



Texas Commission on Environmental Quality Wastewater Permitting Section

Instructions for Application to Use Industrial Reclaimed Water

Please follow the instructions while completing the application. All items must be addressed. If an item is not addressed, a notice of deficiency will be sent to the applicant's representative and may result in significant delays in processing the application.

The application form may not be altered in any way. Applications that are not in the original format and page numbering sequence will not be processed and will be returned. Questions cannot be rearranged or deleted.

PURPOSE

A person requesting to beneficially use industrial wastewater as industrial reclaimed water may use this application to apply for a Level II written authorization as authorized under 30 TAC Chapter 210 Subchapter E - Special Requirements for Use of Industrial Reclaimed Water.

OBJECTIVES

- Who does not need to submit an application?
- What is a Level I Authorization?
- Who cannot apply for authorization?
- Who must submit the application?
- When must the application be submitted?
- How must the application be submitted?
- How do I obtain additional information and assistance?
- How much does a reuse application cost?
- How long is the application process?
- How do I complete the application?

ABBREVIATIONS AND ACRONYMS

CFR - Code of Federal Regulations

GPD - Gallons Per Day

MAL - Minimum Analytical Level

MGD - Million Gallons per Day

mg/L - Milligrams per Liter

POTW - Publicly Owned Treatment Works

SU - Standard Units

TAC - Texas Administrative Code

TCEQ - Texas Commission on Environmental Quality

µg/L - Micrograms per Liter

DEFINITIONS

Blowdown - The discharge of recirculating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts that could damage or impair machinery, equipment, or systems.

Commingled wastewater - Industrial wastewater that contains any amount of domestic wastewater.

Containing - When the pollutant(s) of concern are measured at levels that exceed the minimum analytical level.

Discharge - The release or disposal of waste into or adjacent to any water in the state that in itself or in conjunction with any other discharge or activity causes, continues to cause, or will cause pollution of any of the water in the state.

Dioxins and furans - Tetra, penta, hexa, hepta, and octa-chlorinated dibenzo dioxins and furans.

End use - Landscape irrigation, soil compaction, dust suppression, impoundment maintenance, or industrial wastewater that is otherwise land applied in accordance with all applicable regulations.

Industrial reclaimed water - Any industrial wastewater which has been treated, if necessary, to a quality suitable for land application for beneficial use.

Industrial wastewater - A non-domestic or non-municipal wastewater.

Land application - The discharge of waste adjacent to water in the state. (Examples: irrigation and dust suppression)

Minimum analytical level (MAL) - The lowest concentration at which a particular substance can be quantitatively measured in the matrix of concern (i.e., wastewater) with a defined precision level, using approved analytical methods.

Non-contact cooling water - Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, by-product, or finished product.

On-site Use - The use of industrial reclaimed water within the boundaries of the industrial facility or within the boundaries of property that is contiguous to the facility and owned or operated by the producer.

Once-through cooling water - Water passed through main cooling condensers in one or two passes for the purpose of removing waste heat.

Playa lake - As hallow (generally less than one meter deep), isolated, naturally ephemeral approximately circular lake located in an enclosed basin in the High Plains and West Central Plains areas of the state.

Priority pollutants - The pollutants as listed in 40 CFR Part 122, Appendix D, Tables 2 and 3, plus 2,3,7,8-Tetrachlorodibenzo-p-dioxin and asbestos.

Process wastewater - Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

Producer - A person who produces industrial reclaimed water as identified in this subchapter.

Tail water - The runoff of irrigation water from the lower end of an irrigated field.

TPDES - Texas Pollutant Discharge Elimination System.

TLAP - Texas Land Application Permit.

USGS Map - United States Geological Survey Map.

WHO DOES NOT NEED TO SUBMIT AN APPLICATION?

The following systems and activities are not required to submit an Application to Use Industrial Reclaimed Water to commence water reuse:

- Reuse of industrial effluent for purposes other than land application;
- Facilities which qualify for Level I authorization; and
- Land application activities authorized by a permit.

WHAT IS A LEVEL I AUTHORIZATION?

A Level I Authorization is an authorization that does not require written authorization or periodic testing. A Level I Authorization may only be obtained if the producer has a waste stream, **on-site** end use, **and primary disposal method as an alternative to reuse listed below:**

Waste Streams:

- air conditioner condensate; compressor condensate; steam condensate; or condensate that forms externally on steam lines and is not process wastewater;
- washwater from washing whole fruits and vegetables;
- non-contact cooling water;
- once through cooling water;
- water treatment filter backwash;
- water from routine external washing of buildings or other structures, conducted without the use of detergents or other chemicals;

- water from routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic or hazardous waste have not occurred (unless spilled material has been removed);
- cooling tower blowdown with a total dissolved solids concentration less than 2,000 milligrams per liter; or
- wastewater with measured effluent concentrations at or below threshold levels listed in the table below and is not a waste source prohibited from receiving coverage (See section titled, Who Cannot Apply for Authorization). For all other priority pollutants listed in the application, the threshold level is set at the minimum analytical level.

| Threshold Levels for Industrial Reclaimed Water | | | | | |
|--|--------------------------|-------------------|------------------|-------------------------|-------------------|
| Table 1 | | | | | |
| Parameter | Thresh old (mg/l) | MAL (mg/l) | Parameter | Threshold (mg/l) | MAL (mg/l) |
| Conventionals & Nonconventionals | | | Metals | | |
| Total Organic Carbon | 55 | - | Copper, total | 0.030 | 0.010 |
| Oil and Grease | 10 | - | Lead, total | 0.015 | 0.005 |
| Total Dissolved Solids | 2000 | - | Manganese | 0.050 | -- |
| Nitrate Nitrogen | 10 | - | Mercury, total | 0.0002 | 0.0002 |
| Metals | | | Nickel, total | 0.030 | 0.010 |
| Antimony, total | 0.090 | 0.030 | Selenium, total | 0.030 | 0.010 |
| Arsenic, total | 0.030 | 0.010 | Silver, total | 0.006 | 0.002 |
| Barium, total | 0.030 | 0.010 | Thallium, total | 0.030 | 0.010 |
| Beryllium, total | 0.015 | 0.005 | Zinc, total | 0.015 | 0.005 |
| Cadmium, total | 0.003 | 0.001 | Cyanide, free | 0.200 | --- |

End Uses:

- irrigation, including landscape irrigation;
- fire protection;
- dust suppression and soil compaction; and
- maintenance of impoundments

Primary Methods of Disposal as an Alternative to Reuse:

- authority to discharge under a TPDES/TLAP permit or other authorization;
- authority to route effluent to a publicly-owned treatment works (POTW); or
- ability to recycle the industrial reclaimed water in a manner that does not potentially result in a discharge into or adjacent to water in the state.

WHO CANNOT APPLY FOR AUTHORIZATION?

The following waste streams will not be authorized under 30 TAC Chapter 210E regardless of effluent quality. The producer may submit a TPDES or TLAP application to request to discharge these waste streams:

- wastewater containing radioactive material regulated under Texas Health and Safety Code, Chapter 401;
- wastewater containing dioxin and furans;
- wastewater containing pesticides;
- wastewater classified as or which is characteristically hazardous as defined by 40 Code of Federal Regulations (CFR) Part 261;
- process wastewater regulated under 40 CFR Parts 400 - 471 with the following exceptions:
 - Part 405 - dairy products processing;
 - Part 406 - grain mills;
 - Part 407 - canned and preserved fruits and vegetables;
 - Part 408 - canned and preserved seafood processing;
 - Part 409 - sugar processing;
 - Part 411 - cement manufacturing;
 - Part 417 - soap and detergent manufacturing;
 - Part 423 - steam electric power generating;
 - Part 434 - coal mining;
 - Part 436 - mineral mining and processing;
 - Part 454 - gum and wood chemicals manufacturing; and
 - Part 460 - hospital;
- septic tank waste, chemical toilet waste, grit trap waste, or grease trap waste;
- barge cleaning washwater;
- air scrubber wastewater;
- any wastewater where a permit by rule authorized under 30TAC Chapter 321 (relating to Control of Certain Activities by Rule) or commission-issued general permit for land application is available; or
- remediated/contaminated groundwater generated from facilities where process wastewater is prohibited for use as listed above.

Wastewater is determined to contain a pollutant when the pollutant is detected in the wastewater above the MAL.

WHO MUST SUBMIT THE APPLICATION?

The producer must submit the application for this Level II authorization request. A producer who does not meet Level I authorization requirements as described above may submit a Level II application to request authorization to use industrial reclaimed water.

WHEN MUST THE APPLICATION BE SUBMITTED?

Reuse activities may not begin until the producer receives written authorization from the executive director. It is recommended that the application be submitted a minimum of 45 days prior to planned commencement of use of industrial reclaimed water.

HOW MUST THE APPLICATION BE SUBMITTED?

Submit the application when it is completed. If there is a question about the application, please contact the Wastewater Permitting Section at (512) 239-4671. When submitting the application, arrange the sections of the application as listed in the Submission Checklist. Indicate on the Submission Checklist which sections of the application have been submitted.

If the answer to a question requires more space than provided, submit the additional information as an appendix to the application. The appendix must be clearly cross-referenced back to the original question.

Use the one of the following addresses to mail the application, depending on the method of delivery:

The regular mailing address is:

Executive Director
Texas Commission on Environmental Quality
Wastewater Permitting Section (MC 148)
P.O. Box 13087
Austin, Texas 78711-3087

The hand delivery mailing address is:

Wastewater Permitting Section (MC 148)
Texas Commission on Environmental Quality
Building F Room 2101
12100 Park 35 Circle
Austin, Texas 78753

The express mailing address is:

Wastewater Permitting Section (MC 148)
Texas Commission on Environmental Quality
Building F Room 2101
12100 Park 35 Circle
Austin, Texas 78753

Permit Application Forms

The application with instructions is available in Adobe Acrobat PDF format on the TCEQ web site:

http://www.tceq.texas.gov/search_forms.html

TCEQ Central Registry Core Data Form

The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

If you don't already have one, you will be assigned a Customer Number (CN) and Regulated Entity Number (RN). You can find the information on the Central Registry

web site at: <http://www12.tceq.texas.gov/crpub/>.

You can search by the RN, CN, name (permittee), or permit number under the search field *Additional ID*.

The customer (permittee) is responsible for providing current information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur.

Fees are associated with an Industrial reuse authorization

Payment of the fees may be made by check or money order payable to TCEQ, or through EPAY (electronic payment through the web). The permit requires two different fees.

There is a onetime application fee of \$100. This fee does not include analytical testing or consulting costs incurred to complete the application. There are no annual fees once the authorization is approved.

To expedite processing of the application, please provide a copy of the check with the application. To verify receipt of payment or any other questions regarding payment of fees to the TCEQ, please call the Revenue Section, Cashiers Office at (512) 239-0357.

• Mailed Payments

Payment must be mailed in a separate envelope to one of the addresses below. Include the attached Application Fee submittal form.

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, Mc-214
P.O. Box 13088
Austin, Texas 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, Texas 78753

• ePAY Electronic Payment

Go to: <https://www6.tceq.texas.gov/epay>

When making the payment go to "Option 3" and select Water. Under the Water Quality heading select the fee category GENERAL PERMIT WASTEWATER DISCHARGE APPLICATION. You must include a copy of the payment voucher with your application, which will not be considered complete without the payment voucher.

INSTRUCTIONS FOR FILLING OUT THE APPLICATION FORM

Important Note:

More than one entity may be required to apply for the permit as Co-Permittees

The selected entity type indicates the name that must be provided as an applicant for a permit, registration or authorization. It also identifies when a co-applicant/co-permittee on an application for a permit, registration or authorization is required.

Partnership Not Filed with Texas Secretary of State

A customer that is established as a partnership as defined by the Texas Secretary of State's Office (TX SOS).

If the customer is a 'general partnership' or 'joint venture' filed in the county (not filed with TX SOS), the legal name of each partner forming the 'general partnership' or 'joint venture' must be provided. Each 'legal entity' must apply as a co-applicant.

Trust or Estate

A trust and an estate are not legal entities, but rather are fiduciary relationships governing the trustee/executor with respect to the trust/estate property. A Trustee and an Executor are considered the legal representatives of the trust/estate. Therefore, the Trust and Trustee or Estate and Executor must be identified as co-applicants/co-permittees. If there is more than one trustee or executor, each trustee or executor must be identified as a co-applicant/co-permittee with the Trust or Estate.

HOW DO I OBTAIN ADDITIONAL INFORMATION AND ASSISTANCE?

For additional information please call the Wastewater Permitting Section at (512) 239-4671. Updates on the status of the application should be referred to the Stormwater and General Permits Team. Technical questions and questions regarding the application should be referred to the Industrial Permits Team. Please reference Industrial Water Reuse when calling.

HOW LONG IS THE APPLICATION PROCESS?

A decision to approve or deny the request to use industrial reclaimed water typically takes 45 days once all relevant information has been received. Application process may take longer due to site specific issues.

HOW DO I COMPLETE THE APPLICATION?

1. PRODUCER INFORMATION (Applicant)

Enter assigned Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with "CN," followed by nine digits. **This is not a permit number**, registration number, or license number.

- If this customer has not been assigned a CN, leave the space for the CN blank.
- If this customer has already been assigned this number, enter the permittee's CN.

Legal Name

Provide the current legal name of the permittee, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at <http://www.usps.com> for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

Phone Number

This number should correspond to this customer's mailing address given earlier. Enter the area code and phone number here. Leave *Extension* blank if this customer's phone system lacks this feature.

Fax Number and E-mail Address

This number and E-mail address should correspond to applicant's mailing address provided earlier. (Optional Information)

Type of Entity

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type.

Note that the selected entity type also indicates the name that must be provided as an applicant for a permit, registration or authorization. It also identifies when a co-applicant/co-permittee on an application for a permit, registration or authorization is required.

Sole Proprietorship – D.B.A.: a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name ("doing business as" or d.b.a.)
- have any number of employees

If the customer is a Sole Proprietorship — D.B.A., the ‘legal name’ of the individual business ‘owner’ must be provided. The D.B.A. name is not recognized as the ‘legal name’ of the entity. The D.B.A. name may be used for the site name (regulated entity).

Individual (or DBA)

An individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

Partnership

A customer that is established as a partnership as defined by the Texas Secretary of State’s Office (TX SOS).

If the customer is a ‘general partnership’ or ‘joint venture’ filed in the county (not filed with TX SOS), the legal name of each partner forming the ‘general partnership’ or ‘joint venture’ must be provided. Each ‘legal entity’ must apply as a co-applicant.

Corporation

A customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.

The corporation’s ‘legal name’ as filed with the Texas Secretary of State must be provided as applicant. An ‘assumed’ name of a corporation is not recognized as the ‘legal name’ of the entity.

Government

Federal, state, county, or city government (as appropriate)

The customer is either an agency of one of these levels of government or the governmental body itself. The government agency’s ‘legal name’ must be provided as the applicant. A department name or other description of the organization should not be included as a part the ‘legal name’ as applicant.

Trust or Estate

A trust and an estate are not legal entities, but rather are fiduciary relationships governing the trustee/executor with respect to the trust/estate property. A Trustee and an Executor are considered the legal representatives of the trust/estate. Therefore, the Trust and Trustee or Estate and Executor must be identified as co-applicants/co-permittees. If there is more than one trustee or executor, each trustee or executor must be identified as a co-applicant/co-permittee with the Trust or Estate.

Other

The customer does not fit any of the above descriptions. Enter a short description

of the type of customer in the blank provided.

Independent Entity

Check *No* if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check *Yes*.

Number of Employees

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the APPLICATION.

State Franchise Tax ID Number

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

Federal Tax ID

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555.

DUNS Number

Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.

Billing Address

An annual fee is assessed to each permittee on September 1 of each year. Provide the complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail. Also, provide a phone number of the permittee's representative responsible for payment of the invoice.

Country Mailing Information

If this address is outside the United States, enter the territory name, country code, and any non-ZIP mailing codes or other non-U.S. Postal Service features here. If this address is inside the United States, leave these spaces blank.

Application Contact

Provide the name, title and communication information of the person that TCEQ

can contact for additional information regarding this application.

REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

Regulated Entity Reference Number (RN)

This is a number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not a permit number, registration number, or license number.

If this regulated entity has not been assigned an RN, leave this space blank. If this customer has been assigned this number, enter the permittee's RN.

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:

<http://www12.tceq.texas.gov/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.

An example is a chemical plant where a unit is owned or operated by a separate corporation that is accessible by the same physical address of your unit or facility. Other examples include industrial parks identified by one common address but different corporations have control of defined areas within the site. In both cases, an RN would be assigned for the physical address location and the permitted sites would be identified separately under the same RN.

Site/Project Name/Regulated Entity

Provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity. An RN will be assigned by Central Registry if this site is not currently regulated by TCEQ.

Site/Project (RE) Physical Address

Enter the complete address of where the site is located. This address must be validated through US Postal Service. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local police (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Please do not use a rural route or post office box for a site location.

If a site does not have an address that includes a street (or house) number and street name, enter NO ADDRESS for the street name. Then provide a complete written location access description. For example: "The site is located 2 miles west from the intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane."

Provide the city and zip code of the area where the facility is located.

Latitude and Longitude

Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:

www.tceq.texas.gov/gis/drgview.html or <http://msrmaps.com/advfind.aspx>

Description of Activity Regulated

In your own words, briefly describe the primary business that you are doing that requires this authorization. Do not repeat the SIC Code description.

2. PROVIDER INFORMATION

If the provider is not the producer, identify the provider and provide a mailing address, telephone number, fax number, and contact representative. If the producer is also the provider, please indicate that this question is not applicable.

3. USER INFORMATION

If the user is not the producer or provider, identify the user and provide a mailing address, telephone number, fax number, and contact representative. If the user is also the producer or provider, please indicate this as such.

4. PRODUCER'S AND USER'S FACILITY LOCATION

a. Provide a written location description of the producer's facility. Do not provide directions to the facility. The location description must use easily identifiable landmarks found on a USGS map. The description must include the direction and distance in feet or miles from road intersections and identify the nearest city, town, or community.

Example: The facility is located 2,600 feet southwest of the intersection of State Highway 20 and Farm-to-Market Road 1200, five miles southeast from the City of Waco.

b. If the user's site is not the same as the producer's location, please provide a written location description of the reclaimed water use site. The location description must use easily identifiable landmarks found on a USGS map. The description must include the direction and distance in feet or miles from road intersections and identify the nearest city, town, or community.

c. If a facility is connected to a POTW, notification to the POTW of the intent to use industrial wastewater as industrial reclaimed water is required by 30 TAC §210.56(b)(3).

If the site where industrial reclaimed water is to be applied is within the recharge zone of the Edwards Aquifer, additional information is required. Please refer to 30 TAC §210.4(d) and §210.23 for the required additional information. Submit the required information as an appendix to this application. Questions regarding location of a facility within the recharge zone of the Edwards Aquifer should be routed to the respective TCEQ regional office.

5. WASTE STREAMS

- a. Provide a general description of industrial, manufacturing, or commercial activities conducted on-site.
- b. Please describe the industrial wastewater proposed for use as industrial reclaimed water. Example: cooling tower blowdown, floor wash water, reverse osmosis reject water. Please approximate the volume of water generated by the specific waste stream and indicate the approximate volume of water proposed for reuse activities.
- c. If a waste stream is listed in 30 TAC §210.4, the waste stream will not be considered for authorization under this subchapter. The producer may apply for a TPDES or TLAP permit to request authorization to land apply these waste streams.

6. END USES

- a. Identify all of the proposed end uses for industrial reclaimed water. If the end use is not one of the options listed, please provide a detailed description. An end use that would discharge to surface water will not be considered under this authorization. If the proposed end use is not a land application activity, this authorization is not required.
- b. If the end use is for any type of irrigation, provide the approximate area to be irrigated, the type of crop/vegetation grown over the irrigation area, and how often reuse activities are planned.

Example: 120 feet x 500 feet of landscaping area with trees, shrubs, and annual flowers, irrigated approximately once per week.
- c. If the end use is not on the producer's site, the producer is required to comply with 30 TAC §210.4, relating to notification. Please refer to 30 TAC §210.4 and provide the additional information as required as an appendix to this application.

7. PRIMARY DISPOSAL METHODS

A primary method of disposal of industrial wastewater is required for periods when industrial reclaimed water use is not necessary or feasible. Check off the methods of disposal the facility will use on the list. If the method of disposal is not listed, please check **other** and describe the disposal method in detail. Additional storage does not qualify as a primary method of disposal. If the producer proposes to use a licensed hauler, a contract must be submitted as an appendix to this application.

8. IMPOUNDMENTS

Answer either **yes** or **no** whether impoundments (lagoons or ponds) are used or are planned to be used for treatment, holding, or storage. If **yes**, ponds shall meet one of the following:

- a. Ponds located within the recharge zone of the Edwards Aquifer, as defined in

30 TAC Chapter 213:

- i. **Compacted Clay/In-Situ.** Soil liners must be of compacted material, at least 24 inches thick, compacted in lifts no greater than 6 inches and compacted to 95% of Standard Proctor Density. In-situ clay soils meeting the soils liner requirements shall be excavated and recompacted a minimum of 6 inches below planned grade to assure a uniformly compacted finished surface. Soil liners must meet the following size gradation and Atterberg limits:
 - (1) 30% or more passing a number 200 mesh sieve;
 - (2) a liquid limit of 30% or greater;
 - (3) a plasticity index of 15 or greater, and
 - (4) have a permeability less than or equal to 1×10^{-7} cm/sec.
 - ii. **Synthetic.** Synthetic membrane lining shall have a minimum thickness of 40 mils with a leak detection system. In situ liners at least 24 inches thick meeting permeability less than 1×10^{-7} cm/sec are acceptable alternatives.
- b. All ponds located outside the recharge zone of the Edwards Aquifer shall meet the following liner requirements:
- i. **Compacted Clay/In-Situ.** Soil liners must be of compacted material having a permeability less than or equal to 1×10^{-4} cm/sec, at least 24 inches thick, compacted in lifts no greater than 6 inches each.
 - ii. **Synthetic.** Synthetic membrane linings shall have a minimum thickness of 40 mils. In situ liners at least 24 inches thick meeting a permeability less than or equal to 1×10^{-4} cm/sec are acceptable alternatives.

9. COMPLIANCE HISTORY

Answer yes or no as to whether this facility is currently required to meet any implementation schedule for this site. This requirement includes Federal, State, or local authority permit conditions; administrative or enforcement orders; and enforcement compliance schedule letters, stipulations, court orders, or grant and loan conditions. If **yes**, provide a brief summary of the requirements which includes background discussion of the requirements, a identification of each compliance/abatement requirement, and a listing of the required projected final compliance dates.

10. INDUSTRIAL RECLAIMED WATER TESTING

All industrial wastewater requesting to be used as industrial reclaimed water (Level I I A uthorization) shall be sampled and analyzed for those parameters listed on Table 1 of this application for a minimum of one (1) sampling event at the specified minimum analytical level (MAL).

If the industrial wastewater is considered a process wastewater, then Table 2 must also be completed in full. A minimum of one (1) sample shall be obtained

and analyzed for each pollutant at the MAL specified in the application. Table 2 is not required for non-process wastewater discharges unless the producer believes a pollutant(s) may be present in the wastewater. Then a minimum of one sample shall be obtained for the pollutant(s) that is believed to be present and shall be analyzed at the specified MAL. Additional testing may be required if the executive director feels additional pollutants may be present in the wastewater based on process knowledge or best professional judgment.

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

A copy of the analytical laboratory reports is required and shall be submitted as an attachment to the application.

If all applicable effluent testing is not completed in full at the specified MAL, the application for authorization will not be considered.

If effluent data is not available (i.e. the facility has not been constructed, etc) the application will not be considered.

11. SIGNATURE PAGE

Each entity applying for the permit is required to sign the certification statement. The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an application or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an application or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the application or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an application or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an application or similar form. Persons such as the city mayor or county commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An application or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than

those identified in the regulation. By signing the application or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the TCEQ's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code

§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$ 25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).