mexico. TCEQ received this application on September 24, 2012. The permit application is available for viewing and copying at Palmview City Hall, Conference Room, 400 West Veterans Boulevard, Palmview, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.209722&lng=-98.395277&zoom=13&type=r>

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone**

STATE OF TEXAS
COUNTY OF TRAVIS
NOTICE THAT THIS IS A TRUE AND CORRECT COPY OF
THE ORIGINAL AS SUBMITTED TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OCT 23 2014

190

By: [Signature]
GILY TOLSON, DISTRICT ATTORNEY OF SECURITY
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from Agua Special Utility District at the address stated above or by calling Mr. Frank Flores, General Manager, at (956) 585-2459.

Issuance Date: November 9, 2012

EXHIBIT C

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: AGUA SUD
PERMIT NO.: WQ0014415003
CCO#: 85095
NOTICE OF APPLICATION AND
PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT
FOR ALL APPLICATIONS FOR WATER QUALITY PERMITS
OTHER THAN RENEWALS**

STATE OF TEXAS §

COUNTY OF Hidalgo §

Before me, the undersigned authority, on this day personally appeared

Sandra Perez, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Salesperson
(title of newspaper representative)

of the The Monitor; that this newspaper is
(name of newspaper)

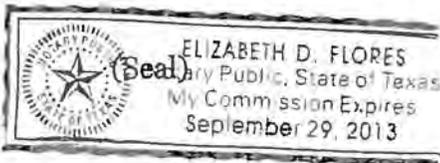
regularly published or circulated in Hidalgo County/Countries, Texas,
(same county as proposed facility)

and that the attached notice was published in said newspaper on the following date(s):

March 26, 2013

[Signature]
Newspaper Representative's Signature

Subscribed and sworn to before me this the 26th day of March,
2013, to certify which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of Texas

Elizabeth D. Flores
Print or Type Name of Notary Public

My Commission Expires 09-29-13

STATE OF TEXAS §
COUNTY OF TRAVIS §
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
A TEXAS COMMISSION ON BRAND NAMES: OBTAINED

OCT 23 2014

DOCUMENT, WHICH IS FILED IN THE RECORDS OF THE COM
MISSION, GIVEN UNDER MY HAND AND THE SEAL OF OFFICE

[Signature]
BILLY WILSON, CUSTODIAN OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF APPLICATION AND PRELIMINARY DECISION
FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER
NEW**

PROPOSED PERMIT NO. WQ0014415003

APPLICATION AND PRELIMINARY DECISION. Agua Special Utility District, 3120 North Abram Road, Palmview, Texas 78572, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, proposed TPDES Permit No. WQ0014415003, to authorize the discharge of treated domestic wastewater at an annual average flow not to exceed 7,550,000 gallons per day. TCEQ received this application on September 24, 2012.

The facility will be located approximately one mile South of West Loop 374, on the east side of Goodwin Road in Hidalgo County, Texas 78572. The treated effluent will be discharged to Hidalgo County Drainage ditch (Bates Lateral); thence to Perezville Drain; thence to Arroyo Colorado Above Tidal in Segment No. 2202 of the Nueces-Rio Grande Coastal Basin. The unclassified receiving water uses are no significant aquatic life use for Bates Lateral and limited aquatic life use for Perezville Drain. The designated uses for Segment No. 2202 are intermediate aquatic life use and primary contact recreation. In accordance with 30 Texas Admin. Code (TAC) § 307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Palmview City Hall, Conference Room, 400 West Veterans Boulevard, Palmview, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.209722&lng=-98.395277&zoom=13&type=r>

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FORA CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea informacion en Espanol, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.texas.gov.

Further information may also be obtained from Agua Special Utility District at the address stated above or by calling Mr. Frank Flores, General Manager, at (956) 585-2459.

Issuance Date: February 7, 2013

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: AGUA SUD
PERMIT NO.: WQ0014415003
CCO#: 85095
NOTICE OF APPLICATION AND
PRELIMINARY DECISION

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §

COUNTY OF Hidalgo §

Before me, the undersigned authority, on this day personally appeared
Sandra Perez, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Salesperson
(title of newspaper representative)

of the El Nuevo Herald; that this newspaper is
(name of newspaper)

generally circulated in Hidalgo County, Texas,
(same county as proposed facility)

and is published primarily in Spanish language;
(alternative language)

the attached notice was published in said newspaper on the following date(s):

March 29, 2013

[Signature]
Newspaper Representative's Signature

Subscribed and sworn to before me this the 1st day of April
20 13, to certify which witness my hand and seal of office.



[Signature]
Notary Public in and for the State of Texas

Elizabeth D. Flores
Print or Type Name of Notary Public

My Commission Expires 09-29-13

STATE OF TEXAS
COUNTY OF TRAVIS §
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
THE ORIGINAL FILED IN THE RECORDS OF THE COMMISSIONER OF ENVIRONMENTAL QUALITY

OCT 23 2014

DOCUMENT, WHICH IS FILED IN THE RECORDS OF THE COMMISSIONER OF ENVIRONMENTAL QUALITY UNDER MY HAND AND THE SEAL OF OFFICE

[Signature]
GILLY B. WILSON, CLERK OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

COMISIÓN DE CALIDAD AMBIENTAL DEL ESTADO DE TEXAS



AVISO DE LA SOLICITUD Y DECISIÓN PRELIMINAR PARA EL PERMISO DEL SISTEMA DE ELIMINACIÓN DE DESCARGAS DE CONTAMINANTES DE TEXAS (TPDES) PARA AGUAS RESIDUALES MUNICIPALES NUEVO

PERMISO PROPUESTO NO. WQ0014415003

SOLICITUD Y DECISIÓN PRELIMINAR. Agua Special Utility District, 3120 North Abram Road, Palmview, Texas 78572, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) un nuevo Permiso No. WQ0014415003 del TPDES para autorizar la descarga de aguas residuales domésticas tratadas en un flujo promedio anual no debe exceder 7,550,000 galones por día. La TCEQ recibió esta solicitud el 24 De Septiembre de 2012. La planta está aproximadamente una milla al sur de West Loop 374, en la parte Oriental de la Carretera Goodwin en el Condado de Hidalgo (Bates Lateral); desde allí a drenaje Perezville; desde allí a Arroyo Colorado sobre mareas en el Segmento No. 2202 de la cuenca costera de Nueces-Rio Grande. Los usos no clasificados de las aguas receptoras son no significativos usos de la vida acuática para Bates Lateral y la vida acuática limitada para drenaje Perezville. Los usos designados para el Segmento No. 2202 son intermedios de uso de vida acuática y recreación de contacto primario. De acuerdo con el 30 TAC §307.5 y los procedimientos de implementación de la TCEQ (Enero 2003) para las Normas de Calidad de Aguas Superficiales en Texas, fue realizada una revisión de la antidegradación de las aguas recibidas. Una revisión de antidegradación del Nivel 1 ha determinado preliminarmente que los usos de la calidad del agua existente no serán perjudicados por la acción de este permiso. Se mantendrá un criterio narrativo y numérico para proteger los usos existentes. Esta revisión ha determinado preliminarmente que ninguno de los cuerpos de agua con usos intermedio, alto o excepcional de vida acuática están presentes dentro del acceso para llegar a la corriente; por lo tanto, no se requiere ninguna determinación de degradación del Nivel 2. No se espera ninguna degradación significativa de la calidad del agua en los cuerpos de agua con usos intermedios, elevados o excepcionales de la vida acuática río abajo y que los usos existentes serán mantenidos y protegidos. La determinación preliminar puede ser reexaminada y puede ser modificada, si se recibe alguna información nueva.

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un borrador del permiso. El borrador del permiso, si es aprobado, establecería las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado una decisión preliminar que si este permiso es emitido, cumple con todos los requisitos normativos y legales. La solicitud del permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para leer y copiar en la oficina municipal de la Ciudad de Palmview, 400 West Veterans Boulevard, Palmview, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.209722&lng=-98.395277&zoom=13&type=r>

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presen-

taron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; y la declaración "[Yo/nosotros] solicito/solicitamos un/a audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar el nombre y la dirección de una persona que representa al grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la planta o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los períodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contencioso a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión otorgará solamente una audiencia administrativa de lo contencioso sobre los hechos reales disputados del caso que son pertinentes y esenciales para la decisión de la Comisión sobre la solicitud. Además, la Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente.

ACCIÓN DEL DIRECTOR EJECUTIVO. El Director Ejecutivo puede emitir una aprobación final de la solicitud a menos que exista un pedido antes del plazo de vencimiento de una audiencia administrativa de lo contencioso o se ha presentado un pedido de reconsideración. Si un pedido ha llegado antes del plazo de vencimiento de la audiencia o el pedido de reconsideración ha sido presentado, el Director Ejecutivo no emitirá una aprobación final sobre el permiso y enviará la solicitud y el pedido a los Comisionados de la TCEQ para consideración en una reunión programada de la Comisión.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

Todos los comentarios escritos del público y los pedidos una reunión deben ser presentados durante los 30 días después de la publicación del aviso a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or por el internet a www.tceq.texas.gov/about/comments.html.

CONTACTOS E INFORMACIÓN DE LA TCEQ. Si necesita más información en Español sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040. La información general sobre la TCEQ puede ser encontrada en nuestro sitio de la red: www.tceq.state.tx.us.

También se puede obtener información adicional del Agua Special Utility District a la dirección indicada arriba o llamando a Frank Flores, Director General al (956) 585-2459.

Fecha de emisión: 7 De Febrero de 2013

Texas Commission on Environmental Quality



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER NEW

PROPOSED PERMIT NO. WQ0014415003

APPLICATION AND PRELIMINARY DECISION. Agua Special Utility District, 3120 North Abram Road, Palmview, Texas 78572, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, proposed TPDES Permit No. WQ0014415003, to authorize the discharge of treated domestic wastewater at an annual average flow not to exceed 7,550,000 gallons per day. TCEQ received this application on September 24, 2012.

The facility will be located approximately one mile South of West Loop 374, on the east side of Goodwin Road in Hidalgo County, Texas 78572. The treated effluent will be discharged to Hidalgo County Drainage ditch (Bates Lateral); thence to Perezville Drain; thence to Arroyo Colorado Above Tidal in Segment No. 2202 of the Nueces-Rio Grande Coastal Basin. The unclassified receiving water uses are no significant aquatic life use for Bates Lateral and limited aquatic life use for Perezville Drain. The designated uses for Segment No. 2202 are intermediate aquatic life use and primary contact recreation. In accordance with 30 Texas Admin. Code (TAC) § 307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Palmview City Hall, Conference Room, 400 West Veterans Boulevard, Palmview, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.209722&lng=-98.395277&zoom=13&type=r>

STATE OF TEXAS
COUNTY OF TRAVIS
I HEREBY CERTIFY THAT THIS IS TRUE AND CORRECT COPY OF
THE ORIGINAL FILED IN THE OFFICE OF THE CLERK OF
THE COUNTY OF TRAVIS, TEXAS
OCT 23 2014
Basil [Signature]
CLERK OF COUNTY OF TRAVIS, TEXAS

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.texas.gov.

Further information may also be obtained from Agua Special Utility District at the address stated above or by calling Mr. Frank Flores, General Manager, at (956) 585-2459.

Issuance Date: February 7, 2013

EXHIBIT D

Applicant's Their Contacts during Application Process
Mailing List for Notice

TCEQ Permit No. WQ0014415003

Applicant Information

Legal Name of Facility Owner Agua Special Utility District
Operator (if required to be co-permittee)
Permit Mailing Address 3120 North Abram Road
Palmview, Texas 78572

CN603402322 RN105329965

Contact Information

Applicant's Representative(S) or Contact Person during Application Process

Mr. Frank Flores, General Manager
Agua Special Utility District
3120 North Abram Road
Palmview, Texas 78572

Phone: 956/585-2459
Fax: 956/585-1188
Email: f.flores@aguasud.com

Mr. Dario Guerra III, P.E.
Project Manager
S & B Infrastructure, Ltd.
5408 North 10th Street
McAllen, Texas 78504

Phone: 956/926-5000
Fax: 956/994-0427
Email: dvguerra@sbinfra.com

Notice To Be Published By

Mr. Frank Flores, General Manager
Agua Special Utility District
3120 North Abram Road
Palmview, Texas 78572

Phone: 956/585-2459
Fax: 956/585-1188
Email: f.flores@aguasud.com

Mailing Lists

Fixed State Mailing List (By Chief Clerk)
County Mailing List Hidalgo
City to Be Notified for Plant Palmview
City to Be Notified for Outfall(s) Palmview
Notice to GLO

Adjacent/Downstream Landowners List plus Interested Persons

Landowner Mailing List Attached (X) Yes () No

Bilingual Notice Required (X) Yes () No

Notify Following County Judges Only If They Officially Requested To Be Notified Of All Permit Actions (Only Applies To Facilities with A Flow of 5 MGD or Greater)

STATE OF TEXAS / 6
COUNTY OF TRAVIS / 1
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
A TEXAS COMPLETION OR ENVIRONMENTAL REPORT (TCR)
OCT 23 2014
DOCUMENT, WHICH IS FILING THE ESSENTIALS OF THE COM-
MISSION, WITHIN THE OFFICE OF THE CLERK OF COURSE
Bridgett
SEAL / PUBLIC CONTROL OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CITY OF PALMVIEW
HEALTH OFFICIAL
400 W VETERANS BLVD
PALMVIEW TX 78572-8327

CITY OF PALMVIEW
MAYOR
400 W VETERANS BLVD
PALMVIEW TX 78572-8327

City

HIDALGO & CAMERON COUNTY WCID
PO BOX 237
MERCEDDES TX 78570-0237

HIDALGO COUNTY JUDGE
COUNTY COURTHOUSE
PO BOX 1356
EDINBURG TX 78540-1356

DIVISION ENGINEER
INTERNATIONAL BOUNDARY WATER C
ENVIRO MGMT DIVISION USIB
4171 N MESA ST STE C100
EL PASO TX 79902-1432

PUBLIC HEALTH REGION 11
TEXAS DEPARTMENT OF STATE HEALTH
601 W SESAME DR
HARLINGEN TX 78550-7930

US ARMY CORPS OF ENGINEERS
ENVIRO REG BRANCH PE-R GALVESTON
PO BOX 1229
GALVESTON TX 77553-1229

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
UNIT 5837
6300 OCEAN DR
CORPUS CHRISTI TX 78412-5503

ANDY GARZA GENERAL MANAGER
KENEDY COUNTY GROUNDWATER CONS
PO BOX 212
SARITA TX 78385-0212

DAVID GRALL SECRETARY
BRUSH COUNTRY GROUNDWATER CONS
PO BOX 136
FALFURRIAS TX 78355-0136

EDUARDO OLIVAREZ CHIEF ADM
HIDALGO COUNTY HEALTH OFFICER
1304 S 25TH AVE
EDINBURG TX 78542-7205

MARCIE OVIEDO
LOWER RIO GRANDE VALLEY DEVELO
301 W RAILROAD ST
WESLACO TX 78596-5104

ARMANDO VELA PRESIDENT
RED SANDS GROUNDWATER CONSERVA
PO BOX 229
LINN TX 78563-0229

County

BETH ANN ALMARAZ WATER QUALITY SPE
NUECES RIVER AUTHORITY
STE 1002
400 MANN ST
CORPUS CHRISTI TX 78401-2046

BUCHANAN EASLEY
4020 SUMMIT CT
FAIRVIEW TX 75069-1183

ANDRES GARZA GENERAL MANAGER
KENEDY COUNTY GROUNDWATER CONSERV
RR 2 BOX 458
RAYMONDVILLE TX 78580-9634

K L MORTEN PE-PR
US ARMY COE
PO BOX 1229
GALVESTON TX 77553-1229

JOY VARDAMAN
719 S BENTSEN PALM DR
MISSION TX 78572-4835

IP/Prod

STATE OF TEXAS
COUNTY OF TRAVIS
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TEXAS COMMISSION OF ENVIRONMENTAL QUALITY

OCT 23 2014

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MISSION GIVEN UNDER MY HAND AND THE SEAL OF OFFICE

Billy Wilson
BILLY WILSON, CUSTODIAN OF RECORDS
TEXAS COMMISSION OF ENVIRONMENTAL QUALITY

11-27-12

JL BATES LP
101 ASH ST HQ068
SAN DIEGO CA 92101-3017

FRONTERA GENERATION LTD
ATTN CLAUDE DEMARS TECO
ENERGY 12 GREENWAY PLAZA ST
600
HOUSTON TX 77046

GOODWIN ACQUISITIONS LP
3504 WARE RD OFF 4 Mail
MCALLEN TX 78501
Do Not Mail
NAPD

US FISH & WILDLIFE SERVICE
PO BOX 1306
ALBUQUERQUE NM 87103-1306

MAYFAIR FARMS
14901 N WARE RD
EDINBURG TX 78541
Do Not Mail
NAPD

BENTSEN PALM LTD
2500 S BENTSEN PALM DR 267 B
MISSION TX 78572

CITY OF MISSION
1201 E 8TH ST
MISSION TX 78572

JL BATES LP
101 ASH ST HQ06B
SAN DEIGO CA 92101-3017

Landowners

11-27-12

THE HONORABLE JUAN HINOJOSA
TEXAS SENATE
DISTRICT 20 ROOM 3E.12
TEXAS STATE CAPITOL
Juan.hinojosa@senate.state.tx.us

THE HONORABLE EDUARDO LUCIO JR
TEXAS SENATE
DISTRICT 27 ROOM 3E.18
TEXAS STATE CAPITOL
Eddie.lucio@senate.state.tx.us,
louie.sanchez@senate.state.tx.us

THE HONORABLE SERGIO MUNOZ JR
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TEXAS STATE CAPITOL
sergio.munoz@house.state.tx.us,
richard.sanchez@house.state.tx.us

THE HONORABLE ARMANDO A MARTINEZ
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THE HONORABLE AARON PENA
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maricela.deleon@house.state.tx.us,

THE HONORABLE VERONICA GONZALES
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TEXAS STATE CAPITOL
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state

11-27-12

JL BATES LP
101 ASH ST HQ068
SAN DIEGO CA 92101-3017

FRONTERA GENERATION LTD
ATTN CLAUDE DEMARS TECO
ENERGY 12 GREENWAY PLAZA ST
600
HOUSTON TX 77046

GOODWIN ACQUISITIONS LP
3504 WARE RD OFE 4
MCALLEN TX 78501

US FISH & WILDLIFE SERVICE
PO BOX 1306
ALBUQUURQUE NM 87103-1306

MAYFAIR FARMS
14901 N WARE RD
EDINBURG TX 78541

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2500 S BENTSEN PALM DR 267 B
MISSION TX 78572

CITY OF MISSION
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MISSION TX 78572

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SAN DEIGO CA 92101-3017

STATE OF TEXAS
COUNTY OF TRAVIS
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
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BILLY P. WILSON, CLERK OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Landowners 2-5-13

THE HONORABLE JUAN HINOJOSA
TEXAS SENATE
DISTRICT 20 ROOM 3E.12
TEXAS STATE CAPITOL
Juan.hinojosa@senate.state.tx.us

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louie.sanchez@senate.state.tx.us

THE HONORABLE TERRY CANALES
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.816
TEXAS STATE CAPITOL
Terry.canales@house.state.tx.us

THE HONORABLE BOBBY GUERRA
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.306
TEXAS STATE CAPITOL
Bobby.guerra@house.state.tx.us

THE HONORABLE OSCAR LONGORIA
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E1.510
TEXAS STATE CAPITOL
Oscar.longoria@house.state.tx.us

THE HONORABLE SERGIO MUNOZ JR
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT 036 ROOM E1.322
TEXAS STATE CAPITOL
sergio.munoz@house.state.tx.us,
richard.sanchez@house.state.tx.us

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TEXAS HOUSE OF REPRESENTATIVES
DISTRICT 039 ROOM E2.312
TEXAS STATE CAPITOL
Armando.Martinez@house.state.tx.us

State

2-5-13

CITY OF PALMVIEW
HEALTH OFFICIAL
400 W VETERANS BLVD
PALMVIEW TX 78572-8327

CITY OF PALMVIEW
MAYOR
400 W VETERANS BLVD
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City

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MERCEDDES TX 78570-0237

HIDALGO COUNTY JUDGE
COUNTY COURTHOUSE
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EDINBURG TX 78540-1356

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INTERNATIONAL BOUNDARY WATER C
ENVIRO MGMT DIVISION USIB
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EL PASO TX 79902-1432

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TEXAS DEPARTMENT OF STATE HEAL
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HARLINGEN TX 78550-7930

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LOWER RIO GRANDE VALLEY DEVELO
301 W RAILROAD ST
WESLACO TX 78596-5104

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RED SANDS GROUNDWATER CONSERVA
PO BOX 229
LINN TX 78563-0229

County

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JOY VARDAMAN
719 S BENTSEN PALM DR
MISSION TX 78572-4835

JP/Prot

2-5-13

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 BILLY B. BROWN, CUSTOMER TO RECORDS
 ASSISTANT, OFFICE UNDER THE DIRECTOR OF OFFICE

DOCUMENT NUMBER FILED IN THE RECORDS OF THE COM
 ASSISTANT, OFFICE UNDER THE DIRECTOR OF OFFICE

**AGUA SUD WWTP EAST
 Landowner Information Table**

NOV 23 2011

No.	Owner Name	Address	Description
1	J.L. BATES L.P.	101 ASH ST, HQ068, SAN DIEGO, CA 92101-3017	GOODWIN #1 LT 2 BLK 1 15.29 AC
2	FRONTERA GENERATION LTD PRTNRSHIP	ATTN: CLAUDE DEMARS TECO ENERGY 12 GREENWAY PLAZA STE 600 HOUSTON, TX 77046-0813	MISSION FARMS ESTATE LOT 2 40AC GR 39.37AC NET
3	GOODWIN ACQUISITIONS LP	3504 WARE RD OFC 4 MCALLEN, TX 78501	GOODWIN #1 LT 1 BLK 2 15.29 AC
4	J.L. BATES L.P.	101 ASH ST HQ06B SAN DIEGO, CA 92101-3017	MISSION FARMS ESTATE LOT 3 39.98AC
5	GOODWIN ACQUISITIONS LP	3504 WARE RD OFC 4 MCALLEN, TX 78501	GOODWIN #1 LT 2 BLK 2 15.29 AC
6	U.S. FISH & WILDLIFE SERVICE	PO BOX 1306 ALBUQUERQUE, NM 87103- 1306	MISSION FARMS ESTATE 2.50AC A TRIANGULAR TRACT-E526.15'-N414.04'- S1604.3 LOT 5
7	MAYFAIR FARMS	14901 N WARE RD EDINBURG, TX 78541	MISSION FARMS ESTATE 3.86AC AN IRR TR-E785.47'- W1871.57'-S442.48'-LOT 4 3.86AC
8	BENTSEN PALM LTD	2500 S BENTSEN PALM DR # 267 B MISSION, TX 78572	MISSION FARMS ESTATE LT5 EXC 2.50AC A TRI TR- E526.15'- N414.04'-S1604.3 LT11-42.01AC,LT12 48.15AC 134.28GR 128.9ACNT
9	MAYFAIR FARMS	14901 N WARE RD EDINBURG, TX 78541	PORCION 49 W 150 AC LT 23 SH 14 AGREED PT & LT 27 SH 14-275AC 425AC GR 403.60AC NET
10	U.S. FISH & WILDLIFE SERVICE	PO BOX 1306 ALBUQUERQUE, NM 87103-1306	PORCION 49 LT 22 SH 14 33.83 AC
11	U.S FISH & WILDLIFE SERVICE	PO BOX 1306 ALBUQUERQUE, NM 87103-1306	PORCION 49 LT 25 SH 14 30.69 AC
12	BENTSEN PALM LTD	2500 S BENTSEN PALM DR # 267 B MISSION, TX 78572	BENTSEN GROVES #2 LT 22 SE 9.25; LT23 40.10, EXC NW 0.24AC, LT24-40.10 LT 25- 34.85, LT 26-9.77AC 133.83AC GR 126.58AC NET
13	CITY OF MISSION	1201 E 8 TH ST MISSION, TX 78572-5812	BENTSEN GROVES #2 BNG AN IRR TR SE COR FOR WATER TOWER SITE 1.0AC
14	J.L. BATES L.P.	101 ASH ST HQ06B SAN DIEGO, CA 92101-3017	BENTSEN GROVES #2 NW 3.50AC OF LOT 34

JL BATES LP
101 ASH ST HQ068
SAN DIEGO CA 92101-3017

FRONTERA GENERATION LTD
ATTN CLAUDE DEMARS TECO
ENERGY 12 GREENWAY PLAZA ST
600
HOUSTON TX 77046

GOODWIN ACQUISITIONS LP
3504 WARD RD OFF 4
MCALLEN TX 78501

US FISH & WILDLIFE SERVICE
PO BOX 1306
ALBUQUURQUE NM 87103-1306

MAYFAIR FARMS
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EDINBURG TX 78541

BENTSEN PALM LTD
2500 S BENTSEN PALM DR 267 B
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CITY OF MISSION
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MISSION TX 78572

JL BATES LP
101 ASH ST HQ06B
SAN DEIGO CA 92101-3017

STATE OF TEXAS §
COUNTY OF TRAVIS §
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THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OCT 23 2014

DOCUMENT, WHICH IS FILED IN THE RECORDS OF THE COM-
MISSIONER UNDER MY NAME AND THE SEAL OF OFFICE.


BILL NELSON, CUSTODIAN OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

EXHIBIT E

1 REPORTER'S RECORD
2 VOLUME 3 OF 6 VOLUME(S)
3 TRIAL COURT CAUSE NO. D-1-GN-14-002373
4 SUPREME COURT OF TEXAS NO. 14-0836

4 EX PARTE, § IN THE DISTRICT COURT
5 §
6 § TRAVIS COUNTY, TEXAS
7 §
8 AGUA SPECIAL UTILITY §
DISTRICT § 250TH JUDICIAL DISTRICT

11 TRIAL ON MERITS

16 On September 30, 2014, the following
17 proceedings came on to be heard in the above-entitled
18 and numbered cause before the Honorable Tim Sulak,
19 Judge Presiding, held in Austin, Travis County, Texas:

20 Proceedings reported by machine shorthand.

21
22
23
24
25

1 put the set -- put the set of exhibits by the witness
2 chair so I don't have to keep walking back and forth?

3 THE COURT: Absolutely.

4 MR. YOUNG: And at this time,

10:49 5 petitioner will call its first witness, Francisco
6 Flores.

7 THE COURT: All right. If you'll ask
8 Mr. Flores to please come forward. Sir, if you'll
9 have a seat in this chair. We'll bring a pitcher with
10:50 10 some water in the event you care to have some. And I
11 don't know that it will be necessary, but we may have
12 an occasion to ask you to alter the pace of your
13 delivery or the volume of your delivery, but if we do,
14 that's just a matter of making sure we're all hearing
10:50 15 what you're receiving -- what you're delivering and
16 not a criticism.

17 MR. YOUNG: I'm sorry one other
18 preliminary matter, Your Honor. We do have a Bench
19 copy of our half of the exhibits. Do you all have --

10:50 20 MS. EMERSON: Yeah.

21 MR. YOUNG: -- everything after --

22 MS. EMERSON: So this is 1 through 28
23 and 29 through 51.

24 THE COURT: All right. Thank you.

10:50 25 **FRANCISCO FLORES,**

1 also had to apply for the Clean Water State Revolving
2 Funds.

3 Q. And earlier in some argument that was made
4 to the Court, there were some statements about what
11:13 5 the evidence might show as far as efforts that Agua
6 may or may not have made to discuss potential sites
7 with the City of Mission. Were you in the courtroom
8 while that argument was made?

9 A. Today? Yes.

11:13 10 Q. Yes.

11 Can you just briefly walk through the
12 Court some of the history of how Agua went about
13 identifying this particular site for the wastewater
14 treatment plant?

11:14 15 A. It was during the application phase. Like I
16 said, we go back to the -- to this East and West EDAP
17 funding that -- or projects that we're looking at. If
18 I may, in 2005, when I came to work for the then
19 La Joya Water Supply Corporation in receivership, the
11:14 20 main goal at that time for La Joya Water Supply in
21 receivership was to provide water service for people
22 that had water only a couple of hours during day. You
23 didn't know if it was in the nighttime or the daytime
24 when you were going to get it. People used to just
11:14 25 put buckets underneath their faucets to make sure that

1 they captured water whenever they could. That was the
2 reason that we -- that the company went into
3 receivership. You know, that was La Joya Water.

4 In that, we borrowed money to build
11:14 5 water plants, to build water towers, improve booster
6 stations to get water out to people every day, not
7 just a couple of hours a day, but every day, 24/7. In
8 that time, in 2007 and -- 2006/2007, the development
9 board saw that we were real good stewards of the money
11:15 10 that they -- we borrowed and the grants that we had
11 gotten, and they presented these options to us. They
12 presented us with these projects, the East and West
13 EDAP. The receiver, Mr. Pablo Vela, at first said, I
14 don't have anything to do with sewer. My directive is
11:15 15 water only. At the behest of the development board,
16 and they said these projects are shovel ready, one
17 project, the Sullivan project, was shovel ready. That
18 means it was ready to go to construction. It just
19 needed to be applied for. And we applied for these
11:15 20 funds, and in that application process, we did the
21 Sullivan project, and at the same time we were looking
22 at the feasibility of getting the East project done,
23 which is the Palmview area project.

24 Q. And once you started working on the Palmview
11:15 25 project, how were potential sites for the treatment

1 plant identified?

2 A. They were looked into by our engineers.

3 They took the area, you know, where best to flow to, I

4 guess, and they identified those sites. This Palmview

11:16 5 area site was located by the engineers as far as being

6 readily acceptable to, you know, to -- readily

7 feasible to be able to build a plant there. The

8 conditions were there as per them. You know, there

9 was a body of water where we could discharge the

11:16 10 effluent to. There was nothing -- anything around it,

11 really, as far as homes. It was in -- next to a power

12 plant. A lot of factors that they looked at to

13 identify this site.

14 Part of that identification process is

11:16 15 also contacting -- results that you have to look at,

16 alternatives. And the alternatives are various. Some

17 of the alternatives were looked into package plants.

18 Some were looked into as far as what they call cluster

19 sewer systems where they -- actually, they are like a

11:16 20 septic system, they go to a big septic system. Like a

21 couple of subdivisions go to a septic system that's

22 huge. That was looked at.

23 And then we contacted, through the

24 engineers, the City of Mission and the City of McAllen

11:17 25 to see if we could send -- those were the alternatives

1 you have to look at as well, to send sewer towards
2 them or have them receive the influent, you know, the
3 dirty water.

4 Q. When was that contact made with the City of
11:17 5 Mission?

6 A. In 2009, I think it was.

7 Q. And do you ever remember having a meeting
8 with anyone at the City of Mission about that
9 alternative --

11:17 10 A. Yes.

11 Q. -- in 2009?

12 A. Yes.

13 Q. Who did you meet with?

14 A. Mayor Beto Salinas, Richard Pérez, Fred
11:17 15 Kurth, I think, was their engineer with Melden & Hunt,
16 our engineer, and a couple of our board members.

17 Q. And who is Richard Pérez?

18 A. He's a past mayor from the City of Mission.

19 Q. And who is Fred Kurth?

11:17 20 A. As I believe -- well, I know he is. He's --
21 I don't know if he still is the city engineer, but
22 he's an engineer with Melden & Hunt, Inc., out of
23 Edinburg, Texas.

24 Q. And do you know whether -- do you remember
11:18 25 where that meeting took place?

1 A. It took place at S&F Builders or
2 Constructors, something like that, is the private
3 office of Mr. Beto Salinas and his partner.

4 Q. And at that point, when you had that
11:18 5 meeting, had the plant site that's at issue in this
6 lawsuit, had that site been identified at that point?

7 A. At that time, yes, by the engineers. They
8 had already identified that site.

9 Q. And do you remember whether that site ever
11:18 10 came up in the meeting you had with the City of
11 Mission?

12 A. The site was discussed with the mayor and
13 the people present.

14 Q. And based on your recollection, did Mission
11:18 15 express any concerns about that site?

16 A. Not the site itself, no.

17 Q. Did they express concerns that you remember
18 about other topics?

19 A. There was -- there was -- the mayor had
11:19 20 asked for \$10 million up front. And this alternative,
21 to take sewer to them, he asked for \$10 million up
22 front. And I don't know what the \$10 million was for,
23 but he said he needed \$10 million up front. And then,
24 you know, they were looking to see if they could
11:19 25 provide that service for us.

1 Q. So you testified that at least at the
2 initial stage, Agua SUD considered a couple of
3 different options, including hooking up to Mission's
4 system and the site that we're in court with today.

11:19 5 Do you remember why Agua eventually
6 decided on the project that's designed at the site
7 that is the subject of this lawsuit? In other words,
8 why did Agua not proceed with hooking up to the City
9 of Mission?

11:20 10 A. As in the engineering study, the engineering
11 study that was done, the feasibility of going to
12 either one, McAllen or Mission, was not economically
13 feasible for us. And it looked at the current
14 capacities of both systems, the McAllen system and the
11:20 15 Mission system. The Mission system didn't have the
16 capacity to provide that service immediately and for
17 the future growth of the -- of the project itself. In
18 other words, the future EDAP section that goes to the
19 Nine Mile Line didn't have the capacity to provide
11:20 20 that service or the -- they didn't have it.

21 Q. When did Agua purchase the current site?

22 A. Late spring, early summer of 2012, somewhere
23 in there.

24 Q. And do you know when the site was annexed by
11:21 25 the City of Mission?

1 A. No. Well, I do today, but --

2 Q. As you sit here today, what's your
3 understanding of when the site was annexed?

4 A. As I understand it, in 2010 sometime, or to
11:21 5 that order it was there.

6 Q. So there was some argument earlier this
7 morning that Agua waited around between 2010 and 2012
8 before it decided to purchase the site. Was there
9 anything going on with regard to this site prior to
11:21 10 when it purchased the site in 2012?

11 MR. HILL: Objection, relevance.

12 THE COURT: It's a pretty broad
13 question.

14 MR. YOUNG: I'll try to rephrase my
11:21 15 question, Your Honor, but I'm also trying to respond
16 to you what was argued in opening argument by opposing
17 counsel.

18 THE COURT: I understand. There was an
19 objection to relevance to a broad question.

11:21 20 Q. (BY MR. YOUNG) What kind of planning, if
21 any, did Agua SUD start performing for this site prior
22 to 2010?

23 MR. HILL: Objection, relevance.

24 THE COURT: Overruled.

11:22 25 A. We had to prepare a number of certificates

1 or investigations. There was a site -- site area,
2 site certificate. We had to look at the geotechnical.
3 And I say "we." The engineers looked at the
4 geotechnical, the feasibility of, like I said, the
11:22 5 body of water to discharge to. We had -- they had to
6 do an archeological study to make sure there was no
7 archeological areas that would be disturbed by the
8 construction.

9 At the same time, that was geared
11:22 10 towards the project to the development board, NADBank
11 had also, under BECC, the Border Environmental
12 Cooperation Commission, I think it's called, BECC was
13 trying to certify our project as well.

14 MR. HILL: Objection; hearsay.

11:23 15 THE COURT: Overruled.

16 A. BECC asked us to look at this, so they were
17 funding part of it as well. It's a certification
18 process that BECC goes through to certify, and it
19 takes a number of years to get certified through BECC
11:23 20 and actually get money in hand from them.

21 So we had all these studies going on to
22 make sure that the site was viable and make sure it
23 was a site that was available to receive that sewer
24 site; build a plant on it, that the soils could take,
11:23 25 you know, the heavy construction, the concrete; and

1 then the -- the grades, the planes, all this good
2 stuff from the engineers of how the sewer would get
3 there. Hopefully by gravity, mainly, to avoid cost of
4 pumping it all the time. And that's kind of the
11:23 5 studies we went through to get to the point of getting
6 this property.

7 Q. (BY MR. YOUNG) And to make sure I
8 understand, were those 2009 studies specific to this
9 particular site?

11:23 10 A. Yes.

11 Q. And was there any sort of a public hearing
12 process involved?

13 A. Yes.

14 Q. Can you describe for the Court just briefly
11:24 15 what the public hearing process was?

16 A. Part of it was the -- like I said, the
17 people that -- there was a process where they had to
18 be posted in a local paper and invited to comment on
19 the site itself for the discharge permit, and before
11:24 20 that, for the FONSI. It's what's called a Finding of
21 No Significant Impact. Those had to be published.

22 On some of them, the owners that
23 abutted the discharge area would -- were contacted,
24 you know, especially that there would be a sewer plant
11:24 25 being built and there would be a discharge of effluent

1 into a stream that would abut their properties.

2 Q. Where were those public hearings held?

3 A. They were scheduled for -- at our office at
4 Agua SUD.

11:24 5 Q. And do you remember approximately the time
6 period when the public hearings were held?

7 A. Between 2009 and 2011, '12. There was quite
8 a few. We had -- there was the FONSI, there was the
9 environmental document, the discharge permit, and
11:25 10 later on, closer to 2013, BECC required us to have
11 three -- two public hearings on their funding side of
12 the \$8 million they were going to give us.

13 Q. And was that held at --

14 A. At Agua SUD as well, yes.

11:25 15 Q. I want to ask you some questions now about
16 the specific funding sources, including the bonds for
17 this project. Prior to, I guess, the commitments and
18 the issuance for some of the bonds, what monies, if
19 any, were spent on the original plant design and site
11:25 20 acquisition by Agua? And by what monies, I mean how
21 much.

22 A. On the Agua's portion of buying the site or
23 the --

24 Q. Well, let's split it up. First, the plant
11:26 25 design, how did that come about?

1 A. As I said, this project has been going on
2 for many years. So up until the point Agua picked it
3 up, there was at least, from invoices we saw when we
4 came into the receivership, pretty close to seven
11:26 5 million dollars already spent on design of the
6 collection system and the treatment plant.

7 When Agua picked it up, we got a grant
8 for \$2.4 million from the development board to finish
9 off the project, to finish off the design of the
11:26 10 collection system, and half a million from BECC to do
11 the same.

12 Q. Before this particular project, either in
13 your capacity as district manager for Agua SUD or your
14 capacity as the utility director for the City of
11:27 15 Mission, how many wastewater treatment plants have you
16 been involved in the design and implementation?

17 MR. HILL: Objection; relevance.

18 THE COURT: Overruled.

19 A. Two. Three. Almost one.

11:27 20 Q. (BY MR. YOUNG) Which ones?

21 A. Well, the -- at the beginning, the expansion
22 of the wastewater plant in Mission. That was a
23 project that was -- that was a project, an EDAP
24 project, that included La Joya Water Supply
11:27 25 Corporation and the City of Mission. It was to build

1 a wastewater treatment plant, if I'm not mistaken,
2 about one and a half MGDs, or two MG -- two million
3 gallons a day, on north of 495 and Holland Road where
4 Mission had a water plant. We had bought a number of
11:27 5 acres out there and I can't remember how many there
6 were, but we were going to build a wastewater plant to
7 provide water or wastewater service for the eastern
8 part of Palmview and the northern part of Mission's
9 CCN that went into the Sharyland Water Supply
11:28 10 Corporation area.

11 The project was already designed, it
12 was already -- they already had public hearings.
13 There were some people that protested it by mainly
14 some people that lived close to there. I would say
11:28 15 maybe like 40 residents protested it. But it was a
16 facility that was going to be built there, a joint
17 effort between La Joya Water Supply Corporation and
18 the City of Mission.

19 At the last minute -- I'll say the last
11:28 20 minute because at that particular time, I was in
21 charge of maintaining the systems. I wasn't actually
22 involved in the grants and loans themselves. But in
23 the hearings that we had, this was like a 90-percent
24 grant program. The buy-in I think was a million
11:28 25 dollars from the City of Mission and a million dollars

1 from La Joya Water Supply Corporation. La Joya Water
2 Supply Corporation, for whatever reason, bailed out.

3 I --

4 Q. And is La Joya Water Supply Corporation --

11:29 5 A. Well --

6 Q. -- was that prior to the receivership?

7 A. Yeah, prior to the receivership. And --

8 Q. And that eventually become Agua SUD?

9 A. Agua SUD. And it's a CCN itself. In fact,
11:29 10 if I may, we talk a lot about Palmview in this area,
11 and it's become the Palmview area, but it's Agua's
12 CCN. At that time it was La Joya Water Supply
13 Corporation's CCN, and for whatever reason they bailed
14 out.

11:29 15 The mayor, Mr. Beto Salinas, called me
16 the night -- the night of the vote of the council
17 voting on moving forward with this project or not.
18 And Mayor Salinas called me up personally and he said,
19 Flores, what's going to happen here? I said, I don't
11:29 20 know, sir. He goes, well, there's protests. And I
21 said, I understand that, sir, but the protest is a
22 protest of ignorance. The lady that got all these
23 people galvanized told people that if they smelled
24 sewer, they were going to get brain cancer.

11:30 25 MR. HILL: Objection, Your Honor. This

EXHIBIT F

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ DOMESTIC WASTEWATER PERMIT APPLICATION DOMESTIC ADMINISTRATIVE REPORT

Submit this checklist with the application. Do not submit the instructions with the application. Indicate if the following are included in the application.

Applicant Agua Special Utility District

Permit Number _____

WORKSHEET	Y	N	WORKSHEET	Y	N
Administrative Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original USGS Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Administrative Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Affected Landowner Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SPIF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landowner Disk or Labels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Buffer Zone Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flow Diagram	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Drawing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Original Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Design Calculations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Design Features	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 4.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solids Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 5.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 6.0 (Required For All POTWs)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Copy of Application Fee Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 7.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All fees owed TCEQ are paid	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Please indicate by a check mark the amount submitted for the application fee:

Flow	New/Major Amendment	Renewals
< .05 MGD	<input type="checkbox"/> \$350.00	<input type="checkbox"/> \$315.00
≥ .05 but < .10 MGD	<input type="checkbox"/> \$550.00	<input type="checkbox"/> \$515.00
≥ .10 but < .25 MGD	<input type="checkbox"/> 850.00	<input type="checkbox"/> \$815.00
≥ .25 but < .50 MGD	<input type="checkbox"/> \$1,250.00	<input type="checkbox"/> \$1,215.00
≥ .50 but < 1.0 MGD	<input type="checkbox"/> \$1,650.00	<input type="checkbox"/> \$1,615.00
≥ 1.0 MGD	<input checked="" type="checkbox"/> \$2,050.00	<input type="checkbox"/> \$2,015.00
Minor Amendment (any flow)	<input type="checkbox"/> \$115.00	

* All facilities are designated as minors until formally classified as a major by EPA.

For Commission Use Only:	
Segment Number: _____	County: <u>Hidalgo</u> Expiration Date: <u>New</u>
Proposed/Current Permit Number: <u>14415-003</u>	Region: <u>15</u>

TX0133841

STATE OF TEXAS
 COUNTY OF HIDALGO
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SEP 24 2012

DOMESTIC ADMINISTRATIVE REPORT 1.0

The following is required for all applications--Renewal, New, And Amendment

Type of application:

- New TPDES
- Major amendment with Renewal
- Renewal of existing permit
- New TLAP
- Major Amendment without Renewal
- Minor amendment to permit
- Minor modification to permit

If applying for an amendment to a permit, please describe the request in detail.

1. APPLICANT INFORMATION (Instructions, Page 18)

a. Facility Owner (Owner of the facility must apply for the permit.)

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

Agua Special Utility District

(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.state.tx.us/crpub/index.cfm?fuseaction=cust.CustSearch>

CN 603402322 ✓

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: Frank Flores

Suffix: _____

Title: General Manager

Credential: Class B Surface Water License

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: Agua Special Utility District

Mailing Address: 3120 N. Abram Rd. ✓

Internal Routing (Mail Code, Etc.): _____

City: Palmview

State: TX

ZIP Code: 78572

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Water Quality Applications Team

Mailing Information if outside USA

Territory: _____ Country Code: _____ Postal Code: _____
Phone No.: (956) 585-2459 Extension: _____
Fax No.: (956) 585-1188 E-mail Address: f.flores@aguasud.com

Indicate the type of Customer:

- | | |
|--|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Estate |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government |
| <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input checked="" type="checkbox"/> Other: <u>Special Utility District</u> |

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: (NOT APPLICABLE) _____

TX SOS Charter (filing) Number: 0021653601 _____

Federal Tax ID: 17415600166 _____

DUNS Number (if known): UNKNOWN _____

b. Co-Permittee information (complete only if the operator must be a co-permittee)

What is the Legal Name of the entity (operator) 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 operator is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.state.tx.us/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: _____

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:

- | | |
|--|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Estate |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government |
| <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> 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:

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SEP 24 2012

Water Quality Applications Team

c. Individual information (complete only if the facility owner or co-permittee is an individual)

What is the Legal Name of the owner/co-permittee applying for this permit?

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

<http://www12.tceq.state.tx.us/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/Last Name: _____

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: _____ 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 21)

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. Ms, Miss)

First/Last Name: _____

Suffix: _____

Title: _____ Credential: _____

Organization Name: _____

Billing 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: _____

3. APPLICATION CONTACT INFORMATION (Instructions, Page 21)

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

a. Application Contact

Prefix: Mr. _____
(Mr. Ms, Miss)
First/Last Name: Frank Flores _____
Suffix: _____
Title: General Manager _____ Credential: Class B Surface Water License _____
Organization Name: Agua Special Utility District _____
Mailing Address: 3120 N. Abram Rd. _____
Internal Routing (Mail Code, Etc.): _____
City: Palmview _____ State: TX ZIP Code: 78572 _____
Mailing Information if outside USA.
Territory: _____ Country Code: _____ Postal Code: _____
Phone No.: (956) 585-2459 _____ Extension: _____
Fax No.: (956) 585-1188 _____ E-mail Address: f.flores@aguasud.com _____
Check on or both: Administrative contact Technical Contact

b. Application Contact

Prefix: Mr. _____
(Mr. Ms, Miss)
First/Last Name: Dario Guerra III, P.E. _____
Suffix: _____
Title: Project Manager _____ Credential: Professional Engineer _____
Organization Name: S & B Infrastructure, LTD _____
Mailing Address: 5408 N. 10th St. _____
Internal Routing (Mail Code, Etc.): _____
City: McAllen _____ State: TX ZIP Code: 78504 _____
Mailing Information if outside USA.
Territory: _____ Country Code: _____ Postal Code: _____
Phone No.: (956) 926-5000 _____ Extension: _____
Fax No.: (956) 994-0427 _____ E-mail Address: dvguerra@sbinfra.com _____

Check on or both: Administrative contact

Technical Contact

4. DMR CONTACT INFORMATION (Instructions Page 22)

Contact Responsible for Discharge Monitoring Reports (EPA 3320-1)

Provide the name of the person and their complete mailing address delegated to receive and submit Discharge Monitoring Report Forms.

Prefix: Mr.

(Mr. Ms, Miss)

First/Last Name: Jose Villescas

Suffix: _____

Title: Water & Wastewater Superintendent Credential: Class B Wastewater License

Organization Name: Agua Special Utility District

Mailing Address: 3120 N. Abram Rd.

Internal Routing (Mail Code, Etc.): _____

City: Palmview State: TX ZIP Code: 78572

Mailing Information if outside USA.

Territory: _____ Country Code: _____ Postal Code: _____

Phone No.: (956) 584-8474 Extension: _____

Fax No.: (956) 585-1188 E-mail Address: jvillescas@aguasud.com



Did you know you can submit DMR data on line?

Go to Sign up now at:

<http://www.tceq.state.tx.us/permitting/steers/steers.html>

Establish an electronic reporting account when you get your permit number.

5. PERMIT CONTACT INFORMATION (Instructions, Page 22)

Provide two names of individuals that can be contacted throughout the permit term.

Prefix: Mr.

(Mr. Ms, Miss)

First/Last Name: Frank Flores

Suffix: _____

Title: General Manager Credential: Class B Surface Water License

Organization Name: Agua Special Utility District

Mailing Address: 3120 N. Abram Rd.

Internal Routing (Mail Code, Etc.): _____

City: Palmview State: TX ZIP Code: 78572

Mailing Information if outside USA.

Territory: _____ Country Code: _____ Postal Code: _____

Phone No.: (956) 585-2459 Extension: _____

Fax No.: (956) 585-1188 E-mail Address: f.flores@aguasud.com

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Prefix: Mr.
(Mr. Ms, Miss)
First/Last Name: Dario Guerra III, P.E.
Suffix:
Title: Project Manager Credential: Professional Engineer
Organization Name: S & B Infrastructure, LTD
Mailing Address: 5408 N. 10th St.
Internal Routing (Mail Code, Etc.):
City: McAllen State: TX ZIP Code: 78504
Mailing Information if outside USA.
Territory: Country Code: Postal Code:
Phone No.: (956) 926-5000 Extension:
Fax No.: (956) 585-1188 E-mail Address: dvguerra@sbinfra.com

6. NOTICE INFORMATION (Instructions, Page 22)

a. Individual publishing the notices

Prefix: Mr.
(Mr. Ms, Miss)
First/Last Name: Frank Flores
Suffix:
Title: General Manager Credential: Class B Surface Water License
Organization Name: Agua Special Utility District
Mailing Address: 3120 N. Abram Rd.
Internal Routing (Mail Code, Etc.):
City: Palmview State: TX ZIP Code: 78572
Mailing Information if outside USA.
Territory: Country Code: Postal Code:
Phone No.: (956) 585-2459 Extension:
Fax No.: (956) 585-1188 E-mail Address: f.flores@aguasud.com

b. Method for receiving Notice of Receipt and Intent to Obtain a Water Quality Permit Package

Indicate by a check mark the preferred method for receiving the first notice and instructions:

- E-mail Address: _____
 Fax No.: _____
 Overnight/Priority mail: (self addressed, prepaid envelope required)
 Regular Mail:

Mailing Address: 3120 N. Abram Rd.
Internal Routing (Mail Code, Etc.): _____
City: Palmview State: TX ZIP Code: 78572

c. Contact in the Notice

Prefix: Mr.
(Mr. Ms, Miss)
First/Last Name: Frank Flores
Suffix: _____
Title: General Manager Credential: Class B Surface Water License
Organization Name: Agua Special Utility District
Phone No.: (956) 585-2459 Extension: _____

d. Public Place Information

If the facility and/or outfall is located in more than one county, a public viewing place for each county must be provided.

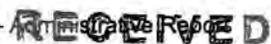
Public Building name: Palmview City Hall
Location within the building: Conference Room
Physical address of building: 400 W. Veterans Blvd.
City: Palmview County: Hidalgo
Contact Name: Frank Flores, General Manager
Phone No.: (956) 585-2459 Extension: _____

e. Bilingual Notice Requirements:

For new permit applications, major amendment and renewal applications. Not applicable for minor amendment or minor modification applications.

Please call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine if an alternative language notice is required:

1. Is a bilingual education program required by the Texas Education Code at the nearest elementary or middle school to the facility or proposed facility?
 Yes No (If No, alternative language notice publication is not required; skip to item 4. FACILITY INFORMATION.)
2. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?
 Yes No
3. Do the students at these schools attend a bilingual education program at another location?
 Yes No
4. Would the school be required to provide a bilingual education program but the school has waived out of this requirement under 19 TAC §89.1205(g)?
 Yes No



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5. If the answer is yes to 1, 2, 3, or 4, public notice in an alternative language is required. Which language is required by the bilingual program?
Spanish

This section of the application is only used to determine if alternative language notice will be needed. Complete instructions on publishing the alternative language notice will be in your public notice package.

7. REGULATED ENTITY AND PERMITTED SITE INFORMATION (Instructions Page 24)

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.state.tx.us/crpub/index.cfm?fuseaction=regent.RNSearch>

If the site is found, provide the assigned Regulated Entity Reference Number and provide the information for the site to be authorized through this application below. The site information for this authorization may vary from the larger site information.

TCEQ issued RE Reference Number (RN): **RN** 103932661

- a. State/TPDES Permit No.: _____ Expiration date: _____
EPA Identification No. (TPDES Permits only): TX _____
- b. Name of project or site (the name known by the community where located):
East Agua Wastewater Plant
- c. Is the facility located in Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, or Williamson County? Yes No (If Yes, additional information concerning protection of the Edwards Aquifer may be required.)
- d. Is the location of the facility used in the existing permit correct? Yes No

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.

Physical Address of Project or Site:

Street Number: _____ Street Name: _____

City: _____ ZIP Code: _____

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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:

Approximately 1 Mile South of West Loop 374 on Goodwin Road on the east side of Goodwin Road in Hidalgo County, south of Palmview, Texas

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

- e. City where the site is located or, if not in a city, what is the nearest city:

Palmview, TX

- f. ZIP Code where the site is located: 78572

- g. County where the site is located Hidalgo

- h. Latitude: 26 Degrees 12 Minutes 35 Seconds Longitude: 98 Degrees 23 Minutes 43 Seconds

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

Wastewater treatment facility

- j. Owner of treatment facility: Agua Special Utility District

Ownership of Facility: Public Private Both Federal

- k. Owner of land where treatment facility is/will be: Agua Special Utility District

(If not the same as the facility owner, there must be a long term lease agreement in effect for at least six years. In some cases, a lease may not suffice - see instructions.)

- l. Owner of effluent disposal site: Agua Special Utility District

(If not the same as the facility owner, there must be a long term lease agreement in effect for at least six years.)

- m. Owner of sewage sludge disposal site:

(Required only if authorization is sought in the permit for sludge disposal on property owned/controlled by the applicant.)

8. DISCHARGE/ DISPOSAL INFORMATION (Instructions, Page 27)

- a. Is the point of discharge and discharge route in the existing permit correct?

Yes No

If no, or a new or amendment permit application, please give an accurate description.

The discharge route is through a 24 inch pipe south into an unnamed drainage ditch that is part of the Hidalgo County Drainage Ditch No. 1 district and thence to the Rio Grande River in segment #2302

b. City or Town in which the outfall(s) is or will be located Palmview

c. County the outfall(s) is located: Hidalgo

d. Outfall Latitude: 26 Degrees 12 Minutes 29 Seconds Longitude: 98 Degrees 23 Minutes 45 Seconds

e. For all applications involving an average daily discharge of 5 million gallons per day or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge. Cameron

f. If a TLAP, is the location of the effluent disposal site in the existing permit accurate?
 Yes No If no, or a new or amendment permit application, please give an accurate description.

g. City or Town in which the disposal site is or will be located _____

h. County the disposal site is located: _____

i. Outfall Latitude: _____ Longitude: _____

j. If a TLAP, describe the routing of effluent from the treatment facility to the effluent disposal site:

k. For TLAP applications please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained: _____

l. Is the location of the sewage sludge disposal site in the existing permit accurate?
 Yes No If no, or a new permit application, please give an accurate description.

- m. Provide an **original** full size USGS Topographic Map with all required information. Indicate by a check mark that the information is provided.
- Applicant's property boundary
 - Treatment facility boundaries
 - Labeled point of discharge and highlighted discharge route
 - Sewage sludge disposal site
 - Effluent disposal site boundaries
 - New and future construction
 - 1 mile radius and 3 miles downstream information
 - All ponds

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- n. Is/will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch? Yes No

If Yes, indicate by a check mark if:

- Authorization granted Authorization pending

(For new and amendments, provide copies of letters that show proof of contact and the approval letter upon receipt.)

- o. Is the facility located on or does the treated effluent cross American Indian Land?

- Yes No

9. MISCELLANEOUS INFORMATION (Instructions, Pages 30)

- a. List each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application:

None

- b. 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 _____

10. SIGNATURE PAGE (Instructions, Page 31)

Permit Number: _____

Applicant: Agua Special Utility District

Certification:

I, Frank Flores General Manager
Typed or printed name *Title*

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

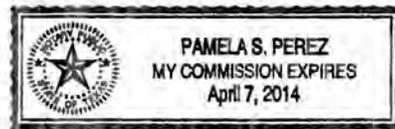
Signature: *Francisco "Frank" Flores* Date: 9/17/2012
(Use blue ink)

Subscribed and Sworn to before me by the said Francisco "Frank" Flores
on this 17th day of September, 2012.

My commission expires on the 7th day of April, 2014.

Pamela S. Perez
Notary Public
Hidalgo
County, Texas

[SEAL]



If co-permittees are necessary, each entity must submit an original, separate signature page.

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DOMESTIC ADMINISTRATIVE REPORT 1.1

The following is required for new and amendment applications.

1. AFFECTED LANDOWNER INFORMATION (Instructions, Page 32)

- a. Indicate by a check mark that the landowners map or drawing, with scale, includes the following, as applicable.
- The applicant's property boundaries
 - The facility site boundaries within the applicant's property boundaries
 - The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone
 - The property boundaries of all landowners surrounding the applicant's property
 - The point(s) of discharge and highlighted discharge route clearly shown for one mile downstream
 - The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge
 - The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay estuary, or affected by tides
 - The boundaries of the effluent disposal site (for example, irrigation area or subsurface drainfield site), all evaporation/holding ponds within the applicant's property
 - The property boundaries of all landowners surrounding the applicant's property boundaries where the effluent disposal site is located
 - The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners surrounding the applicant's property boundaries where the sewage sludge land application site is located
 - The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (for example, sludge surface disposal site or sludge monofill) is located
- b. Indicate by a check mark in which format the landowners list is submitted:
- Read/Writable CD or Disk 4 sets of labels
- c. Check if a separate list with the landowners' names and mailing address cross-referenced to the landowners map has been provided.
- d. Provide the source of the landowners' names and mailing addresses.
- Hidalgo County Appraisal District

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- e. As required by Texas Water Code §5.115, is any permanent school fund land affected by this application? Yes No

If yes, provide the location and foreseeable impacts and effects this application has on the land(s). None

2. BUFFER ZONE MAP (Instructions, Page 34)

- a. Provide a buffer zone map on 8.5 x 11-inch paper. The applicant's property line and the buffer zone line may be distinguished by using different colors and appropriate labels. Indicate by a check mark that all the following information is included on the map.
- The applicant's property boundary
 - The required buffer zone
 - Each treatment unit
 - The distance from each treatment unit to the property boundaries
- b. How will the buffer zone requirement be met?
- Ownership
 - Restrictive easement
 - Nuisance odor control
 - Variance
- c. Does the facility comply with the requirements regarding unsuitable site characteristic found in 30 TAC §309.13(a) through (d)?
- Yes No

3. ORIGINAL PHOTOGRAPHS (Instructions, Page 37)

Provide original ground level photographs. Indicate by checking that the following information is provided.

- At least one original photograph of the new or expanded treatment unit location
- At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured.
- If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.
- At least one photograph of the existing/proposed effluent disposal site
- A plot plan or map showing the location and direction of each photograph

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)
FOR AGENCIES REVIEWING MUNICIPAL
TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:
 Application type: Renewal Major Amendment Minor Amendment New
 County: Hidalgo Segment Number 2202 Admin Complete Date: 11/9/12
 Agency Receiving SPIF:
 Texas Historical Commission U.S. Fish and Wildlife
 Texas Parks and Wildlife Department U.S. Army Corps of Engineers

This form applies to TPDES permit applications only. (Instructions, Page 38).
 The SPIF must be completed as a separate document. The TCEQ will mail a copy of the SPIF to each agency as required by the TCEQ agreement with EPA. If any of the items are not completely addressed and/or further information is needed, you will be contacted to provide the information before the permit is issued. Each item must be completely addressed.

Do not refer to a response of any item in the permit application form. Each attachment must be provided with this form separately from the administrative report of the application. The application will not be declared administratively complete without this form being completed in its entirety including all attachments.

The following applies to all applications:

1. Permittee: Agua Special Utility District
2. Permit No. WQ00 14415003 (EPA ID No.) TX 0133841
3. Address of the project (location description that includes street/highway, city/vicinity, & county)

Approximately 1 Mile South of West Loop 374 on Goodwin Road on the east side of Goodwin Road in Hidalgo County, south of Palmview, Texas
4. Provide the name, address, phone and fax number of an individual that can be contacted to answer specific questions about the property.
 Name: Frank Flores Company: Agua Special Utility District
 Phone number: (956) 585-2459 Fax number: (956) 585-1188
 Street No.: 3120 Street name: N. Abram Street type: Road
 P.O. Box: _____ City: Palmview State: TX ZIP code: 78572
 Email: f.flores@aguasud.com

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5. List the county in which the facility is located: Hidalgo
6. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

7. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the Segment Number.

The discharge route is through a 24 inch pipe south into an unnamed drainage ditch that is part of the Hidalgo County Drainage Ditch No. 1 district and thence to the Rio Grande River in segment #2302 *thence to Arroyo Colorado; thence to the Gulf of Mexico*

8. Please provide a separate 7.5 minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required **in addition to** the map in the administrative report).

9. Provide original photographs of any structures 50 years or older on the property.

10. Does your project involve any of the following? Check all that apply.

- a. Proposed access roads, utility lines, construction easements
- b. Visual effects that could damage or detract from a historic property's integrity
- c. Vibration effects during construction or as a result of project design
- d. Additional phases of development that are planned for the future
- e. Sealing caves, fractures, sinkholes, other karst features
- f. Disturbance of vegetation or wetlands

11. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves, or other karst features).

No construction-related land use impacts are projected on this 23.9 acre site.

12. Describe existing disturbances, vegetation and land use.

The site consists of a vacant lot with minimal vegetation consisting primarily of weeds.

THE FOLLOWING ITEMS APPLY ONLY TO APPLICATIONS FOR NEW TPDES PERMITS AND MAJOR AMENDMENTS TO TPDES PERMITS

13. List construction dates of all buildings and structures on the property.

There are no buildings or structures on the property.

14. Provide a brief history of the property, and name of the architect/builder, if known.

No history available since no buildings or structures have ever been built on this property.

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**TCEQ DOMESTIC WASTEWATER PERMIT APPLICATION
DOMESTIC TECHNICAL REPORT 1.0**

**THE FOLLOWING IS REQUIRED FOR ALL APPLICATIONS;
RENEWAL, NEW, AND AMENDMENT**

1. PERMITTED AND/OR PROPOSED FLOWS (Instructions, Page 39)

PERMITTED AND/OR PROPOSED FLOW:	Existing/Interim I Phase	Interim II Phase	Final Phase
Design Flow (MGD)	NA	NA	7.55
2-Hr Peak Flow (MGD)	NA	NA	30.2
Date construction estimated to commence	NA	NA	August 2012
Date waste disposal estimated to commence	NA	NA	August 2014

Phase currently in operation: None

2. NAICS and SIC CODE (Instructions, Page 39)

Provide the appropriate SIC Code: 4952 and NAICS code: 22132

3. TREATMENT UNITS (Instructions, Page 40)

- a. Provide a detailed description of the treatment process. Include the **type of treatment plant, mode of operation, and all treatment units**. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of each phase must be provided.**

The plant will be an activated sludge plant utilizing the sequential batch reactor system. Influent wastewater will pass through a screen and grit removal unit thence into four sequencing batch reactors. After the sequencing batch reactors, the wastewater will flow to an ultraviolet disinfection chamber. Sludge digestion will occur in a combined thickener/aerobic digester structure.

Port or pipe diameter at the discharge point: 30 inches

- b. Provide the startup date of the current treatment facility: 08/01/2014

Have plans and specifications been approved for the existing facilities and/or each proposed phase?

Yes No

(If **no**, provide the date(s) of approval for each phase) Wastewater treatment facility

STATE OF TEXAS
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OCT 23 2014

DOCUMENT, WHICH IS FILED IN THE RECORDS OF THE COM
MISSIONER, GIVEN UNDER MY HAND AND THE SEAL OF OFFICE

[Signature]

SALLY B. WILSON, CLERK OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TCEQ-10054 (09/01/2010)

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- c. For applicants with an existing permit: Check the Other Requirements page(s) of the existing permit and provide information (including dates) on any actions taken to meet an Other Requirement pertaining to the submission of a summary submittal letter if applicable.

- d. Have the buffer zone requirements been met? Yes No

- e. For applicants with an existing permit: Check the Other Requirements page(s) of the existing permit and provide information (including dates) on any actions taken to meet the conditions of an Other Requirement pertaining to the buffer zone if applicable.

- f. Provide flow diagrams for the existing facilities and/or each proposed phase of construction. Indicate by a check mark that the required information is included.

- g. Provide the type and dimensions (length, width, height) of each **treatment unit and for all phases.**

TREATMENT UNITS	# OF UNITS	DIMENSIONS (L x W x D)
Screen and Grit Removal Unit	1	53' x 9 x 15'
Sequencing Batch Reactors	4	135' x 78' x 18'
Digester	1	32' x 32' x 20'
Ultraviolet Disinfection Chamber	1	69' x 14' x 17'

4. POLLUTANT ANALYSIS OF TREATED EFFLUENT (Instructions, Page 40)

Provide an analysis of the treated effluent for the following pollutants (data must be taken within 1 year of the date of application submission: (Not required for new permit applications unless the facility is in operation)

For discharges from **water treatment plants** provide the following pollutant analysis: Total Suspended Solids, Total Dissolved Solids, pH, aluminum, and fluoride instead of the table below.

POLLUTANT	CONCENTRATION		NUMBER OF SAMPLES	TYPE OF SAMPLE	SAMPLE DATE/TIME
	AVG.	MAX.			
(1) CBOD ₅ mg/l					
(2) Total Suspended Solids, mg/l					
(3) Ammonia-Nitrogen, mg/l					
(4) Nitrate-Nitrogen, mg/l					
(5) Total Kjeldahl Nitrogen, mg/l					
(6) Sulfate, mg/l					
(7) Chloride, mg/l					
(8) Total Phosphorus, mg/l					
(9) pH, standard units					
(10) Dissolved Oxygen, mg/l					
(11) Chlorine Residual, mg/l					
(12) <i>E. coli</i> (colonies/100ml) freshwater discharge					
(13) Enterococci (colonies/100ml) saltwater discharge					
(14) Total Dissolved Solids, mg/l					
(15) Elec. Conductivity, umhos/cm					
(16) Oil and Grease, mg/l					

5. FACILITY OPERATOR (Instructions, Page 41)

Provide the name and operator certification number for the facility operator:

Jose Villegas Class B Wastewater Certificate No. WW0002546

6. SEWAGE SLUDGE MANAGEMENT AND DISPOSAL Instruction, Page 41)

a. Please check the current sludge disposal method or methods. More than one method can be checked.

- Permitted landfill
- Permitted or Registered land application site for beneficial use
- Land application for beneficial use authorized in the wastewater permit
- Permitted sludge processing facility
- Marketing and distribution as authorized in the wastewater permit
- Composting as authorized in the wastewater permit
- Permitted surface disposal site (sludge monofill)
- Surface disposal site (sludge monofill) authorized in the wastewater permit
- Transported to another permitted wastewater treatment plant (see item below)
- written statement/contractual agreement from the facility accepting the sludge is attached
- Other method (provide description):

b. Provide the following information for the sludge site:

Disposal site name: BFI Regional Disposal Facility

TCEQ Permit or Registration Number: MSW-1948

County where the site is located: Hidalgo

c. Provide the following:

Method of transportation (truck, train, pipe, other): Truck

Name of the hauler: Waste Management Services

Hauler Registration Number: 20889

Transported in: liquid semi-liquid semi-solid solid state

Land application for: Reclamation Soil Conditioning

7. PERMIT AUTHORIZATION FOR SEWAGE SLUDGE DISPOSAL (Instructions, Page 41)

a. Does the existing permit include authorization for land application of sewage sludge for beneficial use? Yes No

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use: Yes No

If yes, is the completed **APPLICATION FOR PERMIT FOR BENEFICIAL LAND USE OF SEWAGE SLUDGE (TCEQ Form No. 10451)** attached to this permit renewal application (see the instructions for details): Yes No

b. Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?

- | | | |
|---|------------------------------|--|
| Sludge Composting | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Marketing and Distribution of sludge | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Sludge Surface Disposal or Sludge Monofill | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Temporary storage of sludge in sludge lagoons | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056)** attached to this permit renewal application. Yes No

8. SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN (Instructions, Page 42)

- Does the facility discharge in the Lake Houston watershed? Yes No
- Does the facility accept sludge from other domestic wastewater treatment facilities?
 Yes No
- If yes to either question, is the required solids management plan attached? Yes No

9. SEWAGE SLUDGE LAGOONS (Instructions, Page 43)

a. Location information

Indicate by a check mark that the following required maps are submitted as part of the application and that they contain the required information?

- Original General Highway (County) Map
- USDA Natural Resources Conservation Service Soil Map
- Federal Emergency Management Map
- Site map

Indicate by a check mark if any of the following existing within the area used/proposed for the lagoons:

- Overlap a designated 100-year frequency flood plain
- Soils with flooding classification
- Overlap an unstable area
- Wetlands
- Located less than 60 meters from a fault
- None of these

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures:

b. Temporary storage information

Provide the results of the following in addition to the pollutants listed in the Technical Report 1.0

Pollutant	mg/kg
Nitrate Nitrogen	
Total Nitrogen	
Phosphorus	
Potassium	
pH (Standard Units)	
Ammonia Nitrogen	

Provide the following information:

Volume and frequency of sludge to lagoon(s): _____

Total dry tons stored in the sludge lagoon(s) per 365-day period: _____

Total dry tons stored in the sludge lagoon(s) over the life of the unit: _____

c. Facility information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of 1×10^{-7} cm/sec? Yes No

If yes, describe the liner: Please note that lining is required.

d. Site Development Plan

Provide a detailed description of the methods used to deposit sludge in the lagoon(s):

In addition to the detailed description, please indicate by a check mark that the following information is provided:

- Plan view and cross-section of the sludge lagoon(s)
- Copy of the closure plan
- Copy of deed recordation for the site
- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons
- Description of the method of controlling infiltration of groundwater and surface water from entering the site
- Procedures to prevent the occurrence of nuisance conditions

e. Groundwater Monitoring

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

Yes No If groundwater monitoring data are available, provide a copy.

Provide a profile of soil types encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

10. AUTHORIZATIONS/REQUIREMENTS/COMPLIANCE/ENFORCEMENT
(Instructions, Page 44)

a. Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc? Yes No

If yes, provide the TCEQ authorization number and description of the authorization:

b. Is the permittee currently under enforcement? Yes No

Is the permittee required to meet any implementation schedule for compliance or enforcement? Yes No

If yes to either question for item 10, provide a brief summary of the enforcement and/or implementation schedule, and a status update:

The discharge route is through a 24 inch pipe south into an unnamed drainage ditch that is part of the Hidalgo County Drainage Ditch No. 1 district and thence to the Rio Grande River in segment #2302

11. UNBUILT PHASES (Instructions, Pages 44)

Is the application for renewal of a permit that contains an unbuilt phase or phases?

Yes No

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ? Yes No

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

Cameron

12. SITE DRAWING (Instructions, Page 45)

Provide a site drawing for the facility. Indicate by a check mark that it contains the following.

- The boundaries of the treatment facility
- The boundaries of the area served by the treatment facility
- If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds
- If sludge disposal authorized in the permit, the boundaries of the land application or disposal site

Provide the name and description of the area served by the treatment facility.

13. RCRA/CERCLA/OTHER WASTES (Instructions, Page 45)

- a. Does the facility receive, will it receive, or has it received RCRA hazardous waste in the past three years? Yes No

- b. Does the facility receive, will it receive, or has it received in the past three years, CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater? Yes No

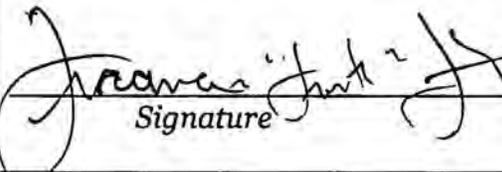
- c. If yes to either a. or b., is a detailed attachment with information concerning these wastes provided? Yes No

14. LABORATORY ACCREDITATION:

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:

- i. 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.
- ii. The laboratory is accredited under federal law.
- iii. The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- iv. 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. See Instructions, Page 21, for a list of designated representatives who may sign the certification.

CERTIFICATION:	
I, <u>Frank Flores</u> <i>Typed or Printed Name</i>	<u>District mgr.</u> <i>Title</i>
certify that all laboratory tests submitted with this application meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.	
<u></u> <i>Signature</i>	<u>September 18, 2012</u> <i>Date</i>

DOMESTIC TECHNICAL REPORT 1.1

THE FOLLOWING IS REQUIRED FOR NEW AND AMENDMENT APPLICATIONS

1. PERMITTED AND/OR PROPOSED FLOWS (Instructions Page 46)

a. Complete the following chart.

PERMITTED AND /OR PROPOSED FLOW:	Initial/existing Phase	Intermediate Phase	Final Phase
Design Flow (MGD)	NA	NA	7.55
2-Hr Peak Flow (MGD)	NA	NA	30.2
Construction estimated to start	NA	NA	August 2012
Date waste disposal to start	NA	NA	August 2014

Phase currently in operation: None

b. Provide a detailed discussion regarding the need for the proposed permit or proposed phase(s). Failure to provide sufficient justification may result in the Executive Director recommending denial of the proposed phase(s) or permit.

c. Provide the following information concerning regionalization of domestic wastewater treatment facilities:

1. If the applicant is a city, check N/A and proceed to item 2: N/A

Is any portion of the proposed service area located in an incorporated city?

Yes No

If yes, within the city limits of: Palmview, TX

If yes, is correspondence from the city is attached: Yes No

If consent to provide service is available from the city, is justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the city versus the cost of the proposed facility or expansion attached? Yes No

2. Is any portion of the proposed service area located inside another utility's CCN area?

Yes No

If yes, check if justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the CCN facilities versus the cost of the proposed facility or expansion is attached.

3. Are there any domestic permitted wastewater treatment facilities and/or collection systems located within a three-mile radius of the proposed facility?

Yes No

If yes, is a list of these facilities that includes the permittee's name and permit number, and an area map showing the location of these facilities attached? Yes No

a. If yes, are copies of your certified letters to these facilities and their response letters concerning connection with their system attached? Yes No

Does a permitted domestic wastewater treatment facility or a collection system located within three (3) miles of the proposed facility currently have the capacity or is willing to expand to accept the volume of wastewater proposed in this application?

Yes No

If yes, is an analysis of expenditures required to connect to a permitted wastewater treatment facility or collection system located within 3 miles versus the cost of the proposed facility or expansion attached? Yes No

2. PROPOSED ORGANIC LOADING (Instructions, Page 47)

a. Is this a new permit application? Yes No

b. If no, and the application is to amend an existing permit, provide the following information.

Facility Design Flow (flow being requested in application) _____

Average Organic Strength or BOD₅ Concentration in mg/l _____

Average Loading (lbs/day=total average flow x average BOD₅ conc. X 8.345) _____

Provide the source of the average organic strength or BOD₅ concentration _____

If the increased flow will impact the existing organic strength, the following table must be completed.

c. If yes to question 2.a, this table must be completed.

SOURCE	TOTAL AVERAGE FLOW, (MGD)	ORGANIC STRENGTH BOD ₅ CONCENTRATION, (mg/l)
Municipality	1.70	200.00
Subdivision	1.70	200.00
Trailer Park-Transient	0.00	0.00
Mobile Home Park	0.10	300.00
School with cafeteria and showers	0.12	300.00
School with cafeteria, no showers	0.08	300.00
Recreational Park, overnight use	0.00	0.00
Recreational Park, day use	0.00	0.00
Office Building of Factory	0.01	300.00
Motel	0.01	300.00
Restaurant	0.02	300.00
Hospital	0.00	0.00
Nursing Home	0.01	300.00
Other	0.05	200.00
	Total Flow: 3.79	Average BOD ₅ : 209.00

3. PROPOSED EFFLUENT QUALITY / PROPOSED DISINFECTION (Instructions, Page 48)

Phase:	Initial/existing	Intermediate	Final
BOD ₅ , mg/l	10	NA	UNK
TSS, mg/l	10	NA	UNK
NH ₃ -N, mg/l	2	NA	UNK
Total P, mg/l	NA	NA	NA
DO, mg/l	NA	NA	NA
Other: _____	NA	NA	NA

Check the proposed method of disinfection.

- Chlorine: _____ mg/l after _____ minutes detention time at peak flow
- Ultraviolet: 3 _____ seconds contact time at peak flow
- Other: _____
- Dechlorination process: _____

4. DESIGN CALCULATIONS (Instructions, Page 48)

- Indicate by a check mark that design calculations and plant features for each proposed phase are provided.

Example 4 and Example 5 of the instructions includes example design calculations and plant features.

5. FACILITY SITE (Instructions, Page 48)

- a. Will the proposed facilities be located above the 100-year frequency flood level?

Yes No

If no, describe measures used to protect the facility. Include a site map showing the location of the treatment plant within the 100-year frequency flood level. If applicable, provide the size of dikes or other protective structures.

Provide the source(s) used to determine 100-year frequency flood plain.

For a new or expansion of a facility, will a wetland or part of a wetland be filled?

Yes No

If yes, has the applicant applied for a U.S. Corps of Engineers 404 Dredge and Fill permit?

Yes No

If yes, provide the permit number: _____

- b. Indicate by a check mark that a wind rose has been submitted.

6. AUTHORIZATION FOR SEWAGE SLUDGE DISPOSAL (Instructions, Page 48)

- a. Are you requesting to include authorization to land apply sewage sludge for beneficial use on property located adjacent to the wastewater treatment facility under the wastewater permit:

Yes No

If yes, is the completed **APPLICATION FOR PERMIT FOR BENEFICIAL LAND USE OF SEWAGE SLUDGE (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details):

Yes No

- b. Are you requesting to include authorization for any of the following sludge processing, storage or disposal options at the wastewater treatment facility?

Sludge Composting	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Marketing and Distribution of sludge	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sludge Surface Disposal or Sludge Monofill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056)** attached to this permit application: Yes No

7. SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN (Instructions, Page 49)

Provide a sewage sludge solids management plan. Indicate by a check mark that it contains the following:

- Treatment units and processes dimensions and capacities
- Solids generated at 100, 75, 50, and 25 percent of design flow
- Mixed liquor suspended solids operating range at design and projected actual flow
- Quantity of solids to be removed and a schedule for solids removal
- Identification and ownership of the ultimate sludge disposal site
- For facultative lagoons, design life calculations, monitoring well locations and depths, and the ultimate disposal method for the sludge from the facultative lagoon

An example of a sewage sludge solids management plan has been included as Example 5 of the instructions.

**DOMESTIC TECHNICAL REPORT WORKSHEET 2.0
RECEIVING WATERS**

THE FOLLOWING IS REQUIRED FOR ALL TPDES PERMIT APPLICATIONS

1. DOMESTIC DRINKING WATER SUPPLY (Instructions, Page 52)

Is there a surface water intake for domestic drinking water supply located within 5 (five) miles downstream from the point/proposed point of discharge? Yes No

If yes, identify:

Owner of the drinking water supply: _____

Distance and direction to the intake: _____

Check if the location of the intake on the USGS topographic map has been identified and labeled.

2. DISCHARGE INTO TIDALLY AFFECTED WATERS (Instructions, Page 52)

a. Width of the receiving water at the outfall? _____ feet

b. Are there oyster reefs in the vicinity of the discharge? Yes No

If yes, provide the distance and direction from outfall(s):

c. Are there any Sea Grasses within the vicinity of the point of discharge? Yes No

If yes, provide the distance and direction from the outfall(s):

3. CLASSIFIED SEGMENT (Instructions, Page 52)

Is the discharge directly into (or within 300 feet of) a classified segment?

Yes No

If yes, stop here. Worksheets 2.0 and 2.1 are complete. **If no,** complete items 4 and 5.

4. DESCRIPTION OF IMMEDIATE RECEIVING WATERS (Instructions, Page 53)

Name of the immediate receiving waters: _____

a. Check the appropriate description of the receiving waters

Stream

Open Bay

Freshwater Swamp or Marsh

Tidal Stream, Bayou, or Marsh

Lake or Pond

Surface area: _____ acres

Average depth of the entire water body: _____ feet

Average depth of water body within a 500-foot radius of the discharge point: _____ feet

Man-made Channel or Ditch

Other: _____

b. If a man-made channel, ditch or stream was checked above, provide the following. Check one of the following that best characterizes the area **upstream** of the discharge. For new discharges, characterize the area **downstream** of the discharge (check one).

- Intermittent (dry for at least one week during most years)
- Intermittent with Perennial Pools
(enduring pools with sufficient habitat to maintain significant aquatic life uses)
- Perennial (normally flowing)

Check the method used to characterize the area upstream (or downstream for new dischargers):

- USGS flow records
- historical observation by adjacent landowner(s)
- personal observation
- other, specify: Class B Surface Water License

c. List the name(s) of all perennial streams that join the receiving water within three miles downstream of the discharge point.

None

d. Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)? Yes No

If yes, discuss how.

e. Provide general observations of the water body during normal dry weather conditions.

Approximately 1 Mile South of West Loop 374 on Goodwin Road on the east side of Goodwin Road in Hidalgo County, south of Palmview, Texas

Date and time of observation: 10/10/2010 3:00 p.m.

Was water body influenced by storm water runoff during observations? Yes No

5. GENERAL CHARACTERISTICS OF WATER BODY (Instructions, Page 53)

a. Is the receiving water upstream of the discharges or proposed discharge site influenced by (check as appropriate)?

- oil field activities
- agricultural runoff
- urban runoff
- septic tanks
- upstream discharges
- others, specify below

b. Uses of water body observed or evidences of (check as appropriate).

- | | | |
|---|---|--|
| <input type="checkbox"/> livestock watering | <input type="checkbox"/> contact recreation | <input type="checkbox"/> irrigation withdrawal |
| <input type="checkbox"/> non contact recreation | <input type="checkbox"/> fishing | <input type="checkbox"/> navigation |
| <input type="checkbox"/> domestic water supply | <input type="checkbox"/> industrial water supply | |
| <input type="checkbox"/> picnic park activities | <input checked="" type="checkbox"/> others, specify below | |

c. Check one of the following to best describe the aesthetics of the receiving water and the surrounding area.

- Wilderness: outstanding natural beauty; usually wooded or unpastured area: water clarity exceptional
- Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive, developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

**DOMESTIC WORKSHEET 6.0
INDUSTRIAL WASTE CONTRIBUTION**

1. ALL POTWs (Instructions, Page 70)

- a. Provide the number of each of the following types of industrial users that discharge to your POTW and the flows from each.

Type of industrial user	Number of industrial users	Average Flows in MGD
CIUs	None	
SIUs - Non-categorical	None	
Other IUs	None	

- b. In the past three years, has your POTW experienced treatment plant interference as defined in the Definitions section of the instructions?

Yes No If yes, identify all dates, duration, description of interference, probable cause(s) and possible source(s).

- c. In the past three years, has your POTW experienced pass through as defined in the Definitions section of the instructions?

Yes No If yes, identify all dates, duration, description of pollutants passing through the treatment plant, probable cause(s) and possible source(s).

- d. Does your POTW have, or is it required to develop an approved pretreatment program?

Yes No If yes, answer all questions in item 2, but skip item 3 questions. If no, skip item 2 and answer all questions in item 3 for each significant industrial user.

2. POTWs WITH APPROVED PROGRAMS OR THOSE REQUIRED TO DEVELOP A PROGRAM (Instructions, Page 70)

- a. Have there been any substantial modifications to the POTW's approved pretreatment program that have not been approved according to 40 CFR Section 403.18?

Yes No If yes, identify on a separate attachment all substantial and nonsubstantial modifications that have not been submitted to the Approval Authority (TCEQ).

- b. List all parameters measured above the MAL in the POTW's effluent annual monitoring scans during the last three years.

Pollutant	Concentration	MAL	Units	Date

- c. Has an IU caused or contributed to any problems (e.g., interferences, pass through) at your POTW in the past three years?

Yes No

If yes, identify the industry, describe each episode, including dates, duration, description of problems, and probable pollutants. Submit a separate attachment if necessary.

3. SIGNIFICANT INDUSTRIAL USER (SIU) INFORMATION (Instructions, Page 71)

a. Company Name: _____ SIC Code: _____
 Telephone number: _____ Fax number: (956) 585-1188
 Contact name: _____
 Street No.: 3120 Street name: N. Abram Street type: Road
 City: _____ State: Palmview Zip Code: _____

- b. Describe the industrial processes of other activities that affect or contribute to the SIU's discharge.

c. Provide a description of the principal product(s).

--

d. Flow rate information:

Flow information	Gallons per day discharged	Continuous, batch or intermittent discharge
Process wastewater		
Non-process wastewater		

e. Pretreatment Standards: Indicate whether the SIU is subject to the following.

Technically based local limits as defined in the Definitions section of the instructions:

Yes No

Categorical pretreatment standards (40 CFR Parts 405-471): Yes No

If subject to categorical pretreatment standards, indicate the applicable category and subcategory for each categorical process.

Category in 40 CFR	Subcategory in 40 CFR			

f. Has the SIU caused or contributed to any problems (e.g., interferences, pass through) at your POTW in the past three years?

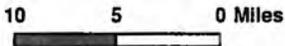
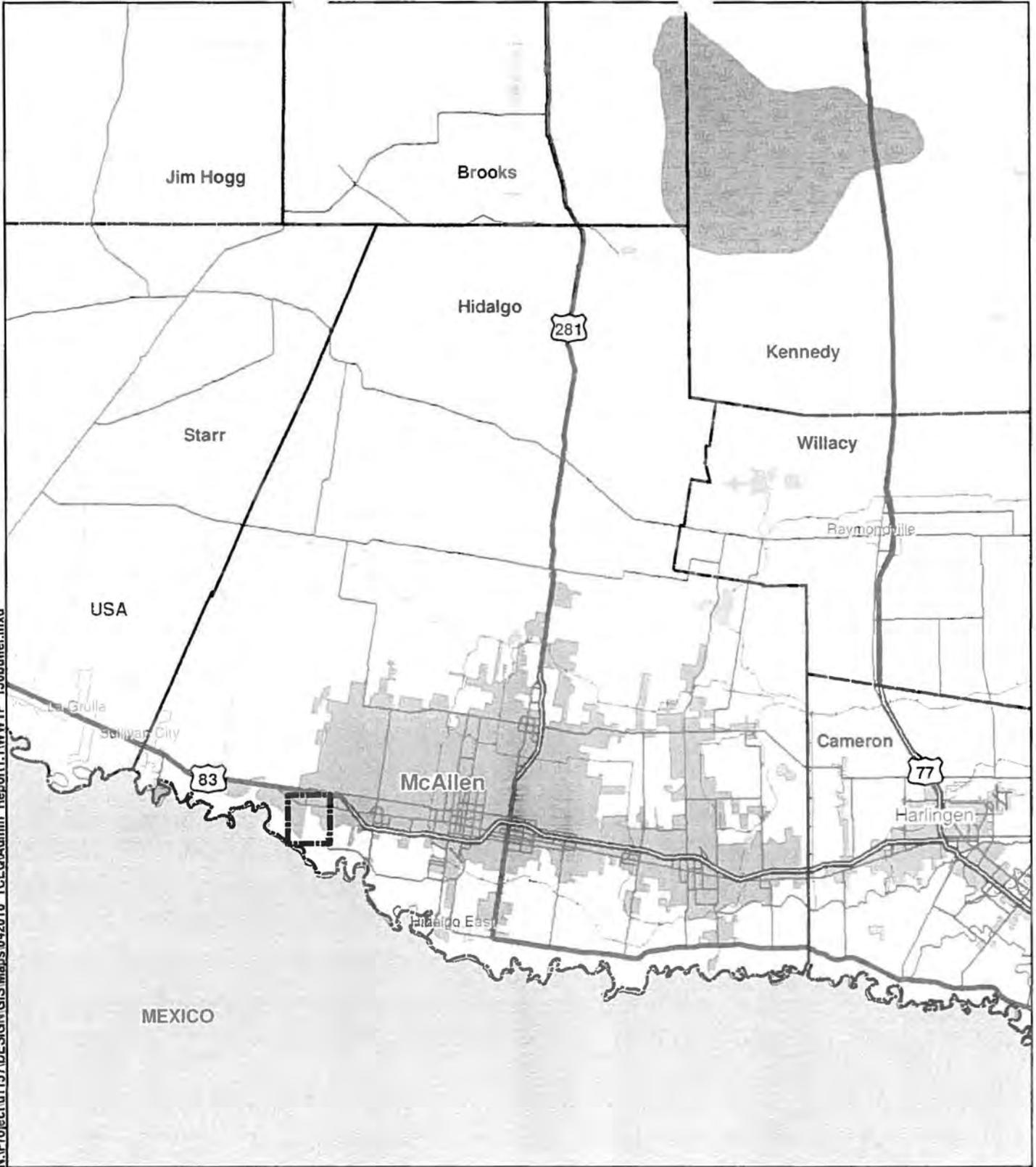
Yes No

If yes, identify the SIU, describe each episode, including dates, duration, description of problems, and probable pollutants.

Provide a separate attachment if necessary.

--

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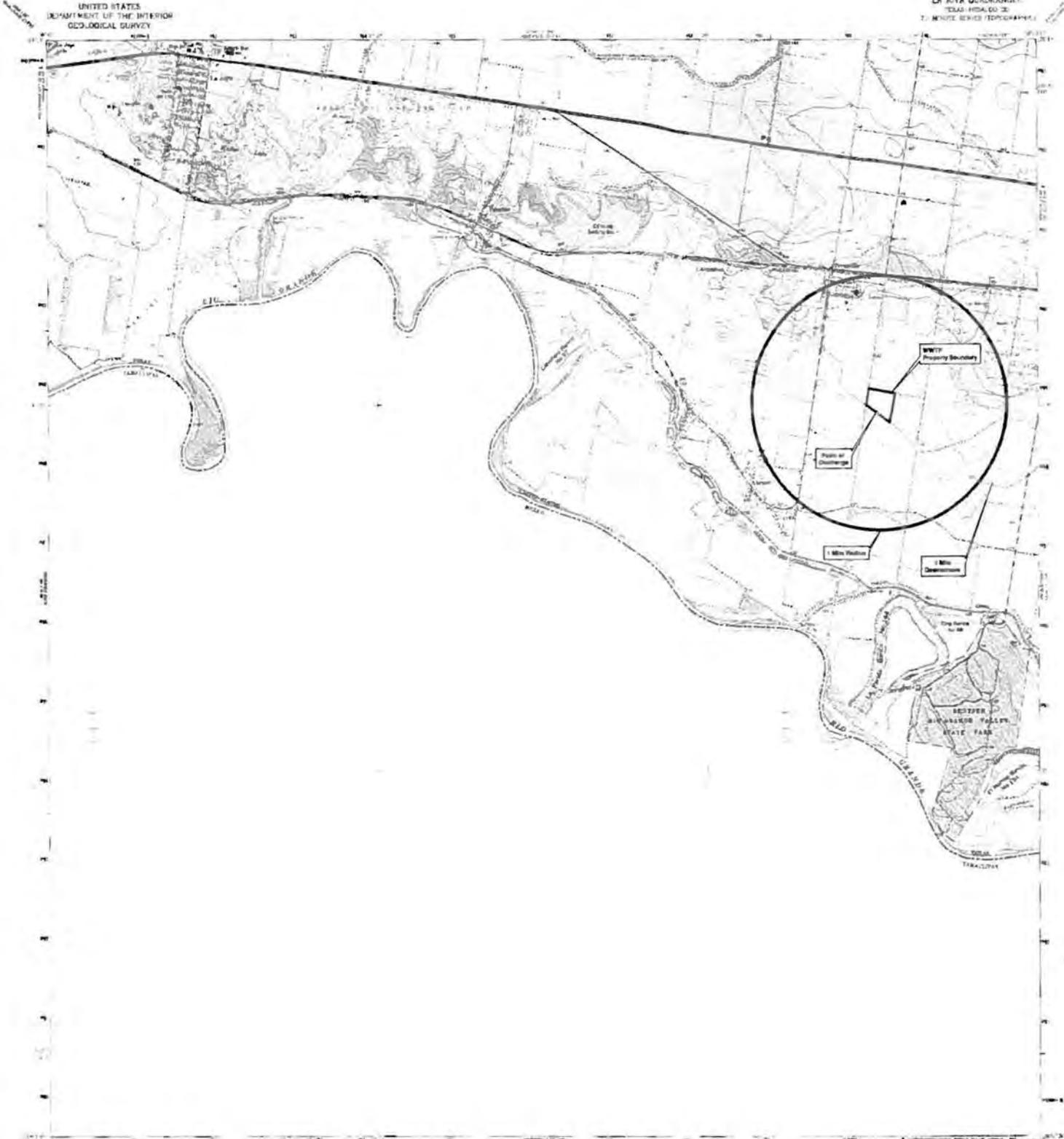
Sources: USDA NAIP - Hidalgo County 2008 Aerial

Legend

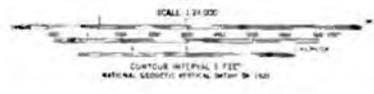
 Project Area

**AGUA SUD East
WWTP
General Highway Map**

**Hidalgo County
State of Texas**



MADE BY THE G.P.S. DIVISION OF THE GEOLOGICAL SURVEY
DATE: IN 1953 AND 1954
PROJECT: TO DETERMINE THE LOCATION OF THE
POINT OF DISCHARGE OF THE WASTE WATER FROM THE
LA JOYA WASTE WATER TREATMENT PLANT TO THE
RIO GRANDE RIVER.
SCALE: 1:25,000
PROJECTION: UTM
DATUM: NAD 83
ELEVATION: IN FEET
VERTICAL DATUM: MEAN SEA LEVEL
HORIZONTAL DATUM: NAD 83
UNIT: METERS
COORDINATE SYSTEM: UTM
MAGNETIC DECLINATION: 1953
MAGNETIC DECLINATION: 1954
MAGNETIC DECLINATION: 1955
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MAGNETIC DECLINATION: 1997
MAGNETIC DECLINATION: 1998
MAGNETIC DECLINATION: 1999
MAGNETIC DECLINATION: 2000



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LA JOYA, TEXAS
1963
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17 cents for the cost of the original sheet.
Paper for this edition was supplied by the

Scale 1:25,000
CONTOUR INTERVAL 5 FEET
NATIONAL GEODESIC SURVEY DATA OF 1909

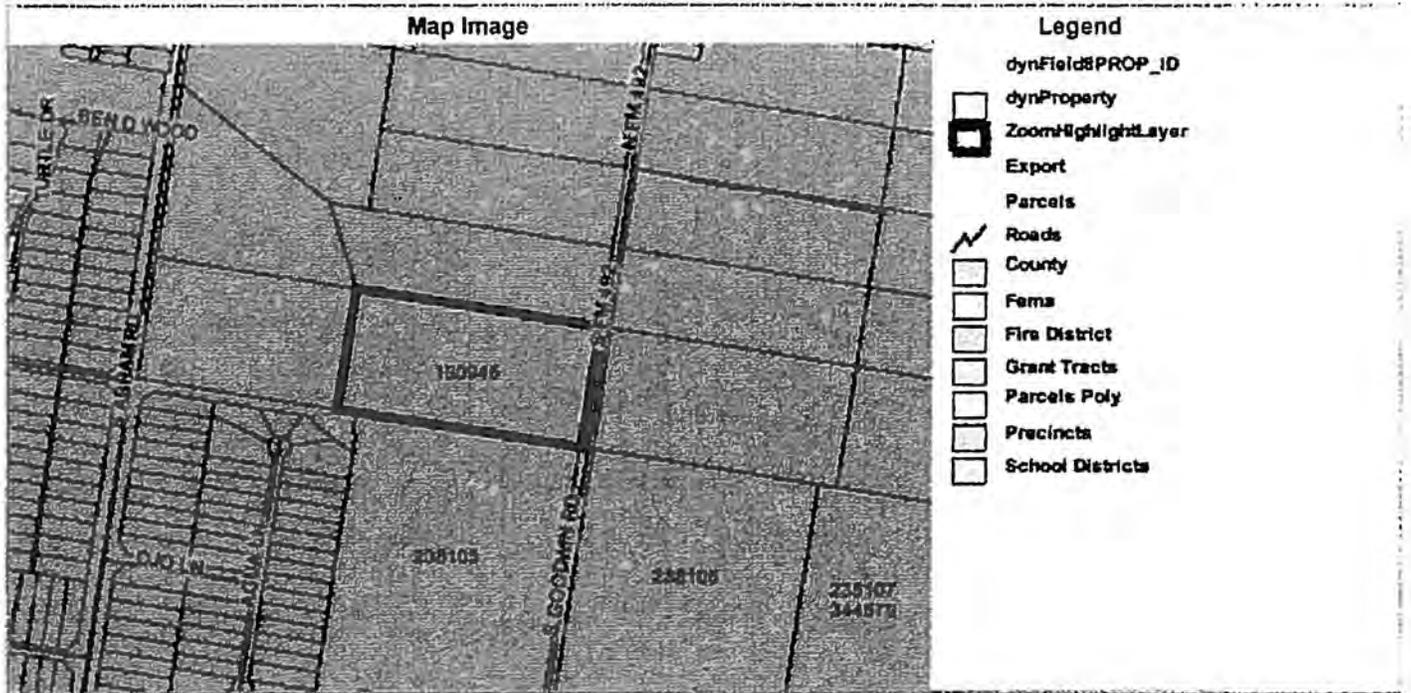
Scale 1:25,000
CONTOUR INTERVAL 5 FEET
NATIONAL GEODESIC SURVEY DATA OF 1909

Scale 1:25,000
CONTOUR INTERVAL 5 FEET
NATIONAL GEODESIC SURVEY DATA OF 1909

ROAD CLASSIFICATION
MISSION, TEXAS
25000 2519 024
1910
GEOLOGICAL SURVEY

Hidalgo CAD

Property Search Results > Property ID 180946 J.L. BATES LP for Year 2010



- Legend**
- dynField\$PROP_ID
 - dynProperty
 - ZoomHighlightLayer
 - Export
 - Parcels
 - Roads
 - County
 - Fema
 - Fire District
 - Grant Tracts
 - Parcels Poly
 - Precincts
 - School Districts

Property Details

Account

Property ID: 180946
 Geo. ID: G5900-01-001-0002-00
 Type: Real
 Legal Description: GOODWIN #1 LOT 2 BLK 1 15.29AC

Location

Address: GOODWIN RD
 Neighborhood:
 Mapsco:
 Jurisdictions: CAD, DR1, GHD, HCTIR, JCC, R05, SLJ, SST

Owner

Name: J.L. BATES LP
 Address: 101 ASH ST, HQ068
 SAN DIEGO, CA 92101-3017

Property

Appraised Value: \$6,407

Website version: 1.2.2.0

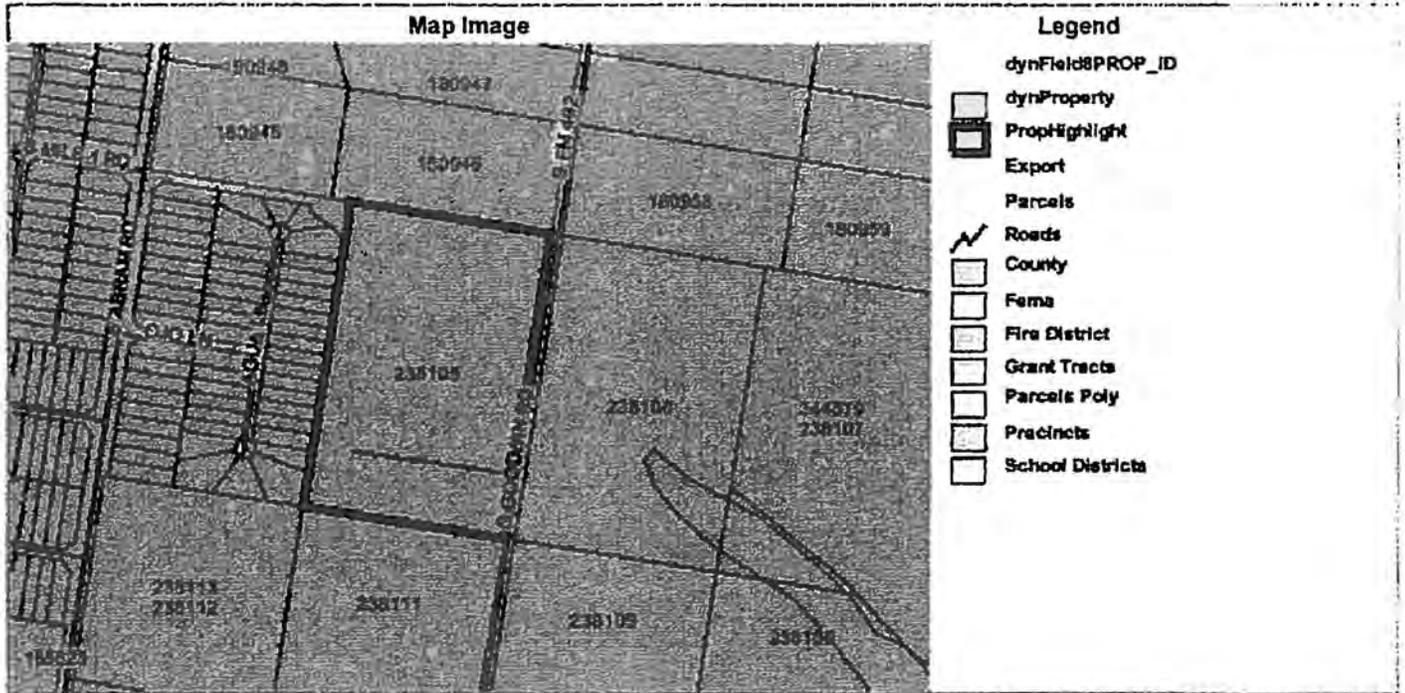
Database last updated on: 4/14/2010 4:21 AM

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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+

Hidalgo CAD

Property Search Results > Property ID 238105 FRONTERA GENERATION LTD PRTRNSHP for Year 2010



1 Property Details

Account

Property ID: 238105
 Geo. ID: M4950-00-000-0002-00
 Type: Real
 Legal Description: MISSION FARMS ESTATE LOT 2 40AC GR 39.37AC NET

Location

Address: DOFFIN RD
 Neighborhood: MISSION FARMS ESTATE
 Mapsco:
 Jurisdictions: CAB, CAD, DR1, GHD, HCTIR, JCC, R05, SLJ, SST

Owner

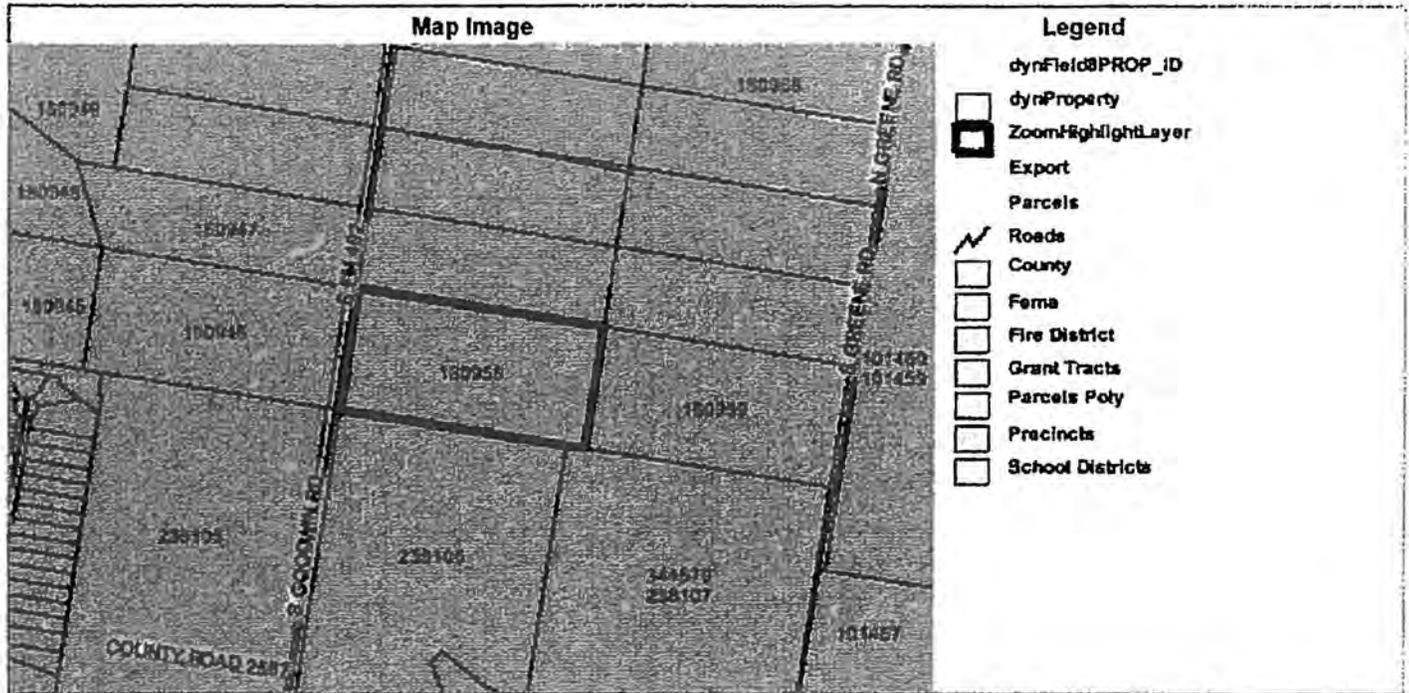
Name: FRONTERA GENERATION LTD PRTRNSHP
 Address: ATTN: CLAUDE DEMARS
 TECO ENERGY 12 GREENWAY PLAZA STE 600
 HOUSTON, TX 77046-0813

Property

Appraised Value: \$187,008

Hidalgo CAD

Property Search Results > Property ID 180958 GOODWIN ACQUISITIONS LP for Year 2010



Property Details

Account

Property ID: 180958
 Geo. ID: G5900-01-002-0001-00
 Type: Real
 Legal Description: GOODWIN #1 LT 1 BLK 2 15.29 AC

Location

Address: GOODWIN RD
 Neighborhood:
 Mapsco:
 Jurisdictions: CAD, DR1, GHD, HCTIR, JCC, R05, SLJ, SST

Owner

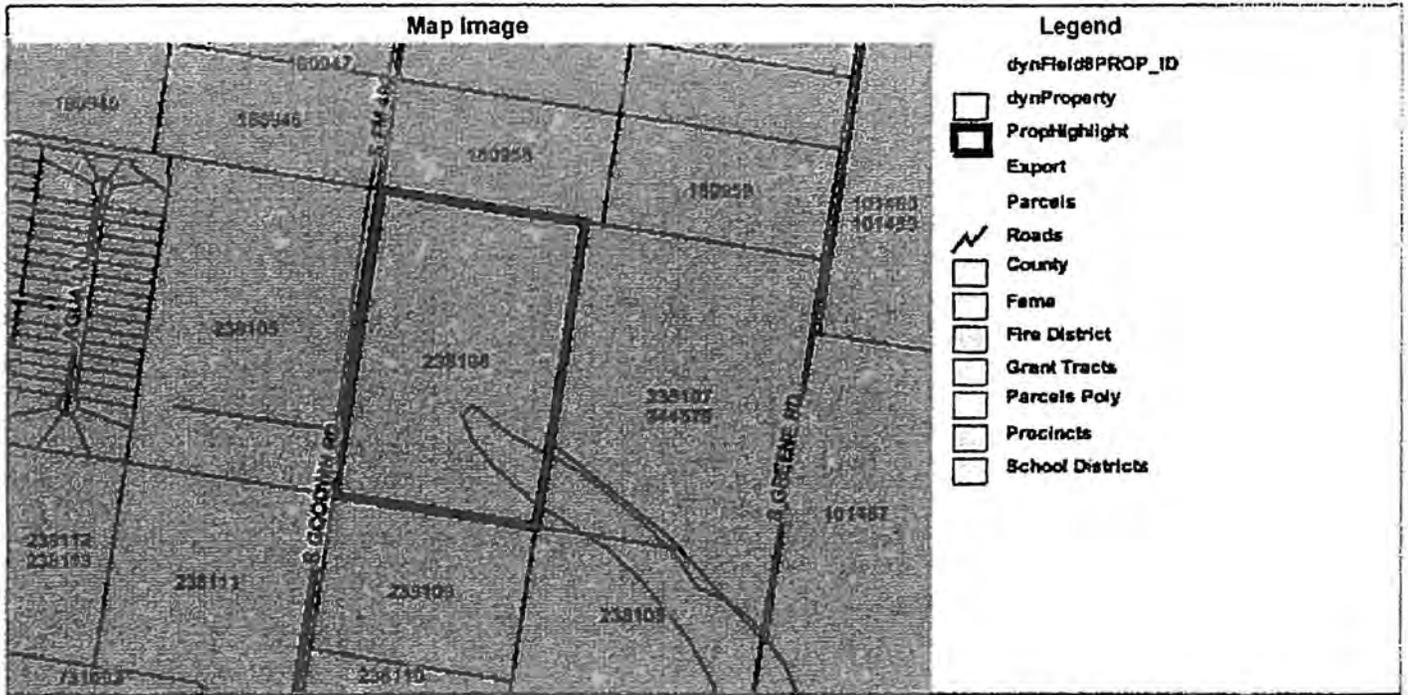
Name: GOODWIN ACQUISITIONS LP
 Address: 3504 WARE RD
 OFC 4
 MCALLEN, TX 78501

Property

Appraised Value: \$4,205

Hidalgo CAD

Property Search Results > Property ID 238106 J.L. BATES L.P. for Year 2010



Property Details

Account

Property ID: 238106
 Geo. ID: M4950-00-000-0003-00
 Type: Real
 Legal Description: MISSION FARMS ESTATE LOT 3 39.98AC

Location

Address: DOFFIN RD
 Neighborhood: MISSION FARMS ESTATE
 Mapsco:
 Jurisdictions: CAB, CAD, DR1, GHD, HCTIR, JCC, R05, SLJ, SST

Owner

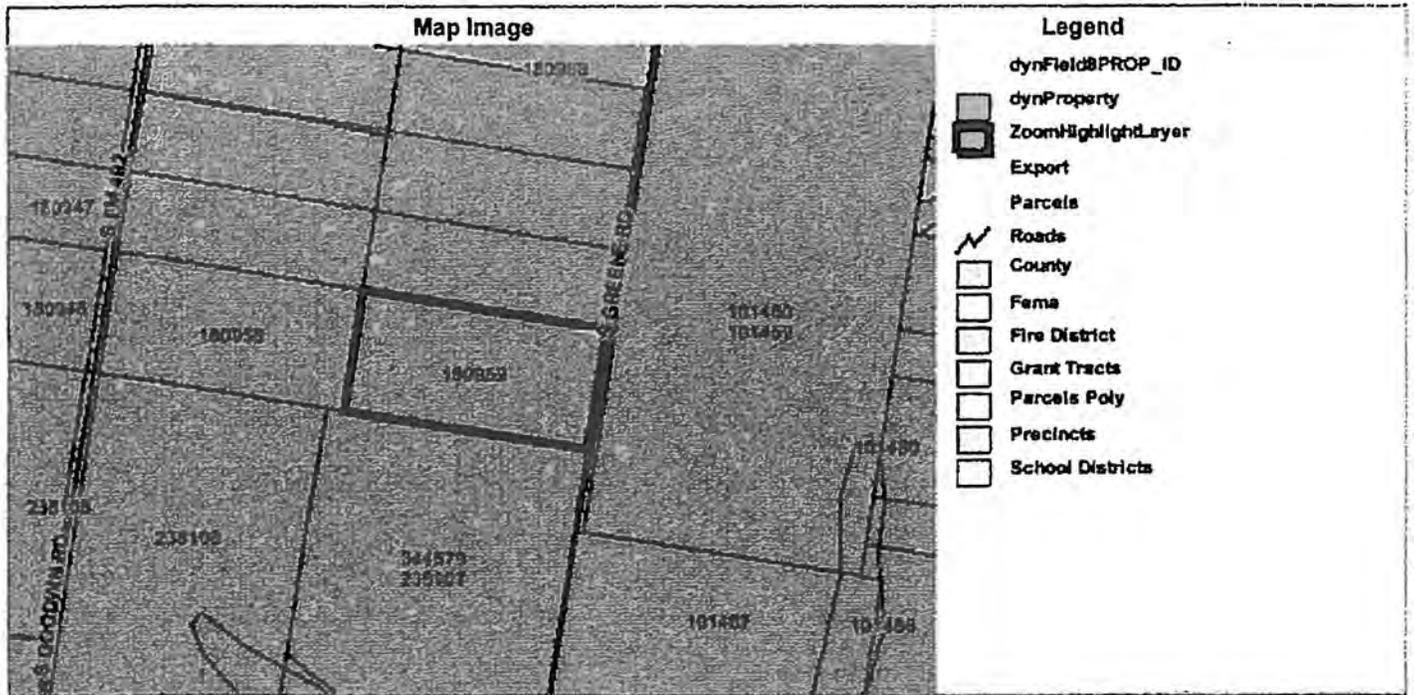
Name: J.L. BATES L.P.
 Address: 101 ASH ST HQ06B
 SAN DIEGO, CA 92101-3017

Property

Appraised Value: \$16,752

Hidalgo CAD

Property Search Results > Property ID 180959 GOODWIN ACQUISITIONS LP for Year 2010



Property Details

Account

Property ID: 180959
 Geo. ID: G5900-01-002-0002-00
 Type: Real
 Legal Description: GOODWIN #1 LT 2 BLK 2 15.29 AC

Location

Address: GREENE RD
 Neighborhood:
 Mapsco:
 Jurisdictions: CAD, DR1, GHD, JCC, R05, SLJ, SST

Owner

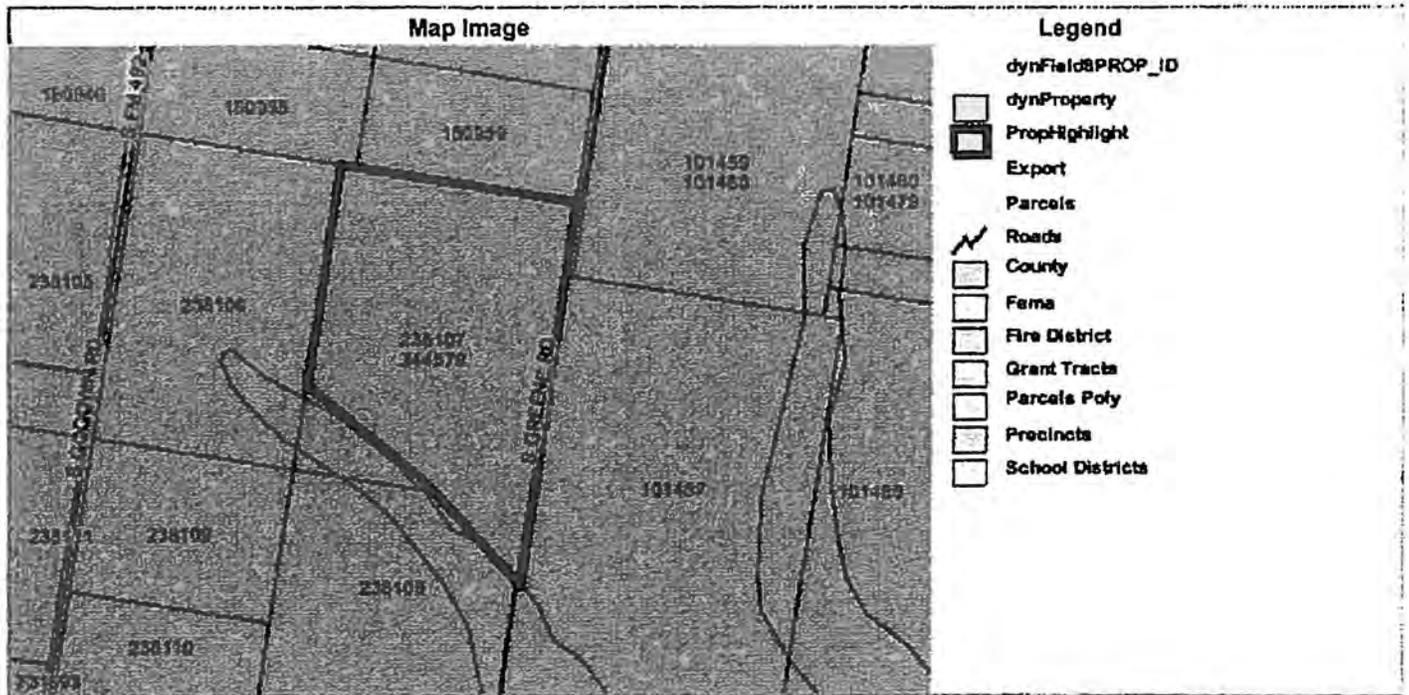
Name: GOODWIN ACQUISITIONS LP
 Address: 3504 WARE RD
 OFC 4
 MCALLEN, TX 78501

Property

Appraised Value: \$4,205

Hidalgo CAD

Property Search Results > Property ID 344579 U S FISH & WILDLIFE SERVICE for Year 2010



- Legend**
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 - PropHighlight
 - Export
 - Parcels
 - Roads
 - County
 - Fema
 - Fire District
 - Grant Tracts
 - Parcels Poly
 - Precincts
 - School Districts

Property Details

Account

Property ID: 344579
 Geo. ID: M4950-00-000-0005-01
 Type: Real
 Legal Description: MISSION FARMS ESTATE 2.50AC A TRIANGULAR TRACT- E526.15'-N414.04'-S1604.3' LOT 5

Location

Address: DOFFIN RD
 Neighborhood: MISSION FARMS ESTATE
 Mapsco:
 Jurisdictions: CAD, CMS, DR1, GHD, JCC, R05, SLJ, SST, THMS1, TMS1

Owner

Name: U S FISH & WILDLIFE SERVICE
 Address: PO BOX 1306
 ALBUQUERQUE, NM 87103-1306

Property

Appraised Value: \$64,793

Website version: 1.2.2.0

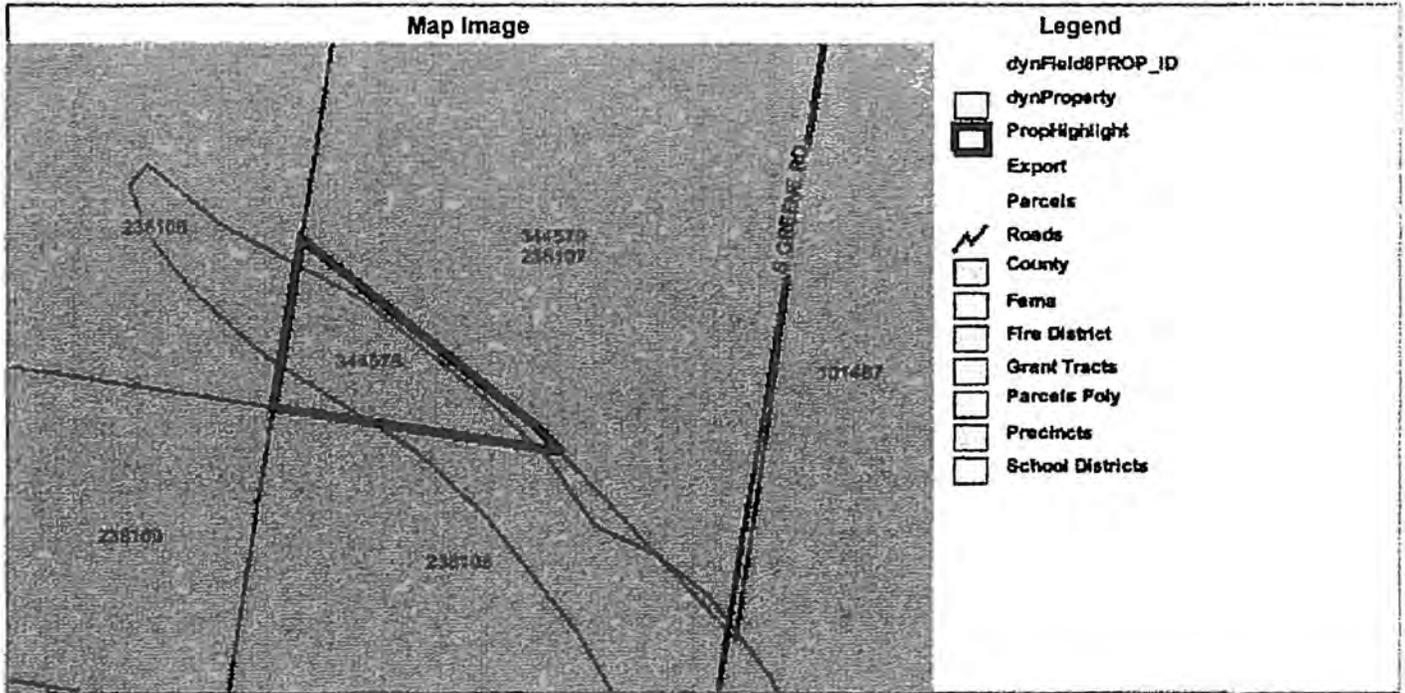
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Hidalgo CAD

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Property Details

Account

Property ID: 344578
 Geo. ID: M4950-00-000-0004-01
 Type: Real
 Legal Description: MISSION FARMS ESTATE 3.86AC AN IRR TR-E785.47'- W1871.57'-S442.48'-LOT 4 3.86AC

Location

Address: DOFFIN RD
 Neighborhood: MISSION FARMS ESTATE
 Mapsco:
 Jurisdictions: CAD, DR1, GHD, HCTIR, JCC, R05, SLJ, SST

Owner

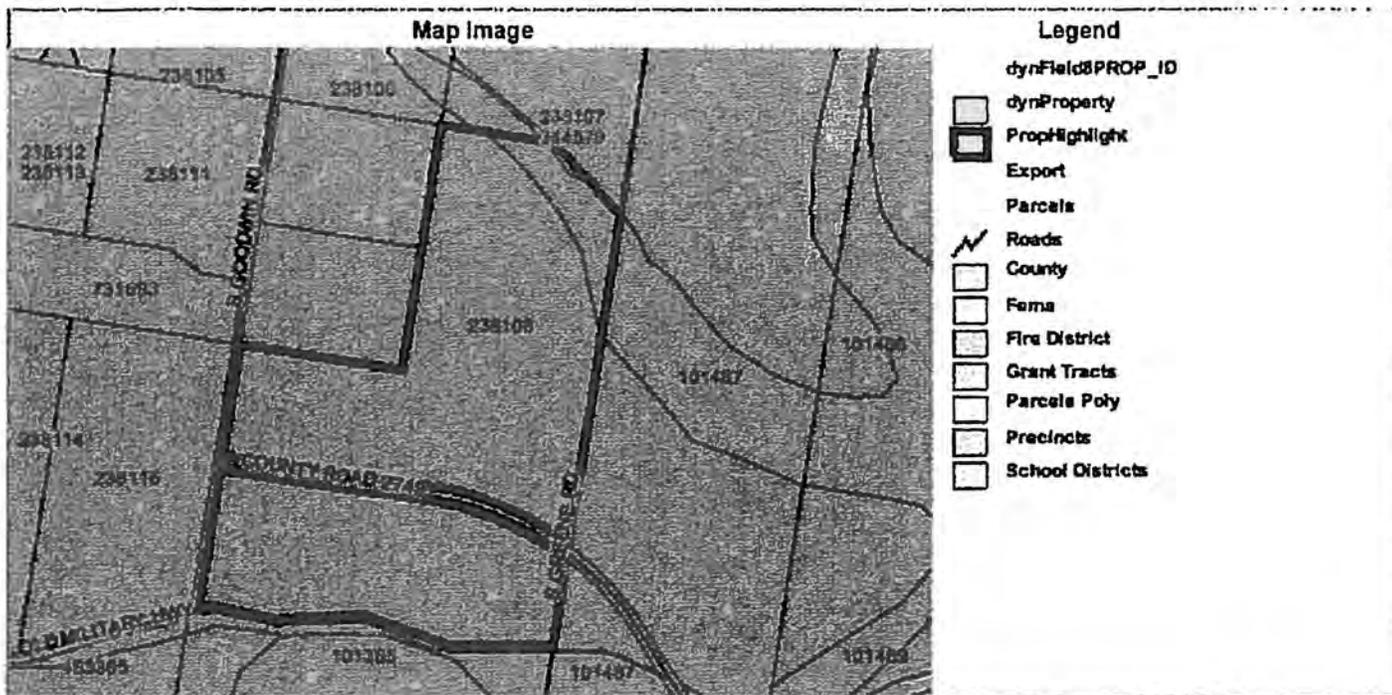
Name: MAYFAIR FARMS
 Address: 14901 N WARE RD
 EDINBURG, TX 78541

Property

Appraised Value: \$1,617

Hidalgo CAD

Property Search Results > Property ID 238108 BENTSEN PALM LTD for Year 2010



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 - County
 - Fema
 - Fire District
 - Grant Tracts
 - Parcels Poly
 - Precincts
 - School Districts

Property Details

Account

Property ID: 238108
 Geo. ID: M4950-00-000-0005-00
 Type: Real
 Legal Description: MISSION FARMS ESTATE LT5 EXC 2.50AC A TRI TR-E526.15' -N414.04'-S1604.3 LT11-42.01AC, LT12 48.15AC 134.28GR 128.9ACNT

Location

Address: DOFFIN RD
 Neighborhood: MISSION FARMS ESTATE
 Mapsco:
 Jurisdictions: CAD, CMS, DR1, GHD, HCTIR, JCC, R05, SLJ, SST, THMS1, TMS1

Owner

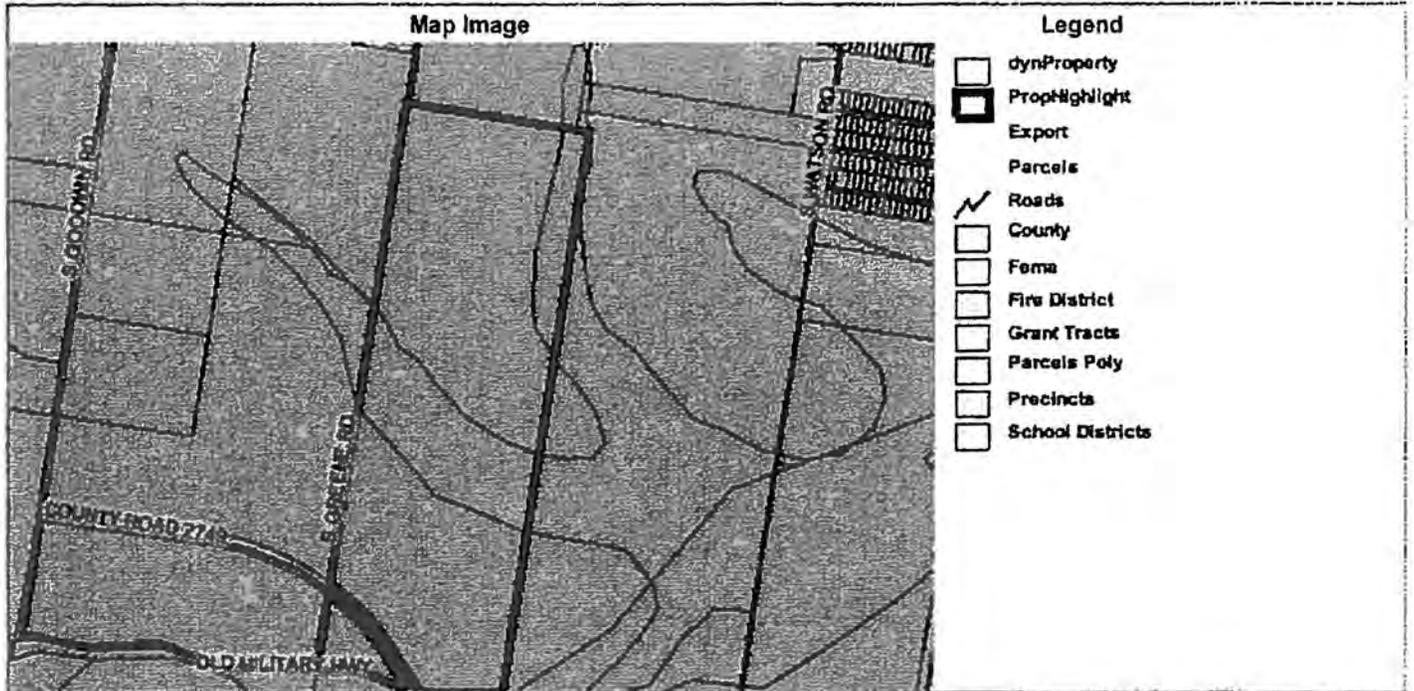
Name: BENTSEN PALM LTD
 Address: 2500 S BENSEN PALM DR
 # 267 B
 MISSION, TX 78572

Property

Appraised Value: \$54,009

Hidalgo CAD

Property Search Results > Property ID 101487 MAYFAIR FARMS for Year 2010



Property Details

Account

Property ID: 101487
 Geo. ID: 10049-00-014-0023-00
 Type: Real
 Legal Description: PORCION 49 W 150 AC LT 23 SH 14 AGREED PT & LT 27 SH 14-275AC 425AC GR 403.60AC NET

Location

Address:
 Neighborhood:
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Owner

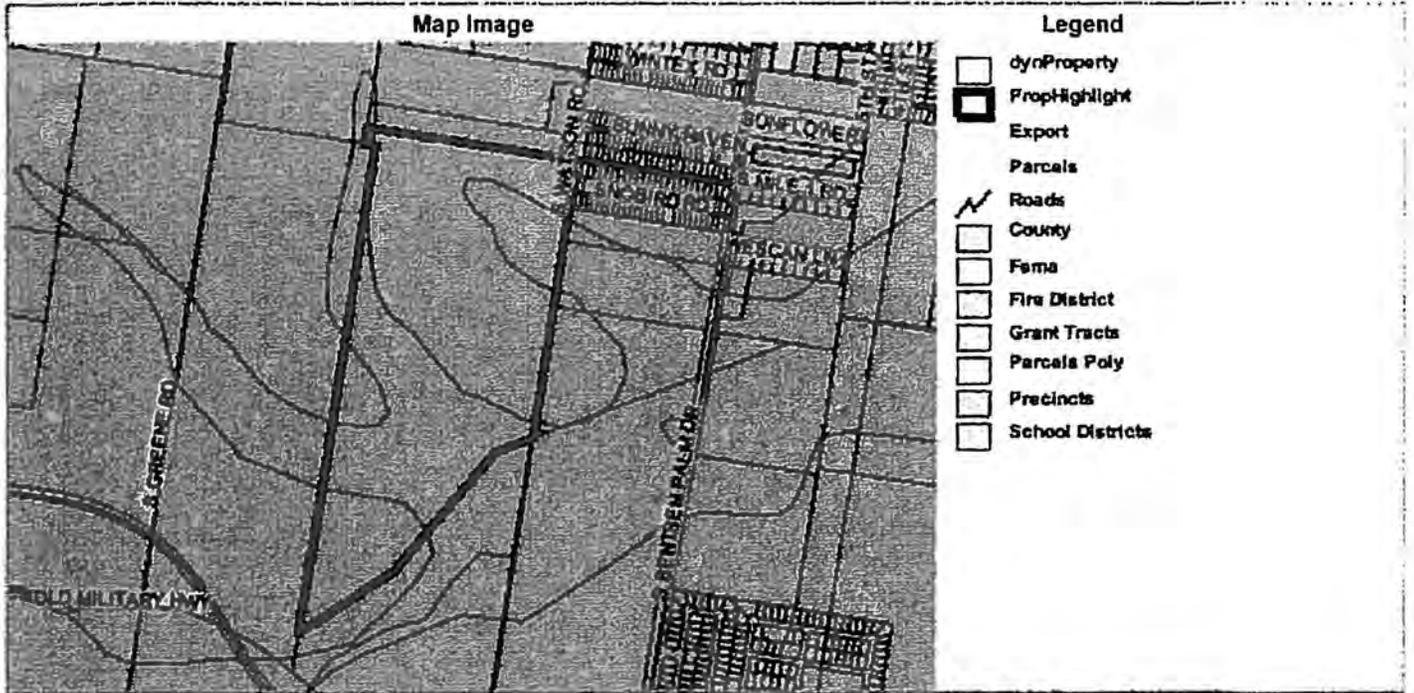
Name: MAYFAIR FARMS
 Address: 14901 N WARE RD
 EDINBURG, TX 78541

Property

Appraised Value: \$169,108

Hidalgo CAD

Property Search Results > Property ID 101486 U S FISH & WILDLIFE SERVICE for Year 2010



Property Details

Account

Property ID: 101486
 Geo. ID: 10049-00-014-0022-00
 Type: Real
 Legal Description: PORCION 49 LT 22 SH 14 33.83 AC

Location

Address:
 Neighborhood:
 Mapsco:
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Owner

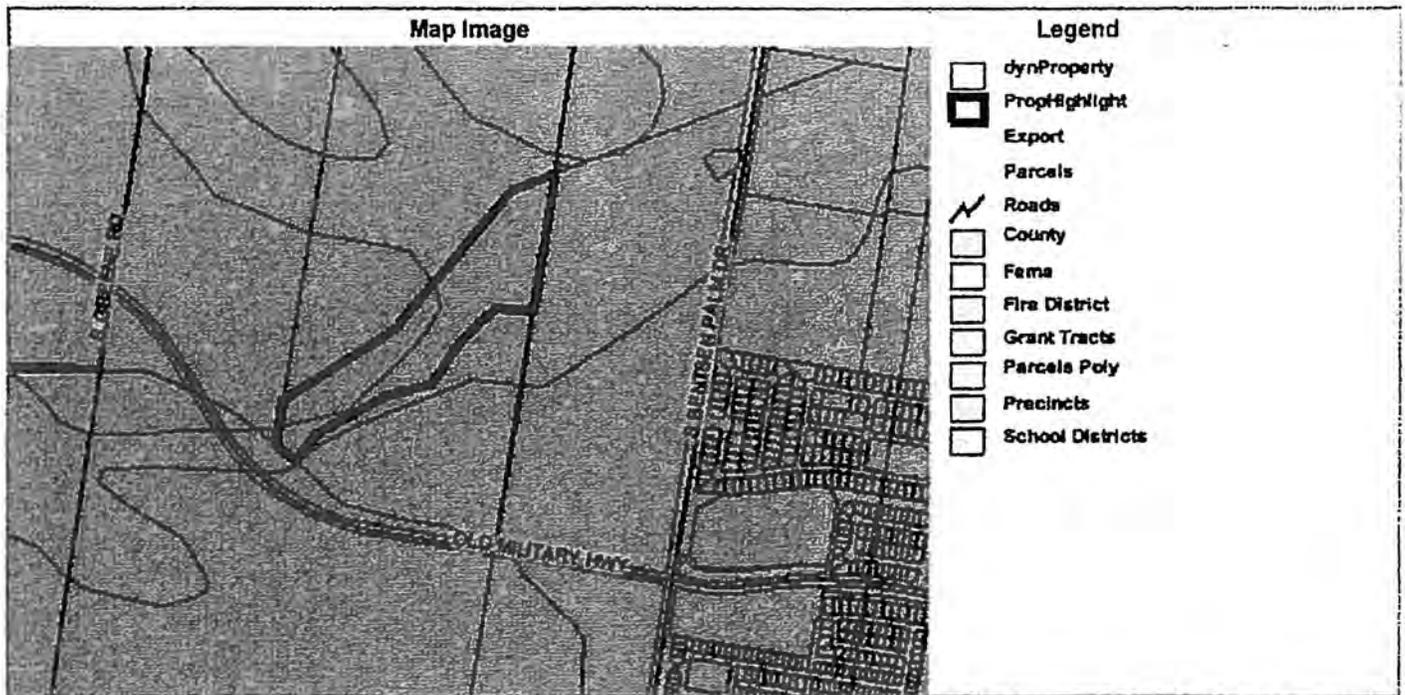
Name: U S FISH & WILDLIFE SERVICE
 Address: PO BOX 1306
 ALBUQUERQUE, NM 87103-1306

Property

Appraised Value: \$84,575

Hidalgo CAD

Property Search Results > Property ID 101489 U S FISH & WILDLIFE SERVICE for Year 2010



Property Details

Account

Property ID: 101489
 Geo. ID: 10049-00-014-0025-00
 Type: Real
 Legal Description: PORCION 49 LT 25 SH 14 R/S OF SH 14 30.69 AC

Location

Address:
 Neighborhood:
 Mapsco:
 Jurisdictions: CAD, DR1, GHD, HCTIR, JCC, R05, SLJ, SST

Owner

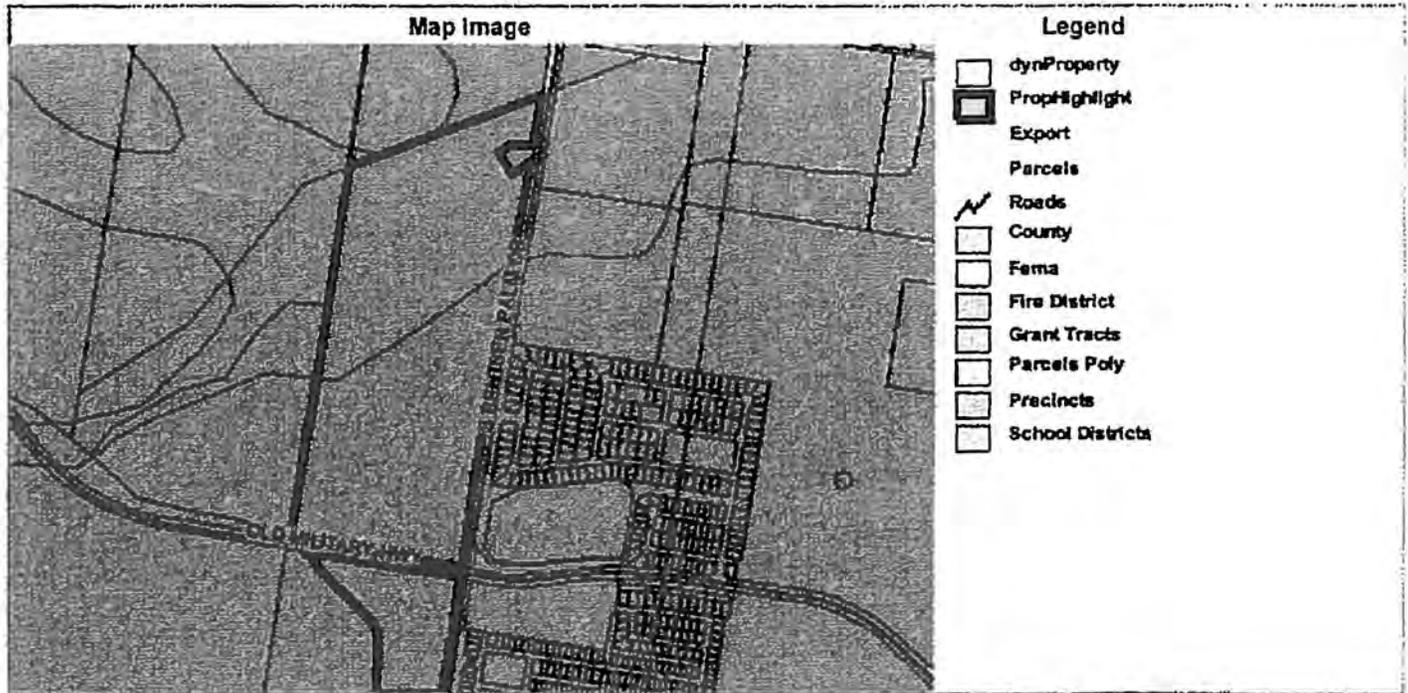
Name: U S FISH & WILDLIFE SERVICE
 Address: PO BOX 1306
 ALBUQUERQUE, NM 87103-1306

Property

Appraised Value: \$76,725

Hidalgo CAD

Property Search Results > Property ID 124617 BENTSEN PALM LTD for Year 2010



Property Details

Account

Property ID: 124617
 Geo. ID: B2550-02-000-0022-00
 Type: Real
 Legal Description: BENTSEN GROVES #2 LT 22 SE 9.25; LT 23 40.10, EXC NW 0.24AC, LT 24-40.10, LT 25-34.85, LT 26-9.77AC 133.83AC GR 126.58AC NET

Location

Address: BENTSEN PALM DR
 Neighborhood: BENTSEN GROVES #2
 Mapsco:
 Jurisdictions: CAD, CMS, DR1, GHD, HCTIR, JCC, R05, SLJ, SST, THMS1, TMS1

Owner

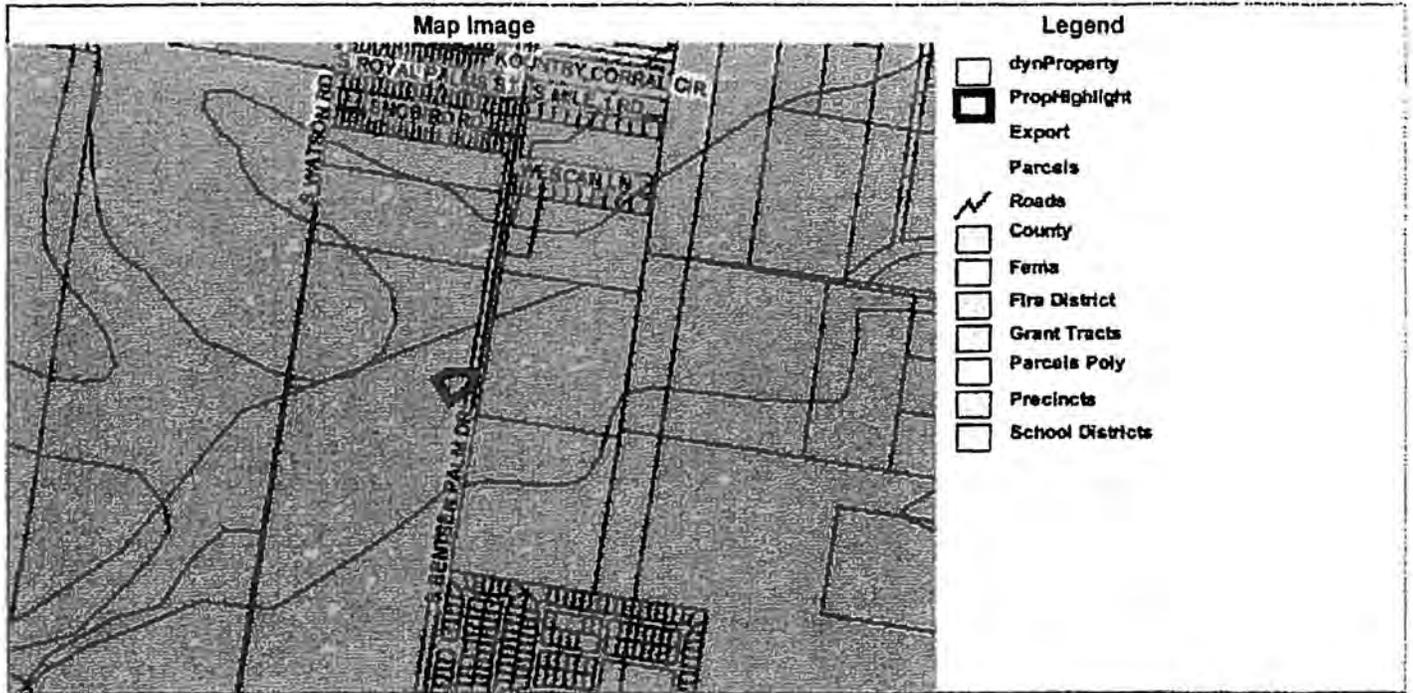
Name: BENTSEN PALM LTD
 Address: 2500 S BENSEN PALM DR
 # 267 B
 MISSION, TX 78572

Property

Appraised Value: \$53,037

Hidalgo CAD

Property Search Results > Property ID 693665 CITY OF MISSION for Year 2010



Property Details

Account

Property ID: 693665
 Geo. ID: B2550-02-000-0022-03
 Type: Real
 Legal Description: BENTSEN GROVES #2 BNG AN IRR TR SE COR FOR WATER TOWER SITE 1.0AC

Location

Address: BENTSEN PALM DR
 Neighborhood: BENTSEN GROVES #2
 Mapsco:
 Jurisdictions: CAD, CMS, DR1, GHD, HCTIR, JCC, R05, SLJ, SST, THMS1, TMS1

Owner

Name: CITY OF MISSION
 Address: 1201 E 8TH ST
 MISSION, TX 78572-5812

Property

Appraised Value: \$32,400

Website version: 1.2.2.0

Database last updated on: 4/14/2010 4:21 AM

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Hidalgo CAD

Property Search Results > Property ID 124622 J.L. BATES L.P. for Year 2010



Map Image

Legend

- dynProperty
- PropHighlight
- Export
- Parcels
- Roads
- County
- Fema
- Fire District
- Grant Tracts
- Parcels Poly
- Precincts
- School Districts

Property Details

Account

Property ID: 124622
 Geo. ID: B2550-02-000-0034-01
 Type: Real
 Legal Description: BENTSEN GROVES #2 NW 3.50AC OF LOT 34

Location

Address: BENTSEN PALM DR
 Neighborhood: BENTSEN GROVES #2
 Mapsco:
 Jurisdictions: CAD, CMS, DR1, GHD, JCC, R05, SLJ, SST

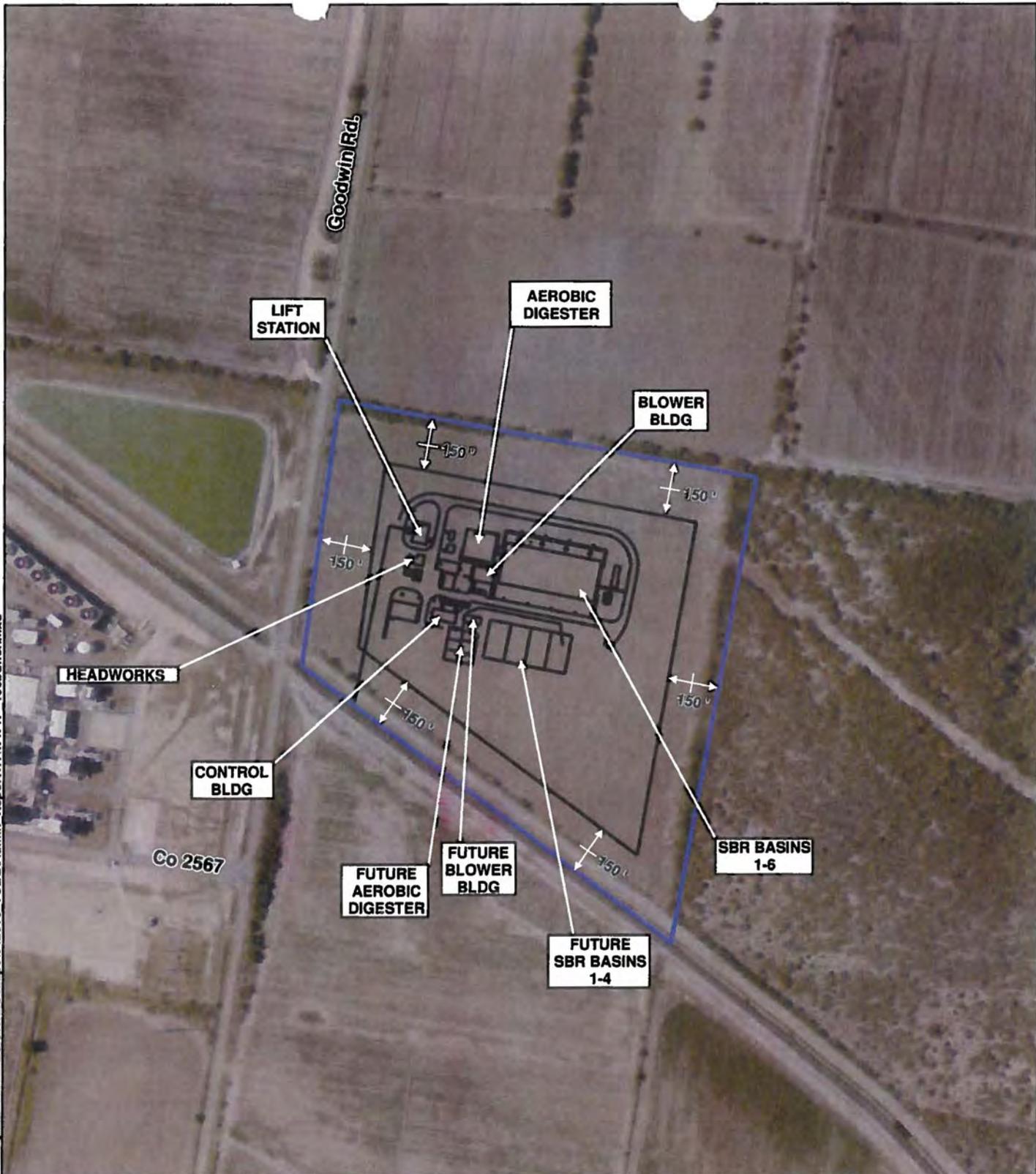
Owner

Name: J.L. BATES L.P.
 Address: 101 ASH ST HQ06B
 SAN DIEGO, CA 92101-3017

Property

Appraised Value: \$68,072

N:\Project\1157\DESIGN\GIS\Maps\042010_TCEQ\Admin\Report1.1\WWTP_150buffer.mxd



500 250 0 Feet

Sources: USDA NAIP - Hidalgo County 2008 Aerial

Legend

- WWTP Facility
- WWTP Property Boundary

AGUA SUD East WWTP Buffer Map

Hidalgo County
State of Texas

N:\Project\1157\DESIGN\GIS\Maps\042010_TCEQ\PhotoMap\WWTP_PhotoMap.mxd



500 250 0 Feet

Legend

-  WWTP Property Boundary
-  Proposed WWTP Location Pictures
-  Proposed Outfall Location Pictures

AGUA SUD East WWTP Photo Map

Hidalgo County
State of Texas

Sources: USDA NAIP - Hidalgo County 2008 Aerial

AGUA SUD East WWTP Proposed Location

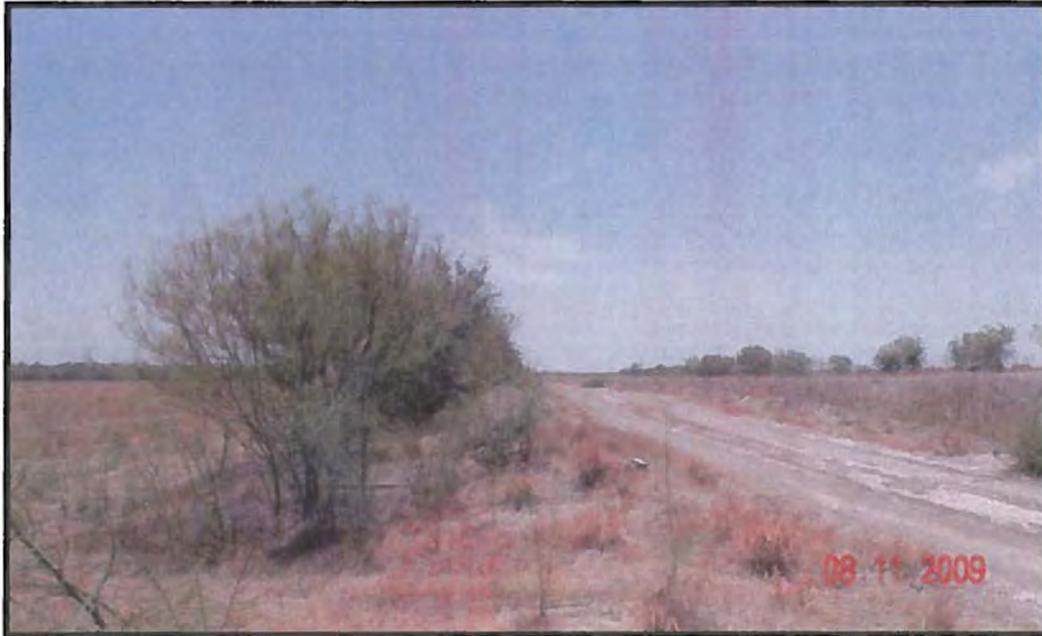


Photo 1: AGUA SUD East
WWTP Site looking east



Photo 2: AGUA SUD East
WWTP Site looking northeast

AGUA SUD East WWTP Proposed Outfall



Photo 1: Area downstream from proposed point of discharge

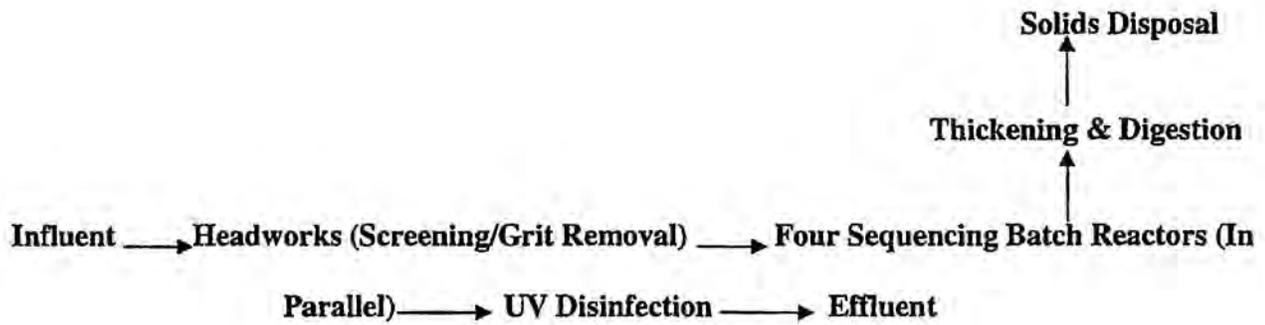


Photo 2: Area upstream from proposed point of discharge

DOMESTIC TECHNICAL REPORT 1.0

3.d. Attachment

FLOW DIAGRAM



**SLUDGE MANAGEMENT PLAN
EAST LA JOYA PLANT**

Dimensions and capacities:

Aerobic digester

TCEQ Minimum SRT: 15 Days
 Digester volume: 107,742 cubic feet
 Influent Loading: 8,674 lb/day
 Sludge Production: 0.75 lb/lb BOD₅
 Wasted Sludge: 6,180 lb/day
 Percent Solids: 3%

SRT: 30 Days
 Digester dimensions 6 "L" shaped units:
 each @ 29.25 ft x 15 ft x 16.5 ft
 + @ 38 ft x 16 ft x 16.5 ft

CBOD₅ Removal Influent concentration = 200 mg/l
 Effluent concentration = 10 mg/l
 Net Removal = 190 mg/l
 Efficiency = 95%

Thickener

Thickener Floor Loading: 4.2 lb wasted sludge / sf
 Surface Area: 1,472 sf
 Dimensions: 3 @ 25 ft dia. x 14.5 ft d

Pre-Mix Basin

Dimensions: 25 ft x 6 ft x 14.5 ft

<u>Solids generated</u>	<u>100% flow</u>	<u>75% flow</u>	<u>50% flow</u>	<u>25% flow</u>
Pounds BOD ₅ /day removed	8,240	6,180	4,120	2,060
Pound of dry sludge produced	5,109	3,832	2,555	1,277
Pounds of wet sludge produced	170,300	127,725	85,150	42,575
Volume of wet sludge produced	20,382 gal	15,287 gal	10,191 gal	5,096 gal

MLSS operating range = 4700 mg/l @ low water level

Sludge will be wasted from the SBR units to the thickener at the end of each decant period. Sludge will be pre-thickened in a gravity thickener and the supernatant returned to the headworks. The sludge will be pumped from the thickener into one of the two aerobic

digester units. Sludge overflow from this aerobic digester will return to the thickener and/or to the second aerobic digester unit for further processing to the final condition before being removed to the dewatering unit.

<u>Removal schedule (days)</u>	<u>100 % flow</u>	<u>75 % flow</u>	<u>50 % flow</u>	<u>25 % flow</u>
Days between sludge removal	30	45	60	120

Sludge will be removed daily from the secondary digester unit to a sludge holding tank (3 day capacity) then removed to be dewatered by a belt filter press located on the plant site. The dewatered sludge will be hauled daily to a landfill permitted to take the sludge. Alternate sludge disposal methods including beneficial reuse will be investigated once the plant is in operation.



QUESTION - 3:

Population projections are based on anticipated growth rates as furnished by Texas Water Development Board. Table provides the projected wastewater demand for the next 20-years based on the yearly population growth rate.

Existing & Projected Wastewater Demand - 2008-2028						
Index Growth for Palmview, TX.						
	2008	2010	2015	2020	2025	2028
<i>i=</i>	1.043016	1.043016	1.034335	1.034335	1.028226	1.028226
Population	36,062	39,231	46,444	54,984	63,195	68,699
Connections	7,722	8,401	9,945	11,774	13,532	14,711
Wastewater Demand	3,966,820	4,315,410	5,108,840	6,048,240	6,951,450	7,556,890
Peak Flow	15,867,280	17,261,640	20,435,360	24,192,960	27,805,800	30,227,560

Current Treatment Requirement - Year 2008				
	Current Connections	Current Population	Capacity Requirement (gallons)	Peak Flow (gallons)
North	2107	9840	1082366	4329464
South	3529	16480	1812847	7251389
Central	2086	9742	1071578	4286313
TOTAL (Year 2008)	7722	36062	3966791	15867166
Future Treatment Requirement - Year 2028				
	Projected Population	Projected Connections	Capacity Requirement (gallons)	Peak Flow (gallons)
North	18745	4014	2061950	8247800
South	31395	6723	3453450	13813800
Central	18559	3974	2041490	8165960
TOTAL (Year 2028)	67516	14711	7556890	30227560

Table: Wastewater Demand Projections



QUESTION – 4:

TREATMENT SYSTEM DESCRIPTION:

A 7.55 MGD wastewater treatment plant will be built in the City of Palmview. The addition of the treatment plant will accommodate the entire project area, and Agua SUD will not have to pump wastewater to the City of Mission wastewater treatment plant or McAllen wastewater treatment plant. The various facilities proposed for this plant are as described below:

Plant Lift and Headworks:

With one redundant pump, the plant lift will use six (6) submersible pumps to transfer the peak flow to the preliminary and subsequent process units. The pump controller will stage and alternate pump operation. The wet well will be circular with the submersible pump surrounding an intake channel. The intake channel will be baffled to minimize mixing and release of hydrogen sulfide gases. Wastewater will be lifted to the preliminary units for processing.

All of the preliminary units will be elevated. Wastewater will flow through channels (one channel for bypass operation) to the bar screen and de-gritting equipment. Screening is provided by automatically controlled bar screen with a 3/8" opening. Screenings and grit will be transferred to a roll-off located below the structure. A pista type de-gritting equipment will be used to remove inorganic grit. Parshall flumes will be located in the intake channels to measure inflow data.

Odor and corrosion is a significant problem with Rio Grande Valley wastewater treatment. For a well designed aerated wastewater and sludge treatment process, 90% of the odor and corrosion problems are confined to the plant lift and headworks. The AGUA SUD wwtp will include equipment to capture hydrogen sulphide and other odorous gases from the wet well and the preliminary units for processing through a bio-filter.

Sequential Batch Reactor:

A detailed description of the process is provided in the following pages. The preliminary process calculations are provided in table. Facility is to be designed for 7.55 MGD flow.

Combined Sludge Thickener and Aerobic Digester:

Sludge digestion will occur in a combined thickener/aerobic digester structure. Aerobic digester will promote the benefits from a series of "stirred aerobic reactors" that stabilizes sludge to acceptable class B limits. Sludge will be thickened in a gravity thickener that is integral with the structure. This feature will allow sludge to be continuously re-circulated between the digestion units and the thickener. As a result sludge will be thickened to approximately 3% while it will remain fresh to avoid odors. The digester units also provide storage to facilitate the processing of sludge to the de-watering unit.

Sludge De-Watering Unit:

Belt-filter press will be used to de-water sludge. The unit will have a large gravity section to promote early settling and to provide additional thickening before the sludge enters the roller units. Sludge will

TCEQ PERMIT REQUIREMENTS

Design calculations

PROJECT: AGUA SUD / Palmview (East)



be dewatered to a 17% to 20% concentration. The unit will include a conveyor unit to transfer de-watered sludge to the disposal roll-off units.

Sludge Disposal:

AGUA SUD will use a sludge disposal contractor to dispose of treated sludge. A contractor will remove and apply treated and de-watered sludge to agricultural land that has been permitted by TCEQ. This method of sludge disposal is generally more cost effective than land fill of sludge or operation of land disposal sites by the utility. It is possible, however, that cities will regionalize on sludge disposal in future.

Control Building:

AGUA SUD wwtp includes a building that serves several purposes:

- It provides a reception area for the public.
- It provides an office for management and personnel support.
- It provides space for office a wastewater laboratory.
- It provides space for electrical and instrumentation control.

The building will include paved entrances and parking lot. Standby electrical generator will be located near the building.

Miscellaneous, Landscaping, Fencing, and Site Drainage:

All piping and hydraulic control will be sized for the peak flow condition. All return and waste pumping of sludge from the aeration basin will be with hydrostal pumps with stainless steel impellers. For sludge re-circulation at the digester, air-lift pumps will be used. For the sludge transfer to the belt filter press, progressive cavity pumps will be used.

AGUA SUD wants to be good neighbor and the permit process will dictate it. As part of this design, landscape berms with trees and turf will be located on the perimeter of the site. A wet well and pump station for non-potable effluent re-use will be incorporated in the design. There are many opportunities for effluent with this project that will be very beneficial to the area.

The site area will be drained through an internal storm sewer system. All roads will be designed for access during an intense storm. Security fencing with a control gate will be provided.

Disinfection Chambers:

The emergence of UV radiation as an important disinfection alternative may be attributed to the drawbacks of conventional chlorination, improvements in the UV technology, and advances in EPA's understanding of the UV process. The major problems with chlorination are effluent toxicity and safety. AGUA SUD is familiar with chlorine contact chamber operation; the effluent toxicity is not a major problem considering the amount of contamination in the Resaca discharge point. Any residual chlorine will in turn disinfect the Resaca. Depending on the AGUA SUD level of comfort either UV radiation or chlorine contact chambers can be employed for disinfection.

New Wastewater Treatment Plant – SBR (sequential batch reactor)

Activated sludge is the most widely used biological wastewater treatment process. During the early stages of the development of this process, plants were operated using fill-and-draw or batch feed

TCEQ PERMIT REQUIREMENTS

Design calculations

PROJECT: AGUA SUD / Palmview (East)



methods, researchers firmly established the concept of operating a single reactor basin using repetitive cycles of aeration, settlement and discharge of treated effluent.

SBR is a combination of a biological selector and variable volume process reactor. The process operates with a single sludge in a single reactor basin to accomplish both biological treatment and solids-liquid separation. A simple repeated sequence of aeration and non-aeration is used to provide aerobic, anoxic and anaerobic process conditions, which in combination with the aeration intensity, favor nitrification, denitrification and biological phosphorus removal.

Each reactor basin is divided by baffle walls into three sections (Zone 1: Selector, Zone 2: Secondary Aeration, Zone 3: Main Aeration). For typical domestic wastewater treatment applications, these sections are in the approximate proportions of 5%, 10% and 85%. Sludge biomass is continuously recycled from Zone 3 to the Zone 1 selector to remove the readily degradable soluble substrate and favor the growth of the floc-forming microorganisms. System design is such that the sludge return rate causes an approximate daily cycling of biomass in the main aeration zone through the selector zone. The mechanisms of zone 1 and the internal sludge recycle eliminate the requirement for separate fill-ratio selectivity, anoxic and anaerobic mixing periods. The selector is self regulating for any load condition and operates under anoxic conditions during aerobic periods and anaerobic reaction conditions during non-aerated periods. Polishing denitrification and enzymatic transfer of available substrate during enhanced biological phosphorus removal is also achieved in the selector zone. The complete-mix nature of the main reactor provides flow and load balancing and a tolerance to shock or toxic loading, and the process prevents solids washout during peak or wet weather hydraulic surges.



Fig 3-1: Typical SBR system

The system uses a simple repeated time-based sequence, which incorporates: Fill-Aeration, Fill-Settle and Decant. Completion of these three operations in a sequence described above constitutes a cycle



which is then repeated. The sequence above can also include a Fill, Fill-Mix, Fill-React, and React if required.

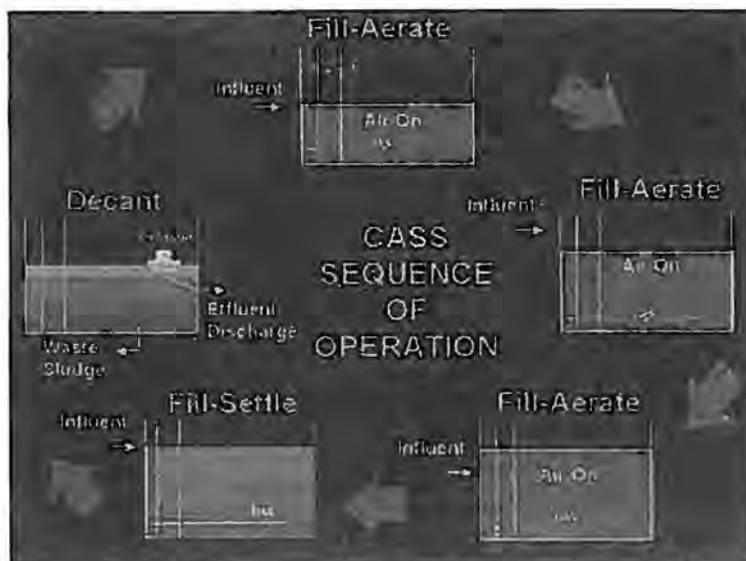


Fig 3-2: General operation sequence in SBR

PROCESS DESCRIPTION:

During the period of a cycle, the liquid level inside the reactor basin rises from a set bottom water level in response to a varying influent wastewater flow rate. Aeration ceases at a predetermined period of the cycle to allow the biomass to flocculate and settle under quiescent conditions. After a specific settling period, the treated effluent supernatant is removed (decanted), using a moving weir decanter. This operation returns the liquid level in the reactor basin to the bottom water level. Surplus solids are wasted as required to maintain the biomass MLSS at the required level. Solids wasting after settling enable waste sludge concentrations in excess of 10,000mg/L to be removed.

Fill-Aeration: This operation refers to the air-on time of the process cycle. During this period, influent is received into the basin through the selector zone where it contacts with the sludge biomass recycled from the main aeration zone. Complete-mix reaction conditions occur in zone 3 during this variable volume operational period.

Fill-Settle: This operation refers to the air-off time period when quiescent settling conditions are created in zone 3 for solids-liquid separation. The activated sludge solids form a sludge-level interface, which progressively falls, towards the floor of the basin. The flocs adhere together and the mass settles as a blanket leaving a clear supernatant.

At the end of the aeration period, the sludge is at a uniform concentration. During the initial settling period, the sludge undergoes internal flocculation due to the residual mixing energy within the basin. As this energy dissipates the sludge interface forms and settles as a blanket. Dense solids fall through

TCEQ PERMIT REQUIREMENTS

Design calculations

PROJECT: AGUA SUD / Palmview (East)



the formed mass to settle on the basin floor. Zone settling velocity is a function of the initial solids concentration, basin depth, total area of the basin and nature of the biological solids. A top water level solids concentration of 3500mg/l will typically settle to form a layer of sludge having a mean concentration of approximately 10,000mg/l.

SBR facilities are sized and configured to operate with inflow into the basin during the settle phase of cycle. Biomass is returned from the main aeration zone to the selector zone to promote selectivity and create anoxic/anaerobic conditions.

Decant: Inflow to the basin undergoing decanting (effluent withdrawal) is interrupted and directed to an alternate basin in a multi-basin facility or stored in a pump well in a single basin facility. The weir trough of the decanter is situated above top water level for both aeration and settling phases to prevent the accidental discharge of mixed liquor suspended solids. When operated during the decant phase of the cycle, the decanter travels down at an initial fast speed. Interaction with the liquid level is detected by a level indicator float switch which then causes the decanter to proceed at its design rate of travel producing a constant rate of discharge of treated effluent from the basin. On reaching designated bottom water level, the decanter is reversed to travel back to its rest position at the initial fast speed.

Idle: In practice, decanting will always be less than the allocated time available. This residual time is designated as idle and can be used as a period of inflow without aeration or reaction. The idle sequence begins 4 minutes after the decanter has traveled in the reverse up direction and finishes at the end of the designated decant period. Biomass is recycled from zone 3 to the selector zone to promote selectivity and create anoxic/anaerobic conditions.

PLANT DESIGN FEATURES

A. EMERGENCY POWER REQUIREMENTS

The treatment facility will incorporate an on- site automatically starting generator capable of continuously operating all critical wastewater treatment system units. The fuel tank will be sized for a run time greater than the longest power outage in the power records. This generator will provide sufficient power for the following units:

1. Influent Lift Station Pumps
2. Mechanical Bar Screen
3. SBR Basin aeration system
4. Return Activated Sludge Pump
5. UV system
6. Effluent Metering Station
7. Lighting Panels and Control Equipment

An automatic transfer switch will be included to transfer electrical loads to the generator during an outage.

B. ALARM FEATURES

The plant will be equipped with a Supervisory Control and Data Acquisition (SCADA) system to monitor the operation of all critical treatment units. The control room will include a computer with

TCEQ PERMIT REQUIREMENTS

Design calculations

PROJECT: AGUA SUD / Palmview (East)



graphic display of the treatment units that will indicate status and alarm conditions. The computer system will include an auto-dialer to alert plant personnel of the following conditions:

1. Power Outage
2. Influent Lift Station Wet Well High Level
3. Bar Screen Channel High Level
4. SBR Overload
5. Equipment Failure
6. UV system Status

The auto-dialer will store prerecorded messages concerning each alarm condition and the procedure to be followed and will call up to 8 different phone numbers until the alarm condition is acknowledged. The influent lift station and SBR will also be equipped with local alarm lights for high level and high torque respectively.

C. DESIGN FEATURES FOR RELIABILITY AND OPERATING FLEXIBILITY

1. INFLUENT LIFT STATION:

The influent lift station will include three submersible pumps sized to meet peak flow pumping capacity with the largest unit out of service. Level switches will automatically start and stop the pumps based on influent flows and rising and falling wet well levels. High wet well level will result in an alarm condition.

2. BAR SCREEN:

The mechanical bar screen structure will include a bypass channel with a manual screen for use when needed. Slide gates will be used to isolate each channel as required.

3. GRIT CHAMBER:

The grit chamber will include a bypass channel and slide gates to allow the chamber to be taken out of service for maintenance and repair.

4. AERATION BASINS:

Six SBR basins will be included, each capable of continuous operation. Piping and valves will be included to allow each unit to be individually isolated for draining, cleaning or repairs.

D. OVERFLOW PREVENTION

The following design features will be used to prevent the overflow of wastewater from treatment units.

1. The plant design includes a peaking factor of 4.0 to insure adequate hydraulic capacity.
2. The influent lift station will be designed with the capacity to pump peak flow with the largest single pump out of service.
3. The plant hydraulic design, including piping, channels, weirs, troughs and other features, will be sized to allow the 2-hour peak flow to pass through the plant without exceeding minimum freeboard requirements with any single treatment unit out of service.



TABLE: SBR – PRELIMINARY DESIGN DATA – 7.5 MGD WWTP

PROJECT: AGUA SUD / Palmview (East)

TABLE E-7: SBR - PRELIMINARY DESIGN DATA

DESIGN CALCULATIONS
 BOD Removal and Nitrification Process

Design Parameters - Normal Operation

A. Influent Conditions

Average Daily Flow	7.55 MGD		
Peak Dry Weather Flow	19.6 MGD	Factor:	2.600
Peak Wet Weather Flow	26.425 MGD	Factor:	3.5
BOD ₅ (20°C)	200 mg/l		
Suspended Solids	200 mg/l		
NH ₃ -N	25 mg/l		
Alkalinity (Minimum Requirement)	150 mg/l		
Waste Water Temperature	50 - 68 °F		
Ambient Air Temperature	20 - 90 °F		
Site Elevation	0 ft		

B. Effluent Conditions

	SBR	Permit
BOD ₅ (20°C)	10 mg/l	10 mg/l
Suspended Solids	10 mg/l	15 mg/l
NH ₃ -N	2 mg/l	3 mg/l

C. ICEAS™ Process Design Criteria

F / M	0.081	BOD ₅ / MLSS / day	
SVI (after 30 minutes settling)	150	ml/g	
SVI	2.4	ft ³ /lb	
Y (Sludge Yield - MLSS/BODremoved)	0.75		
Number of ICEAS Basins	6		
Top Water Level	15	ft	
Buffer Zone	3	ft	
Solids Fraction in Waste Sludge	0.0085	0.85% Solids	8500 mg/l
Sludge Pumping Time	12	min/cycle	

CYCLE	AERATION	SETTLE	DECANT	TOTAL
Normal	120 min	60 min	60 min	4 hour
Storm	90 min	45 min	45 min	3 hour

PROJECT: AGUA SUD / Palmview (East)

BOD Load

$$BOD_L = \frac{Q_{adf} \times BOD_{in} \times 8.34}{1E+06}$$

where
 BOD_L = BOD Load (lb/day)
 Q_{adf} = Average Dry Weather Flow per basin (gal/day)
 BOD_{in} = Influent BOD concentration (mg/l)
 1.E+06 = conversion (l/mg)
 8.34 = conversion (lb/gal)

$$BOD_L = \frac{1,258,333 \times 200 \times 8.34}{1E+06}$$

BOD _L =	2099 lb/day/basin
--------------------	-------------------

Mass of Biomass for BOD Removal

$$M_{bod} = \frac{BOD_L}{F / M}$$

where
 M_{bod} = Mass of Biomass for BOD Removal (lb/day/basin)
 F / M = Food to Microorganism ratio (day⁻¹)

$$M_{bod} = \frac{2,099}{0.081}$$

M _{bod} =	25,912 lb/basin
--------------------	-----------------

PROJECT: AGUA SUD / Palmview (East)

Nitrogen Load

$$DN = \frac{[(NH_3in - NH_3out) - ((BODin - BODout) \times Y \times Ns)] \times Q \times 8.34}{1E+06}$$

where
 DN = Net Nitrogen Load (lb/day/basin)
 NH₃in = Influent Ammonia Concentration (mg/l)
 NH₃out = Effluent Ammonia required (mg/l)
 BODout = Effluent BOD required (mg/l)
 Y = Sludge Yield (MLSS / BOD removed)
 Ns = Sludge Nitrogen content (N / sludge)

$$DN = \frac{[(25 - 3) - ((200 - 10) \times 0.75 \times 0.07)] \times 1,258,333 \times 8.34}{1E+06}$$

DN = 126.20 lb/day/basin

Mass of Biomass Required for Nitrification

$$Mnit = \frac{DN \times 10^3}{K \times Ta \times 0.7}$$

where
 Mnit = Mass of Biomass for Nitrification (lb/day/basin)
 10³ = conversion (mg/g)
 K = Nitrification Rate (mg NH₃ -N/g MLVSS/hr)
 Ta = Time of Aeration (hr/day)
 0.7 = Fraction of MLSS which is volatile

$$Mnit = \frac{126.20 \times 1000}{1 \times 12 \times 0.7}$$

Mnit = 15,023 lb/day/basin

PROJECT: AGUA SUD / Palmview (East)

Design Mass of Biomass

The Design Mass of Biomass is the larger of the BOD Removal Mass and the Nitrification Mass:

$$M_{bod} = 25,912 \text{ lb/day/basin}$$

$$M_{nit} = 15,023 \text{ lb/day/basin}$$

$M_{bio} = 25,912 \text{ lb/day/basin}$

Volume of Biomass

$$V_{bio} = M_{bio} \times SVI$$

where V_{bio} = Volume of Biomass (ft³/basin)
 M_{bio} = Mass of Biomass (lb/day/basin)
 SVI = Sludge Volume Index (ft³/lb)

$$V_{bio} = 25,912 \times 2.4$$

$V_{bio} = 62,190 \text{ ft}^3/\text{basin}$
--

Maximum Volume Above Bottom Water Level

Peak Dry Weather Flow:

$$V_{bwld} = \frac{PDWF \times (NCT - NDT)}{24 \times 7.48}$$

where V_{bwld} = Maximum Volume Above BWL at Peak Dry Weather Flow (ft³/basin)
 PDWF = Peak Dry Weather Flow (gal/day)
 NCT = Normal Cycle Time (hr/cycle)
 NDT = Decant Time (hr/cycle)
 7.48 = conversion (gal/ft³)

$$V_{bwld} = \frac{3,266,667 \times (4 \text{ hour} - 1 \text{ hour})}{24 \text{ hour} \times 7.48}$$

$V_{bwld} = 54,590 \text{ ft}^3/\text{basin}$

Peak Wet Weather Flow:

$$V_{bwls} = \frac{PWWF \times (SCT - SDT)}{24 \times 7.48}$$

where V_{bwls} = Maximum Volume Above BWL at Peak Wet Weather (Storm) Flow (ft³/basin)
 PWWF = Peak Wet Weather Flow (gal/day)
 SCT = Storm Cycle Time (hr/cycle)
 SDT = Storm Decant Time (hr/cycle)
 7.48 = conversion (gal/ft³)

$$V_{bwls} = \frac{4,404,167 \times (3 - 0.75)}{24 \times 7.48}$$

$V_{bwls} = 55,199 \text{ ft}^3/\text{basin}$

$MVAB = 55,199 \text{ ft}^3/\text{basin}$

Decant Rates

Average Dry Weather Flow:

$$\text{ADR} = \frac{\text{MVAB} \times 7.48}{\text{NDT}} + \frac{Q}{1,440}$$

where ADR = Average Decant Rate (gal/min)
 NDT = Normal Decant Time (min/cycle)

$$\text{ADR} = \frac{55,199}{60 \text{ min}} \times 7.48 + \frac{1,258,333}{1,440}$$

ADR = 7.755 gal/min

Peak Wet Weather Flow:

$$\text{PDR} = \frac{\text{MVAB} \times 7.48}{\text{SDT}} + \frac{\text{PWWF}}{1,440}$$

where PDR = Peak Decant Rate (gal/min)
 SDT = Storm Decant Time (min/cycle)

$$\text{PDR} = \frac{55,199}{45 \text{ min}} \times 7.48 + \frac{4,404,167}{1,440}$$

PDR = 12.234 gal/min

Decanter Sizing
2 Decanters per Basin

Average Dry Weather Flow:

$$DL_a = \frac{ADR}{2 \times \text{Weir Loading Rate} \times 7.48}$$

where DL_a = Decanter Length for Average Dry Weather Flow (ft)
 20 = Weir Loading Rate (ft³/min/ft of decanter weir)

$$DL_a = \frac{2 \times \frac{7,755}{20} \times 7.48}{2 \times 20 \times 7.48}$$

$DL_a = 25.92 \text{ ft}$

Peak Wet Weather Flow:

$$DL_p = \frac{PDR}{2 \times \text{Weir Loading Rate} \times 7.48}$$

where DL_p = Decanter Length for Peak Wet Weather (Storm) Flow (ft)
 25 = Weir Loading Rate (ft³/min/ft of decanter weir)

$$DL_p = \frac{2 \times \frac{12,234}{25} \times 7.48}{2 \times 25 \times 7.48}$$

$DL_p = 32.71 \text{ ft}$

Design Decanter Length = 35.0 ft
--

PROJECT: AGUA SUD / Palmview (East)

Basin Working Volume

$$BWV = MVAB + V_{bio}$$

where MVAB = Maximum Volume Above BWL (ft³/basin)
 V_{bio} = Volume of Biomass (ft³/basin)

$$BWV = 55,199 + 62,190$$

BWV = 117,389 ft ³

Basin Area

$$BA = \frac{BWV}{TWL - BZ}$$

where BA = Basin Area (ft²)
 BWV = Basin Working Volume
 TWL = Top Water Level (ft)
 BZ = Buffer Zone (ft) (Safety Factor) 3.0

$$BA = \frac{117,389}{15 - 3}$$

BA = 9,782 ft ² each

Sludge Depth

$$SD = \frac{V_{bio}}{BA}$$

where SD = Sludge Depth (ft)

$$SD = \frac{62,190}{9,782}$$

SD = 6.36 ft

PROJECT: AGUA SUD / Palmview (East)

Decanter Draw Down

$$DD = \frac{MVAB}{BA}$$

where DD = Draw Down (ft)
MVAB = Maximum Volume Above BWL (ft³)

$$DD = \frac{55,199}{9,782}$$

DD = 5.64 ft

Bottom Water Level

$$BWL = SD + BZ$$

where BWL = Bottom Water Level (ft)

$$BWL = 6.36 + 3.00$$

BWL = 9.36 ft

Top Water Level

$$TWL = BWL + DD$$

where TWL = Top Water Level (ft)

$$TWL = 9.36 + 5.64$$

TWL = 15.00 ft

Verified

PROJECT: AGUA SUD / Palmview (East)

Hydraulic Retention Time

$$\text{HRT} = \frac{\text{BA} \times \text{MAFD} \times 7.48}{\text{Qadf}}$$

where HRT = Hydraulic Retention Time (days)
 BA = Basin Area (ft²)
 MAFD = Maximum Average Flow Depth (ft)

$$\text{MAFD} = \frac{\text{Qadf} \times ((\text{CT} \times 60) - \text{DT})}{\text{BA} \times 60 \times 24 \times 7.48} + \text{BWL}$$

$$\text{MAFD} = \frac{1,258,333 \times ((4 \times 60) - 60)}{9782 \times 60 \times 24 \times 7.48} + 9.36$$

MAFD =	11.51 ft
--------	----------

$$\text{HRT} = \frac{9,782 \times 11.51 \times 7.48}{1,258,333}$$

HRT =	0.67 days
-------	-----------

MLSS Concentration at Bottom Water Level

$$\text{MLSS} = \frac{\text{Mbod} \times 1\text{E}+06}{\text{BWL} \times \text{BA} \times 62.42}$$

where MLSS = Mixed Liquor Suspended Solids concentration at Bottom Water Level (mg/l)
 Mbod = Mass of Biomass (lb/day/basin)
 62.42 / 1E+06 = conversion (lb/mg x l/ft³)

$$\text{MLSS} = \frac{25,912 \times 1\text{E}+06}{9.36 \times 9,782 \times 62.42}$$

MLSS =	4,535 mg/l
Concentration within limits	

PROJECT: AGUA SUD / Palmview (East)

Mass of Sludge Produced

$$DM = \frac{Q_{adf} \times (BOD_{in} - BOD_{out}) \times Y_{obs} \times 8.34}{1E+06}$$

where DM = Mass of Sludge Produced (lb/day/basin)
 Y_{obs} = Observed Sludge Yield (MLSS / BOD_{removed})

$$DM = \frac{1,258,333 \times (200 - 10) \times 0.75 \times 8.34}{1E+06}$$

DM = 1,495 lb/day/basin

Volume of Sludge Produced

$$V_{ws} = \frac{DM}{SF_{ws} \times 8.34}$$

where V_{ws} = Volume of Waste Sludge (gal/day/basin)
 SF_{ws} = Solids Fraction in Waste Sludge
 8.34 = density (lb/gal)

$$V_{ws} = \frac{1,495}{0.0085 \times 8.34}$$

V _{ws} = 21,096 gal/day/basin
--

PROJECT: AGUA SUD / Palmview (East)

Mean Cell Residence Time

$$MCRT = \frac{Mbod}{DM + ((Qadf - Vws) \times TSSout \times 8.34 / 1E+06)}$$

where Mbod = Mass of Biomass (lb/basin)
 TSSout = Suspended Solids in Effluent (mg/l)
 8.34E-06 = conversion (lb/mg x l/gal)

$$MCRT = \frac{25,912}{1,495 + ((1258333 - 21096) \times 10 \times 8.34 / 1E+06)}$$

MCRT = 16.21 days

Waste Sludge Pump Capacity

$$WSP = \frac{Vws \times CT}{24 \times SPT}$$

where WSP = Waste Sludge Pump Capacity(gal/min)
 SPT = Sludge Pumping Time (min/cycle)

$$WSP = \frac{21,096 \times 4}{24 \times 12}$$

WSP = 293.0 gal/min

TCEQ PERMIT REQUIREMENTS

Design calculations

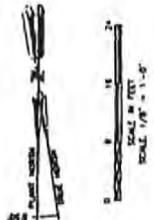
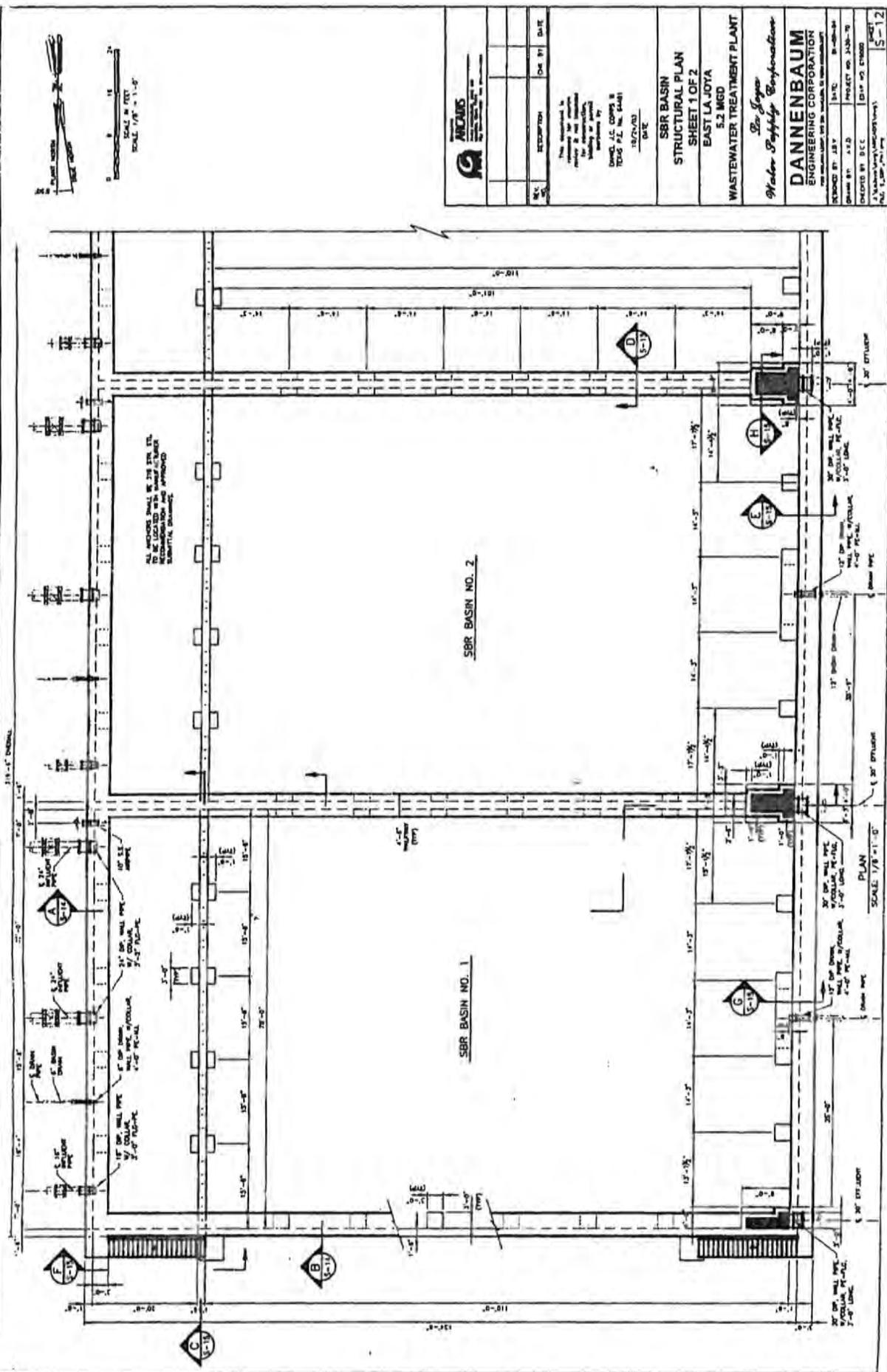
PROJECT: AGUA SUD / Palmview (East)



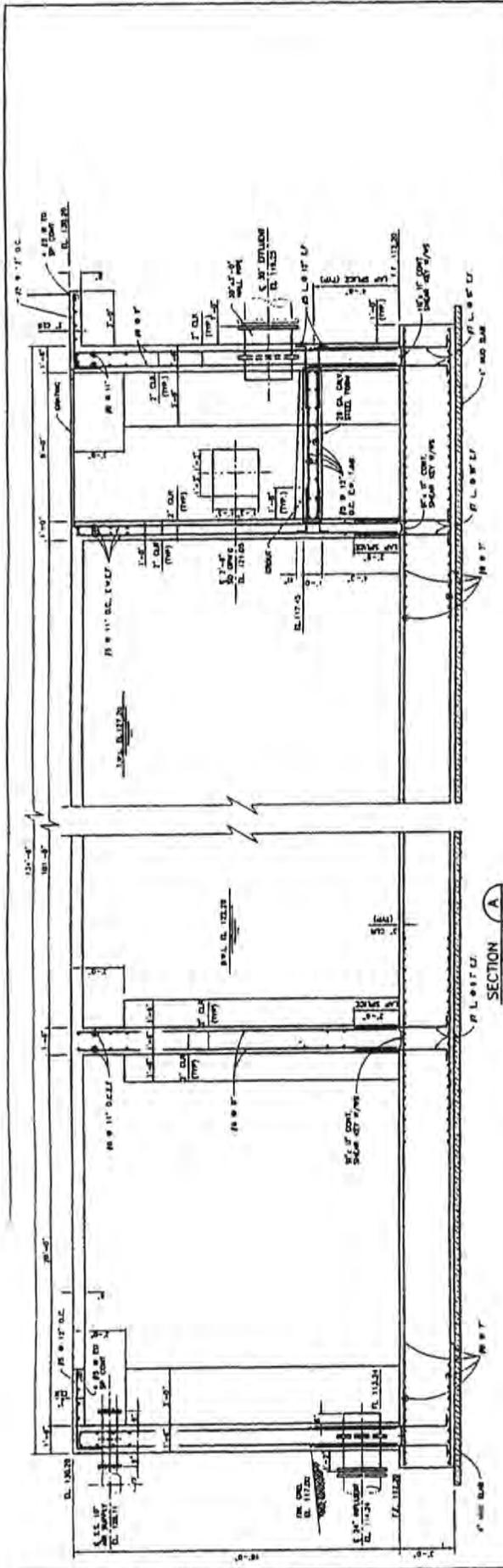
QUESTION – 5:

The interior walls are designed to withstand the variation in these hydrostatic forces. The pilasters will be designed to withstand the horizontal pressure from contained liquid(wastewater). It integrates with the vertical walls and concrete will be poured monolithically with the vertical walls. Please see the structural sheets.

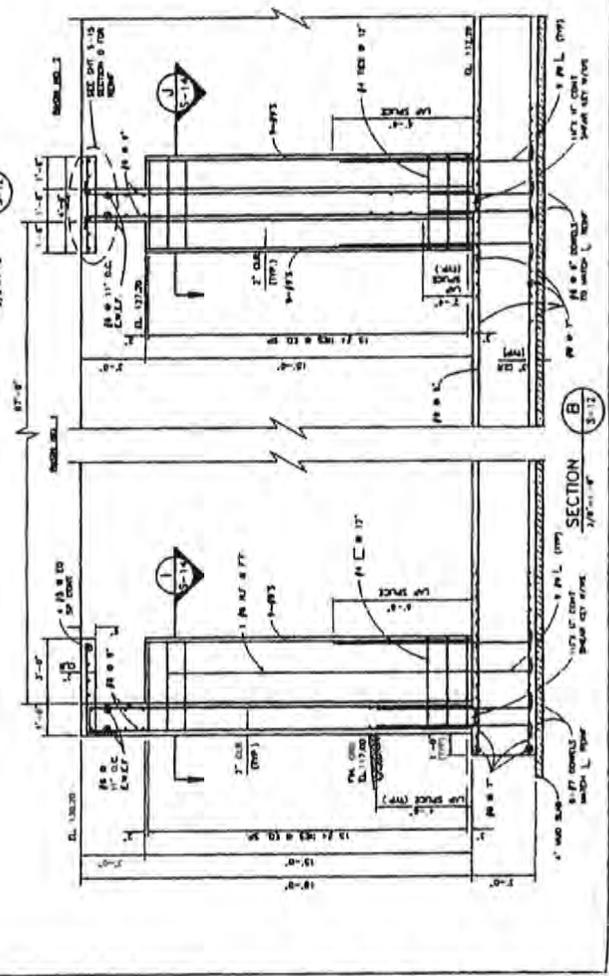
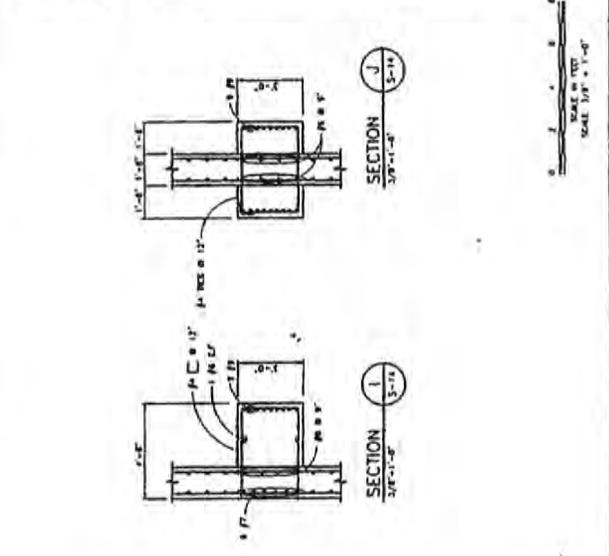
The actuator mechanism decants the SBR basins. The decanter details are provided in the mechanical sheets. The specifics of the AUMA decant actuator are also provided.



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DESIGNED BY: D.M. JONES DRAWN BY: J. SMITH CHECKED BY: R. BROWN DATE: 10/15/2010		
SBR BASIN STRUCTURAL PLAN SHEET 1 OF 2		
EAST LA JOYA 5.2 MGD WASTEWATER TREATMENT PLANT		
<i>Bejoy Engineering Corporation</i> DANNENBAUM ENGINEERING CORPORATION 10000 W. 10th Street, Suite 100 Overland Park, KS 66211 PHONE: 913.241.1111 FAX: 913.241.1112 WWW: www.dannenbaum.com		
PROJECT NO.	DATE	SHEET
10-10-10	10/15/10	5-12

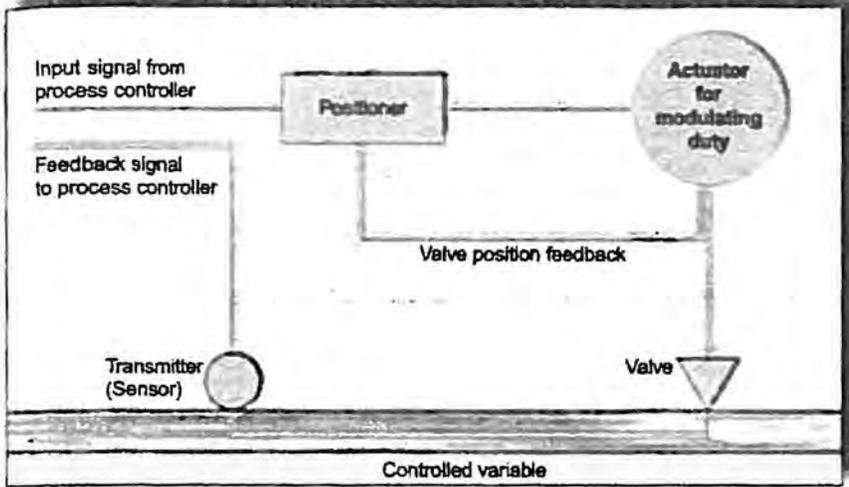


NO.	DATE
DESCRIPTION	DATE
This drawing is prepared by the Structural Engineer and is not to be used for any other purpose without the written consent of the Engineer.	
DRAWN BY: J.E.V. DATE: 10/15/52 CHECKED BY: J.E.V. DATE: 10/15/52	
PROJECT NO. 100-10-10 SHEET NO. 100-10-10	
PROJECT NO. 100-10-10 SHEET NO. 100-10-10	



Functions

Modulating duty

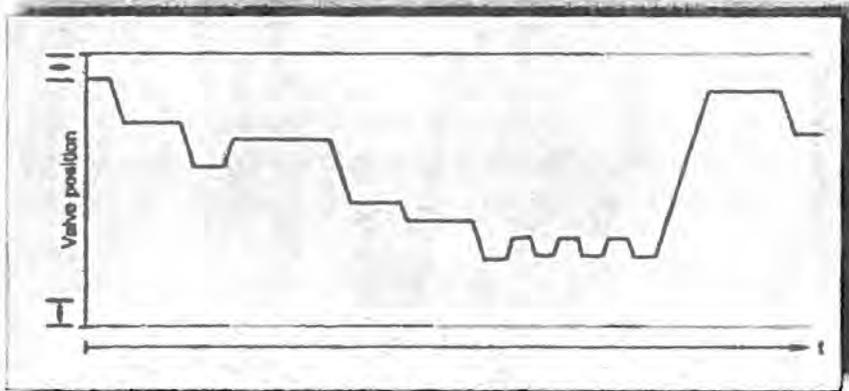


Types of duty for multi-turn actuators for modulating service (SAR, SARFM, SARExC)

AUMA multi-turn actuators SAR for modulating service are rated for intermittent duty S4 - 25 %. Special versions for S4 - 50 % and S5 - 25 % are also available.

The controlled variable in a modulating application is affected by many influences. A change of the reference input signal, pressure fluctuation in the pipeline and temperature variations influence the process in such a way that a frequent adjustment of the MOV is required. For sensitive modulating applications the starts may be in intervals of a few seconds.

Therefore high demands are placed on multi-turn actuators for this duty. Mechanical components and the motor must be designed appropriately to withstand a large number of operations with no decline in the required modulating accuracy.



Typical characteristics for modulating duty

Comparison short-time and intermittent duty

Short-time duty

S2

The operation time at a constant load is short, so that thermal equilibrium is not reached. The pause is long enough for the machine to cool down to ambient temperature. The duration of the short-time operation is limited to 15 min or 30 min.

Intermittent duty

Type of duty according to IEC 34-1

S4

The duty is a sequence of identical cycles which consist of starting time, operation time with constant load and rest period. The rest period allows the machine to cool down so that thermal equilibrium is not reached. The relative on-time at S4 - 25 % or S4 - 50 % is limited to 25 % and 50 % respectively.

S5

Similar to S4, but with additional braking time. The braking is carried out electrically, e.g. by reverse current.

Permissible number of starts

Size	Number of starts max.	
	SAR	SARExC
07	1 200	900
07.5	1 200	900
10.1	1 200	900
14.1	1 200 ¹⁾	900
14.5	1 200 ¹⁾	900 ¹⁾
18.3	900 ¹⁾	600 ¹⁾
25.1	300	-
30.1	300	-

1) for higher output speeds reduced number of starts, refer to technical data sheet.

Functions

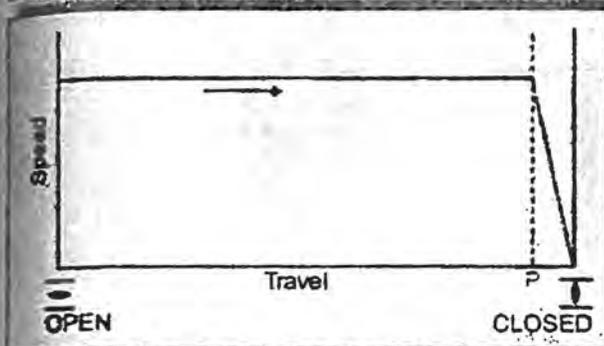
Seating

Depending on the design of the valve to be operated, the seating in the end positions either has to be limit seating, i.e. by measuring the valve travel completed, or torque seating, i.e. after reaching a defined torque. For this purpose,

the actuator is equipped with two independent measuring systems, i.e. limit switching and torque switching.

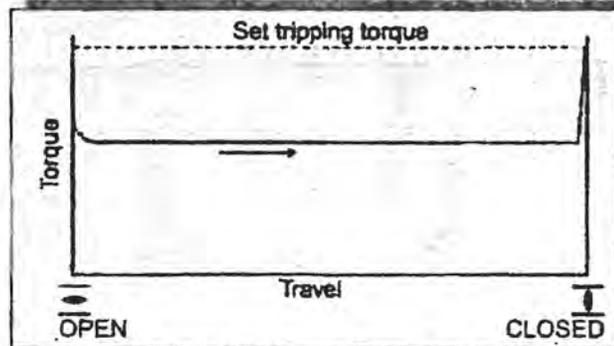
The type of seating has to be taken into account both when setting the actuator and in the actuator control. However, the processing of signals for the two types of seating differs.

Limit seating



The actuator runs at nominal output speed up to the set tripping point P. Depending on output speed, actuator size and valve type, the combination has sufficient inertia to move the actuator further in the direction of the end position (overrun) after the motor has been switched off. In addition, the overrun also depends on the load. By selecting an earlier tripping point P, the overrun can be accounted for in case of limit seating.

Torque seating



After starting from the end position OPEN, the actuator runs in the direction CLOSE. At the end position CLOSED the torque increases within the valve seat until the actuator is automatically switched off after reaching the set value.

Setting range of tripping torque / Torques for modulating duty

Multi-turn actuators for open-close duty - minimum and maximum tripping torques

Size SA	07.1	07.5	10.1	14.1	14.5	16.1	25.1	30.1	35.1	45.1	48.1
min. [ft lb]	7	15	30	70	150	290	468	925	1,900	3,700	7,400
max. ¹⁾ [ft lb]	20	45	88	185	370	740	1,500	2,960	5,900	11,800	23,600
min. [Nm]	10	20	40	100	200	400	638	1,250	2,500	5,000	10,000
max. ¹⁾ [Nm]	30	60	120	250	500	1,000	2,000	4,000	8,000	16,000	32,000

Multi-turn actuators for modulating duty - minimum and maximum tripping torques - Torques for modulating duty

Size SAR	07.1	07.5	10.1	14.1	14.5	16.1	25.1	30.1
min. [ft lb]	10	20	45	88	185	370	740	1,500
max. [ft lb]	20	45	88	185	370	740	1,500	2,960
min. [Nm]	15	30	60	120	250	500	1,000	2,000
max. [Nm]	30	60	120	250	500	1,000	2,000	4,000
Torque for modulating duty [ft lb]	10	20	45	88	150	300	600	1,200
[Nm]	15	30	60	120	200	400	800	1,600

¹⁾ Torques are reduced at some higher output speeds. Refer to separate data sheets.

Overload protection against torque peaks

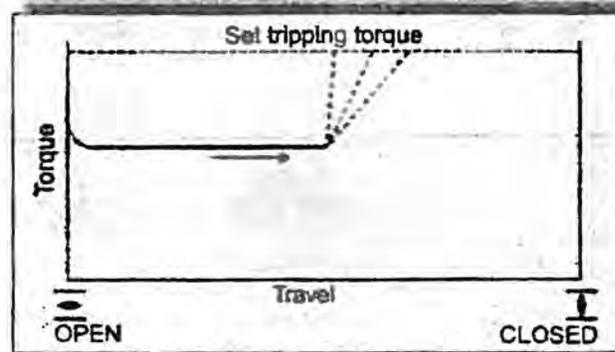
Torque switches, used for torque seating at the end positions (see page 10), serve as overload protection for the entire valve travel, even in the case of limit seating.

If excessive torque builds-up in the actuator at an intermediate position, perhaps due to an obstruction in the valve, the torque switch will trip after reaching the set tripping torque.

After the controls have processed the torque switch signal accordingly, the motor will be switched off. As a result, valve and actuator are protected from damage.

If the limit switch signals are processed accordingly in the controls, a normal torque switch trip can be distinguished from a trip in an intermediate

position (fault) caused by an unintended overload.



Non-intrusive setting (option)

If the actuator is equipped with a magnetic limit and torque transmitter (see page 14) and integral controls AUMATIC (see page 23) the actuator can be set non-intrusively. This means that the parameters can be set without having to open the actuator. This offers several advantages:

- No tools are required for setting.
- The actuator does not need to be opened again after the electrical connection is completed. The electronic and mechanical components in the housing are well protected from ingress of water and dust.

➤ The actuator can be set in potentially explosive atmospheres, without affecting the explosion protection.

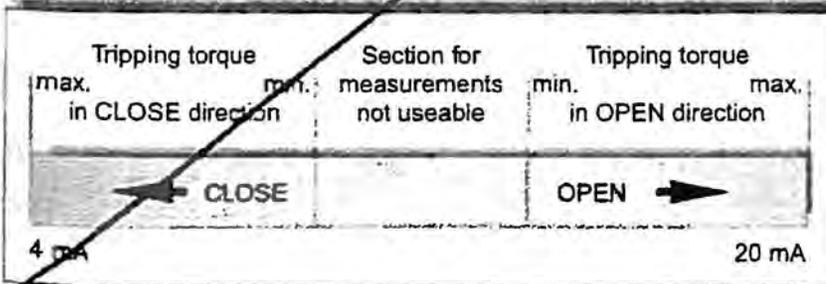
Analog torque sensing (option)

If the actuator is equipped with analog torque sensing, the required torque can be constantly displayed. The torque signal is available as 4 - 20 mA current signal. The maximum values 4 mA and 20 mA are only reached when the torque switching is set to the maximum possible tripping torque.

If the actuator is equipped with magnetic limit and torque transmitter and integral controls, this function is always included. The current torque requirement can also be displayed at the actuator controls.

Running indication (option)

A blinker switch is available as an option and can be used for running indication. The contacts are available on the AUMA plug & socket terminal connection.



Rating of blinker switch			
Type of current	Switch rating load		
	30 V	125 V	250 V
AC	5 A	5 A	5 A
DC	2 A	0.5 A	0.4 A

Output speeds

Output speeds

With the large range of available output speeds, almost every required operating time can be achieved with AUMA multi-turn actuators.

The output speed is determined by the motor speed and the gear reduction ratios. Therefore it is necessary to mention the output speed when placing an order.

For multi-turn actuators with output drive type A, stem nut (refer to page 26), the max. permissible stem velocity (output speed) must be observed:

- for gate valves max. 20 in/min (500 mm/min)
- for globe valves max. 10 in/min (250 mm/min) (max. 54 rpm)

For higher velocities or output speeds it is strongly recommended to use a spring loaded stem nut, output drive type AF (see page 26).

Self-locking

AUMA multi-turn actuators SA 07.1 – SA 16.1 are self-locking¹⁾ up to speed 108 rpm. In addition SA 35.1 speeds 32 (38 at 60 Hz) and 45 (54) in addition to SA 40.1 speed 32 (38) are not self-locking. These non self-locking multi-turn actuators have a double start worm/ worm wheel.

After the torque switch has tripped, the sliding worm will be able to move back to its initial position by action of the springs. This allows the torque switch to be released. If the control system provides continuous signals, this will

result in a constant switching on and off of the motor (Pumping effect).

Remedy:

- for SA 07.1 to SA 16.1, use of integral actuator controls or
- 'capturing' the off signal with an auxiliary contactor or relay.

1) self-locking under normal operation conditions; a self-locking gear set does not ensure a safe stopping after an operation. If this is required, a brake motor must be used.

Output speeds for multi-turn actuators for open-close duty

Size	Max. ¹⁾		3-phase AC motor		1-phase AC motor		DC motor
	[ft lb]	[Nm]	S2 - 15 min / S2 - 30 min		S2 - 10 min		S2 - 15 min
			50 Hz [rpm]	60 Hz [rpm]	50 Hz [rpm]	60 Hz [rpm]	[rpm]
07.1	20	30	4 - 180	4.8 - 216	4 - 180	4.8 - 216	4 - 180
07.5	45	60	4 - 180	4.8 - 216	4 - 180	4.8 - 216	4 - 180
10.1	88	120	4 - 180	4.8 - 216	4 - 180	4.8 - 216	4 - 180
14.1	185	250	4 - 180	4.8 - 216	8 - 45	9.6 - 54	4 - 180
14.5	370	500	4 - 180	4.8 - 216	8 - 22	9.6 - 26	4 - 45
16.1	740	1,000	4 - 180	4.8 - 216	-	-	4 - 22
20.1	1,500	2,000	4 - 90	4.8 - 108	-	-	-
20.1	2,960	4,000	4 - 90	4.8 - 108	-	-	-
25.1	5,920	8,000	4 - 45	4.8 - 54	-	-	-
40.1	11,800	16,000	4 - 32	4.8 - 38	-	-	-
40.1	23,600	32,000	4 - 16	4.8 - 19	-	-	-

Individual class have reduced torques at highest speeds

Output speeds for multi-turn actuators for modulating duty

Size	Torque for modulating duty max.		3-phase AC motor ¹⁾		1-phase AC motor ²⁾	
	[ft lb]	[Nm]	S4 - 25 % ED		S4 - 25 % ED	
			50 Hz [rpm]	60 Hz [rpm]	50 Hz [rpm]	60 Hz [rpm]
07.1	10	15	4 - 45	4.8 - 54	4 - 45	4.8 - 54
07.5	20	30	4 - 45	4.8 - 54	4 - 45	4.8 - 54
10.1	45	60	4 - 45	4.8 - 54	4 - 11	4.8 - 13
14.1	88	120	4 - 45	4.8 - 54	8 - 11	9.6 - 13
14.5	150	200	4 - 45	4.8 - 54	-	-
16.1	300	400	4 - 45	4.8 - 54	-	-
20.1	600	800	4 - 11	4.8 - 13	-	-
20.1	1,200	1,600	4 - 11	4.8 - 13	-	-

Modulating duty S4 - 25 % ED

Design principle

2 Control unit

Depending on the type of valve the actuator must be switched off in the end position by limit or torque switching

For this purpose two independent measuring systems (limit switching and torque switching) are provided within the control unit. They measure the travel and the torque demanded at the output drive, respectively

The switches signal to the actuator controls that the set tripping points have been reached, which then de-energize the motor.

The control unit may optionally be equipped with a magnetic limit and torque transmitter. The transmitter converts the mechanical parameters limit and torque into continuous electronic signals. In combination with the integral controls AUMATIC tripping points and tripping torques can be set non-intrusively, i.e. without using tools or opening the control unit.

1 Motor

High starting torque is frequently required to unseat valves. The motors developed by AUMA are designed to provide high starting torque to fulfill this requirement.

Besides the commonly used 3-phase AC motors - single phase motors and DC motors are available up to size 16.1.

The motor is connected via an internal plug and socket connector up to size SA 16.1 at 28 rpm. This enables the motor to be changed-out quickly.

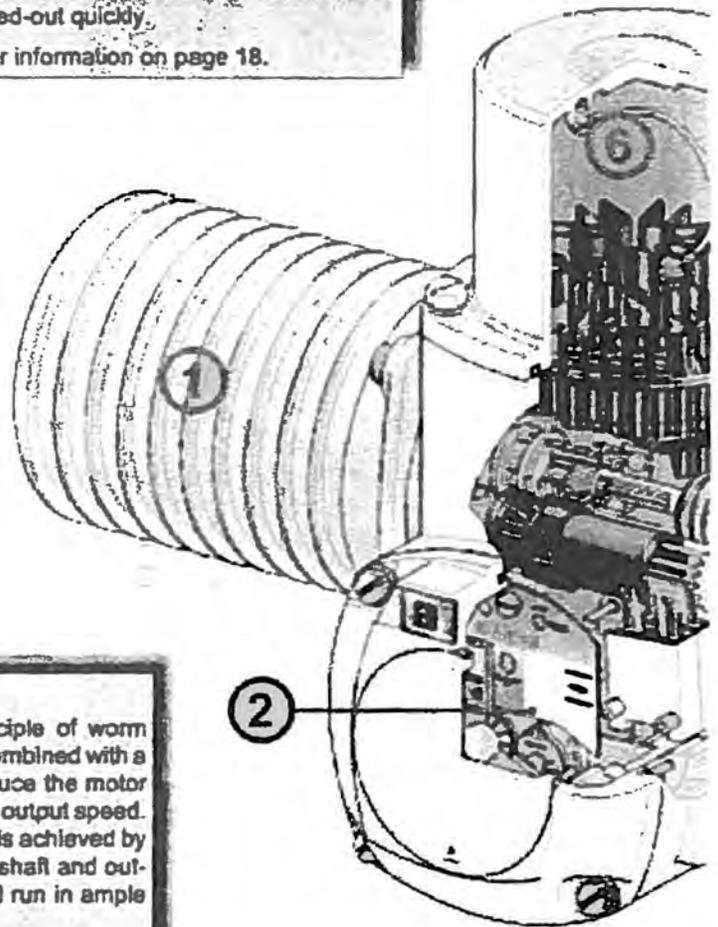
Further information on page 18.

3 Gearing

The well proven principle of worm gearing, sometimes combined with a planetary gear, is used to reduce the motor speed to the required actuator output speed. Self-locking (refer to page 12) is achieved by the worm gearing. The worm shaft and output shaft with the worm wheel run in ample sized bearings.

The worm is free to move along the worm shaft and is positioned between two stacks of springs. The worm moves in proportion with the torque. This axial displacement, as a measure of the torque, is transmitted to the control unit via a simple lever and gear mechanism.

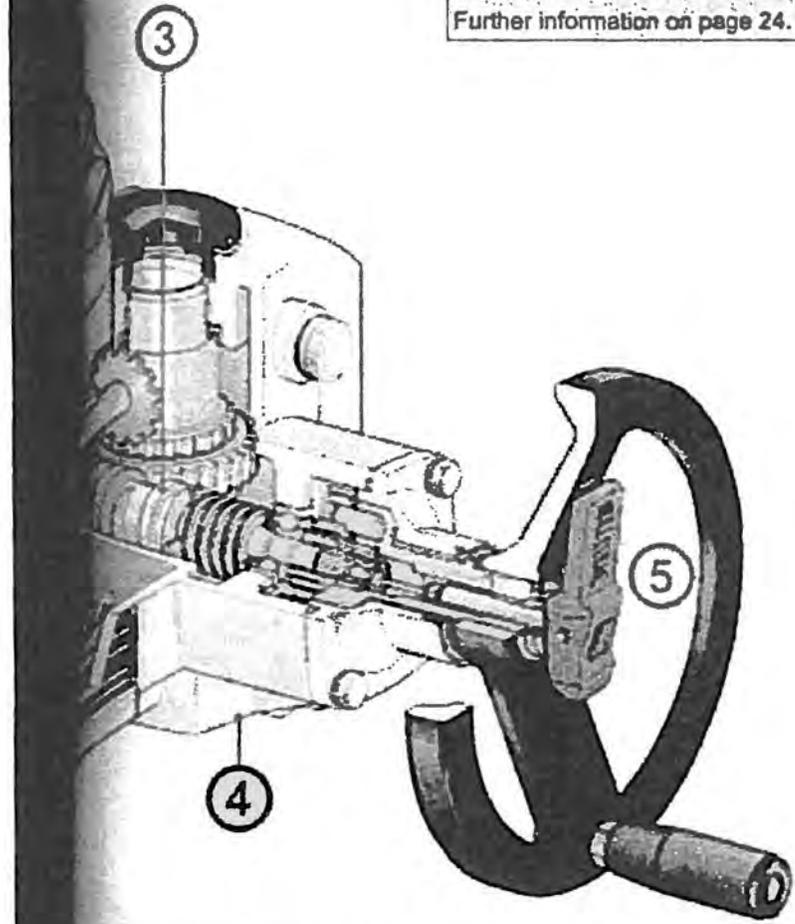
The gear housing is filled with lubricant. This results in maintenance free service for a long period of time.



6 Electrical connection
The connection for motor and controls up to size 16.1 are made on a 50-pole AUMA plug/ socket connector. On larger sizes, the motor is connected to terminals in the actuator.
If the plug/ socket is disconnected for maintenance work, the wiring remains undisturbed.
Explosion-proof actuators type SAFM and SARFM are also provided with the plug/ socket connector. Explosion-proof actuators type SAExC and SARExC are provided with a special plug/ socket connector.
Further information on page 24.

5 Manual operation
For commissioning or in an emergency the multi-turn actuator can be operated with the handwheel. By operating the red change-over lever the motor drive is disconnected and the manual drive engaged. Since disconnection between the motor and drive shaft is made before the self-locking worm/ worm wheel, easy change over to manual drive is possible even if the actuator has been operated at full rated torque
When starting the motor the manual drive is automatically disengaged. During electric operation the handwheel does not rotate

4 Valve attachment
The mounting flange is according to MSS SP-102 or EN ISO 5210.
Various output drive types are available. Therefore it is possible to adapt to different types of valves.
Further information on page 26.





March 11, 2011
S & B Project No. U0912

Mr. Godfrey Garza, Jr., District Manager
Hidalgo County Drainage District #1
902 N. Doolittle Rd.
Edinburg, Texas 78541-8670

Subject: Request for Permission to Discharge into Hidalgo County Drainage District #1
(HCDD1)
Agua Special Utility District (ASUD) Proposed 7.55 MGD Wastewater
Treatment Plant
Hidalgo County, Texas

Dear Mr. Garza:

The ASUD is in the process of building a 7.55 MGD Wastewater Treatment Plant to be located at approximately one mile south of West Loop 374 on Goodwin Road on the east side of Goodwin Road, south of Palmview, Texas. As part of the treatment process, an effluent will be discharged that needs to be disposed of in a nearby receiving stream. On behalf of ASUD, S&B Infrastructure requests for consideration and approval by HCDD1 for ASUD to discharge the effluent at a rate of 5243 GPM over a 20 year projection period through a 30 inch PVC pipe at the drainage ditch located adjacent to the southwest corner of the above mentioned site. (See attached location map) We are currently working on obtaining a wastewater discharge permit from the Texas Commission on Environmental Quality and they have requested a letter from HCDD1 approving the discharge of the effluent into the drainage ditch. The projected date for operation of the facility is sometime in August of 2014.

If there is any additional information needed, please contact me at 956-926-5000.

Sincerely,



Dario V. Guerra III, P.E.
Program Manager

Attachment: Location Map