

SUBCHAPTER C: MEAT PROCESSING

§§321.51 - 321.57

Effective September 1, 2003

§321.51. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) **Meat Processing Operation** - A plant, facility, establishment or enterprise in the business of slaughtering cattle, sheep, swine, goats, horses, mules, equines, poultry, domesticated rabbits, or domesticated game birds or in the business of canning, salting, packing, or rendering carcasses or parts of carcasses of these species for sale as human or animal food.

(2) **Wastewater** - Water that is routed to drains or sewers associated with a meat processing operation, including but not limited to process water, wash water, and drainage from livestock unloading areas and holding pens and/or poultry unloading areas; provided, however, that nothing in the definition shall be interpreted as requiring the construction of drainage systems for essentially uncontaminated areas, such as areas used solely as parking lot areas where trucks transporting such livestock and/or poultry may be parked prior to entering unloading areas.

(3) **Water in the state** - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, and the Gulf of Mexico within the territorial limits of the State of Texas, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water that are wholly or partially within or bordering the state or within the jurisdiction of the state.

§321.52. Application of Subchapter.

This subchapter applies to the disposal of wastes from meat processing operations.

§321.53. Permit Alternative.

A person whose meat processing operation is subject to this subchapter may submit an application to the executive director for a permit. This subchapter shall continue to apply to any permittee except where the provisions of a permit supersede provisions of this subchapter.

§321.54. Protection of Surface Water.

The degree of protection of surface waters is sufficient if waste control facilities are designed and operated in accordance with the following subsections.

(1) Wastewater Holding Facilities. If a meat processing operation utilizes holding facilities, any holding facility shall be designed and operated to retain all wastewater produced by the meat processing operation for a 30-day period plus all rainwater which would enter the holding facilities as a result of a 25-year, 24-hour rainfall as defined by Hershfield, *Rainfall Frequency Atlas of the United States*, U.S. Weather Bureau, Technical Paper No. 40, 1961, or the latest revision thereof. Wastewater holding facilities shall be dewatered within 14 days after any one of the following events occur:

(A) Collection of a quantity of rainwater in excess of 20% of the quantity of rainfall which would enter the holding facility as a result of the 25-year, 24-hour rainfall, as defined in this section.

(B) Collection of more than 50% of the volume of wastewater which the pond was designed to retain such that sufficient capacity is no longer available to retain an addition of all rainwater that would enter the holding facilities as a result of a 25-year, 24-hour rainfall plus all wastewater produced by the meat processing operation for a 15-day period.

(2) Evaporation Facility. If a meat processing operation utilizes an evaporation facility, it shall be designed to retain wastewater with no overflow during a 10-year period of above-normal rainfall. Local weather bureau rainfall data may be used in designing these facilities.

(3) Irrigation Facility. If a meat processing operation utilizes an irrigation facility, it shall be of adequate capacity to dewater all wastewater holding facilities within a 14-day period. If farmland or pastureland is irrigated with wastewater from the meat processing operation or its waste control facilities, the annual application rate (including rainfall) shall not exceed 200% of the expected consumptive use for the particular crop as defined by McDaniels, *Consumptive Use of Water by Major Crops in Texas*, Texas Board of Water Engineers, Bulletin No. 6010, 1960.

(4) Isolation of Wastewater. Wastewater must be isolated from outside surface drainage by ditches, diking, or other suitable structures where necessary to provide adequate environmental protection. Such diversion structures shall be designed to be effective during peak flows expected at times when a 25-year, 24-hour rainfall, as described in this section may occur.

§321.55. Protection of Groundwater.

Any wastewater holding facility must conform to the requirements for seepage control specified in paragraphs (1) and (2) of this section. Any facility in an area underlain by clean sands, fractured limestone, or other strata with exceptionally high permeability may be subjected to additional seepage control requirements.

(1) Seepage Control. A wastewater retention facility shall be constructed in clay soils or lined with a suitable lining material to prevent contaminated wastewater from reaching groundwaters of better chemical quality.

(2) Permeability data. Permeability tests may be required to show that pond liners are adequately impermeable to prevent excessive seepage. The acceptable seepage rate from ponds must be less than 0.1 acre-foot of wastewater per surface acre of pond per year. The acceptable permeability coefficient must be equal to or less than 1.0×10^{-7} centimeters per second at one foot of head and with one foot of permeable material or the equivalent or better thereof. The permeability coefficient must be determined by constant head laboratory permeability tests. The registrant shall furnish certification, signed, sealed, and dated by a licensed professional engineer or licensed professional geoscientist, that the completed pond lining meets the appropriate criteria described in this section prior to using the facilities.

Adopted July 23, 2003

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§321.56. Disposal of Solid Wastes.

Disposal of solid wastes (hoof, hair, hide, bone, paunch manure, sludge, salt, etc.) shall comply with the applicable portions of the Texas Department of Health regulations. The executive director may request evidence of an acceptable method of disposal of all solid process waste not covered specifically by Texas Department of Health regulations.

§321.57. Prohibition of Unauthorized Discharge.

Any person owning or operating a meat processing operation who makes, or proposes to make, any discharge into or adjacent to any water in the state shall submit to the executive director an application for a discharge permit. No person shall make such discharge without authorization from the commission.

Effective June 26, 1986