

# Instructions for Filing an Application for a Permit to Process, Surface Dispose, or Incinerate Sludge

The mailing address for submitting an application is:

Executive Director  
Texas Commission on Environmental Quality  
Attn: Business and Program Services Section  
Applications Review and Processing Team (MC 148)  
P.O. Box 13087  
Austin, Texas 78711-3087

For Express Mail or Hand Delivery, the physical address is:

Executive Director  
Texas Commission on Environmental Quality  
Attn: Business and Program Services Section  
Applications Review and Processing Team (MC 148)  
Building F, Room 2101  
12100 Park 35 Circle  
Austin, Texas 78753

## Telephone Inquiries

|                |  |
|----------------|--|
| (512) 239-4671 | General Permit Information and Application Forms |
| (512) 239-4671 | Municipal Permits Team, Technical Information    |
| (512) 239-0600 | Legal Division                                   |

Copies of records and/or permits on file with the TCEQ, Records Management Office may be obtained for a minimal fee, by calling (512) 239-0900.

## GENERAL FILING REQUIREMENTS AND INFORMATION

1. Please read the application form carefully. It has been designed to obtain specific information and anything that is missing or unclear will cause delays in the review process. If a particular item on the form does not apply to your situation mark it "NA" or "not applicable." If necessary explain why it does not apply. Falsification of any information is justification for denial of the application, fine or imprisonment (30 TAC, Section 305.44).
2. The completed application should be submitted as one original set and four complete copies at least 180 days prior to the date that the proposed discharge is to occur for new or amended permits or 180 days prior to the expiration date for renewal applications. The original application set and two copies **should not be bound or submitted in notebooks, spirals or binders**. The additional copies of the application must also include all attachments and cover letter, as included with the original application.

3. All reports and supplementary information, **including the Supplemental Permit Information Form**, should be attached to the application form. Any maps or drawings which are too large to be folded to 8 ½" x 11" may be submitted separately. Technical reports should be prepared either by a Texas Registered Professional Engineer, or by a qualified person who is competent and experienced in the field to which the application relates and who is thoroughly familiar with the operation or project for which the application is made.

## ADMINISTRATIVE REPORT

### Type of Application:

The following instructions apply to completing an application for a new permit, an amended permit, or a renewal permit, for a Sludge Processing Permit, Sludge Surface Disposal Permit, and a Sludge Incineration Permit. Please indicate by a checkmark the type of application being submitted.

*You must complete the following report:*

1. Administrative report for permit application

*Please indicate the type of technical report being submitted with the Administrative Report:*

1. Sludge Processing
2. Sludge Surface Disposal
3. Sludge Incineration

Please make certain that you have the correct form(s).

To obtain application forms, you may contact the Municipal Permits Team at (512) 239-4671 or may be obtained at the address given below.

### Application Fee:

|           |       |
|-----------|-------|
| New/Amend | \$150 |
| Renewal   | \$115 |

Application fees must be paid by check or money order made payable to the Texas Commission on Environmental Quality. Fees are to be sent under separate cover making reference to the type of application, name of applicant, and permit number of existing permit, and mailed to:

TCEQ  
Revenues Section (MC 214)  
P.O. Box 13088  
Austin, Texas 78711-3088

To verify receipt of payment or any other questions you may have regarding payment of fees to the TCEQ, you may call the Revenues Section, Cashiers Office at (512) 239-0357.

## 1. APPLICANT INFORMATION

### Who Must Obtain a Permit?

Any person who discharges waste into or adjacent to water in the State of Texas must be authorized by permit, rule, or order issued by the Commission. This includes, but is not limited to, the discharge or disposal of waste, domestic waste (sewage), industrial waste, recreational waste, agricultural waste, sludge waste, and any other waste which may potentially cause pollution to the waters in the state. The site operator must submit the application for a permit.

If at any time during the application process there is a change of operatorship, name or mailing address change, or a change in contact person listed on the application, the applicant will be responsible for contacting the Applications Review and Processing Team in writing, indicating such change. If a change of operatorship occurs prior to final action on an application to amend or renew an existing permit, the new operator must submit a Request for Transfer of Ownership Form concurrently with an updated application. Also, if an applicant decides to withdraw their application and/or cancel their permit, it is the responsibility of the applicant and/or permittee to contact the Municipal Permits Team in writing, indicating such request. You may send your request by fax to (512) 239-4430. For further instructions and/or appropriate TCEQ forms, you may call (512) 239-4671.

### a. Permittee Information

#### 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.

#### 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 registrant's CN.

#### **Enter the name and title of the person signing the application.**

#### 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 (Optional Information)**

This number and E-mail address should correspond to customer's mailing address provided earlier. Providing contact information speeds the processing of your application if questions arise during the review.

**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-registrant 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.

**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.

### **Corporation**

A customer that 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 or DBA is not recognized as the legal name of the entity.

### **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-registrants. If there is more than one trustee or executor, each trustee or executor must be identified as a co-applicant/co-registrant 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.

### **Government Federal, State, County, or City**

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

### **Other Government**

Utility districts, school districts, river authorities, etc. should mark this selection and list the type of entities they are.

### **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.

### **Business Identification Numbers**

#### **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.

**b. Co-Permittee Information**

Complete this section only if the entity must be a co-permittee. If co-permittees are required, please indicate the address to be used on the permit and for permit correspondences (either the address provided for item 1.a or 1.b). See item 1.a for an example of the address that should be completed in the application.

**c. Individual Information**

If the applicant is an individual, provide information on the individual as required by the Texas Water Code. Complete the address as shown above in item 1.a. The address provided must be the individual's home address. As the facility owner, you need to provide the Customer Reference Number (CN).

**2. BILLING CONTACT INFORMATION**

An entity that holds an active permit will be assessed fees annually, based on the Annual Report due on September 1 (in accordance with 30 TAC §312.9, Sludge Fee Program). The annual fee is assessed 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.

**3. APPLICATION CONTACT INFORMATION**

Provide the name, title and communication information of the person(s) the TCEQ can contact for additional information regarding this application.

**4. PERMIT CONTACT INFORMATION**

Provide the name, title and communication information of the person(s) the TCEQ can contact for additional information for the life of the permit.

## 5. NOTICE INFORMATION

### a. Individual publishing the notices

Provide the person's name, company name, mailing address, telephone number and fax number that will publish the notices required during the processing of the application. Only one person can be provided. This individual will be contacted to publish the required notices in a newspaper of the largest general circulation in the county where the facility is/will be located. This person must be available during the application processing since the first notice; the "Notice of Receipt of Application and Intent to Obtain a Water Quality Permit" must be published within 30 days of the application being declared Administratively Complete.

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

Provide the method of receiving the required notice information. The day the application is declared Administratively Complete, the notice package will be sent via the method chosen by the applicant in the application. The notice package includes the TCEQ declaration of completeness, a notice ready for publication, instructions for publishing the notice, a publication affidavit, and a public notice verification form.

### c. Contact in the Notice

Provide the person's name, company name, mailing address, telephone number and fax number of the one individual that will be identified as the notice contact in the two notices that are mailed out and published as part of the permitting process. This individual may be contacted by the public to answer questions about all aspects of the permit application. If the mailing address is a P.O. Box, insert the P.O. Box number within the space provided for the P.O. Box. Insert suite numbers within the line provided for the street name.

### d. Public Place Information

Provide the name and physical address for the public place where the complete application and draft permit and Technical Summary/Statement of Basis, and Fact Sheet, if applicable, will be made available for viewing and copying by the general public by the date the first notice is published. Please verify with the proper authority they will make the application available for public viewing and copying. The public place must be located within the county in which the facility is/will be located. The address must be a physical address. If the facility and or outfall is located in more than one county, a public viewing place for each county must be provided. **Post office box addresses are not acceptable.**

**e. Bilingual Notice Requirements**

Bilingual notice may be required for new permit applications, major amendment applications and renewal applications, (not applicable for minor amendment or minor modification applications).

If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, triggers a bilingual education program to apply to an entire school district should the requisite alternative language speaking student population exist. However, there may not exist any bilingual-speaking students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as a part of a larger school district, is required to make a bilingual education program available to qualifying students and the school either has students enrolled at such a program on-site, or has students who attend such a program at another location in satisfaction of the school's obligation to provide such a program as a member of a triggered district.

The applicant is required to call the bilingual/ESL coordinator for the nearest elementary and middle schools and obtain information to determine if an alternative language notice is required. If it is determined that a bilingual notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language.

## **6. SITE INFORMATION**

- a.** List any other permits, existing or pending, which pertain to pollution control activities conducted at this facility (site) and any other TCEQ permits or licenses in the spaces provided.

- b.** Sludge Processing/ Disposal Site Information

**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.

**c. Name of the project or site**

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.

**d. Site/Project (RE) Physical Address**

If the existing permit includes an accurate description, indicate so by checking yes on the application form.

*If the site has a 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 the site does not have an address that includes a street (or house) number and street name, enter NO ADDRESS for the street name

*If a site does not have a physical address:*

Provide a complete written location access description. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane." Do not provide directions to the facility. The location description must use easily identifiable landmarks found on the USGS map submitted with the application. The description must include the direction and distance in feet or miles from road intersections. If, however, the application is for a new facility or the description is inaccurate, provide an accurate description. Two examples of acceptable location descriptions are: 1) The facility is located 2,600 feet southwest of the intersection of State Highway 20 and Farm-to-Market Road 1200; 2) The facility is located approximately 1.2 miles east of the intersection of Farm-to-Market Road 345 and County Road 10. **NOTE:** a new location requires a new (separate) permit - permits are site specific.

**e. Indicate by a checkmark if the waste disposal operations within the incorporated limits of a municipality.**

Indicate by a checkmark if the waste disposal operations within the extraterritorial jurisdiction of a municipality.

- f. City where site is located or nearest city**  
Provide the name of the city closest to the facility or site. The name of the nearest city is used by the commission to include that city on the notice mailing list.
- g. Zip Code**  
Provide the zip code where the facility or site is located.
- h. County where site is located**  
Identify the county or counties where the facility or site is located.
- i. Latitude and Longitude**  
Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:  
[www.tceq.texas.gov/gis/drghelp.html#Latlong](http://www.tceq.texas.gov/gis/drghelp.html#Latlong) or <http://msrmaps.com/advfind.aspx>
- j. 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.
- k. Indian Land:**  
Indicate whether the facility is located on, or the discharge route passes through, Indian Land.
- l. Owner of treatment facility**  
Provide the name of the owner of the facility.
- m. Owner of land where treatment facility is/will be**  
Provide the name and mailing address of the owner of the land where the facility is located. If the mailing address is a P.O. Box, insert the P.O. Box number within the space provided. If the owner of the land is not the same as the applicant, a long term lease agreement for the life of the facility must be provided.
- n. Owner of the land where sludge disposal/ land application will be located:**  
Provide the name and mailing address of the owner of the disposal/application site. If the mailing address is a P.O. Box, insert the P.O. Box number within the space provided.
- o.** Indicate by a checkmark that you have provided a copy of the deed of record and a copy of the meets and bounds giving the legal description of the site.
- p.** Provide a written description that traces the flow of process wastewater to final disposition including transportation and temporary storage (e.g., holding ponds). Identify the nearest identifiable watercourse to the disposal site to which rainfall/runoff might flow if not contained.
- q. Site Drawing:**  
Attach a drawing on an 8 ½" by 11" (to scale) sheet showing the following:

- a. The boundaries of the treatment facility.
  - b. Each treatment unit and the distance from each unit to the property line.
  - c. The required buffer zone (set back) in accordance with 30 TAC Chapter 30 TAC Chapter 285.
  - d. If sludge is disposed on property owned, leased or under direct control of the permittee by land application or surface disposal, show the location of the sludge use or disposal site with a scale sufficient to show the buffer zone (set back) in accordance with 30 TAC Section 312.44, for beneficial land application, or 30 TAC Section 312.63, surface disposal.
  - e. The direction of prevailing winds, indicated by wind rose.
  - f. For process wastewater surface land disposal or evaporation, show the location of all process wastewater storage/holding/evaporation ponds and disposal area(s). The map of the site should indicate the general slope of the land.
- r.** Indicate by a checkmark if the processing facility or waste disposal activity is subject to 30 TAC Chapter 213, entitled Edwards Aquifer Rules? If YES, the applicant may be required to submit additional information concerning methods of aquifer protection.
- s.** Please cross reference all attachments to the corresponding item in the application form. For instance, when attaching a supplemental report indicate next to the appropriate question(s) on the application form where the information is to be found. Also mark the supplemental report with the application item number and page number that relates to the report. Application processing may be delayed if the reviewer cannot locate the necessary information. If utilizing an application which was obtained on disk or electronically, the application must remain in the same format and page numbering sequence as provided on hard copy by the TCEQ.

## **7. USGS MAP**

Attach a complete, **FULL-SIZED, ORIGINAL USGS TOPOGRAPHIC MAP(S)** (7 ½ minute scale) which will show an area at least 1 mile in all directions of the site and must include the following:

- The location of the facility, showing the applicant's approximate property boundaries.
- When requesting process wastewater surface land disposal, identify the location of all storage/holding/evaporation ponds and the area to be irrigated, showing the applicant's approximate property boundaries.
- When requesting sludge disposal/land application, identify the location of the disposal/land application area, showing the applicant's approximate property boundaries.

- The proximity of the facility site and/or disposal site(s) to any new or future commercial developments, housing developments, industrial sites, parks, schools and recreational areas.
- Identify all springs, public water supply wells, surface water supply intakes, water treatment plants, potable water storage facilities and sewage treatment plants within one mile of the treatment facility.

## **8. MISCELLANEOUS INFORMATION**

**a.** Attach a list identifying those persons who have represented your company or received compensation for services regarding this application and who participated on this application during their period of state employment. This list must include and applies to all individuals who participated in this application during their period of state employment either through personal involvement or because the matter was within their official responsibility. NOTE: Any violation of § 382.0591 of the Health and Safety Code, § 26.0283 of the Water Code, or § 572.054 of the Government Code, relating to conflict of interest, may result in denial of the application or filing of charges with the appropriate office..

**b/c** Please identify whether you owe any fees or penalties to the TCEQ. If fees or penalties are owed, please identify the type of fee or penalty owed, the amount past due, and the TCEQ identifying number. For penalties, please provide the TCEQ docket number. For further information on the Delinquent Fee & Penalty Protocol, see the TCEQ web site at: <http://www.tceq.texas.gov/agency/delin>.

Please note that effective September 1, 2006, the TCEQ will no longer issue, amend, or renew permits, registrations, certifications, or licenses to an entity or person who is delinquent on a penalty or fee owed to the TCEQ. The TCEQ will not declare any application administratively complete that is submitted by a person or entity who is delinquent on a fee or penalty until the fee or penalty is paid, or if on an approved installment plan, that payments under the plan are current. The TCEQ will withhold final action on an application until the fee or penalty is paid and the account is current, if after the application is considered administratively complete, we discover that the owner or entity who submitted the application is delinquent on a fee or penalty.

## **9. CERTIFICATION**

### *Signature on Application:*

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.

The person who signs the application form should be the applicant; when another person signs on behalf of the applicant, his title or relationship to the applicant must be shown. In all cases, the person signing the form must be authorized to do so by the applicant. **A person signing an application on behalf of an applicant must provide proof of authorization.** (A copy of the authorization letter from the executive officer must be included with the application)

### **IF YOU ARE A CORPORATION**

The regulation that controls who may sign an application or similar form is 30 TAC §305.44(a)(1). 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 GOVERNMENT ENTITY**

The regulation that controls who may sign an application or similar form is 30 TAC §305.44(a)(3). 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.

# Instructions for Administrative Report 1.1

**The following question only applies to new permit applications and major amendment permit applications. (This section is not applicable for a renewal permit application.)**

## 1. LANDOWNERS MAP AND INFORMATION

- a. Provide a map or drawing, with scale which includes the following information
- The approximate boundaries of the tract of land on which the sludge processing facility is located, contiguous property owned or under the control of the applicant and those landowners immediately adjacent.
  - The approximate boundaries of an irrigation or evaporation disposal area, contiguous property owned or under the control of the applicant and those landowners immediately adjacent.
  - The approximate boundaries of a sludge **land application site**, contiguous property owned or under the control of the applicant and those landowners immediately adjacent. (See Example A)
  - The approximate boundaries of a **sludge disposal or incineration site**, contiguous property owned or under the control of the applicant and the boundaries of each tract of land within a ½ mile of the border of land owned or under the control of the applicant. . (See Example B)
  - An index of the affected landowners cross-referenced in a numeric order, to the list requested for item 1.b.

## 2. BUFFER ZONE MAP

The buffer zone map shall clearly show the entire property boundaries of the property owned or under the control of the applicant; show each treatment unit; and specify the distance from each treatment unit to the applicant's property line. Identify on the map, the uses of the adjacent property.

## 3. GROUND LEVEL PHOTOGRAPHS

*New Facilities and physical expansions of facility:*

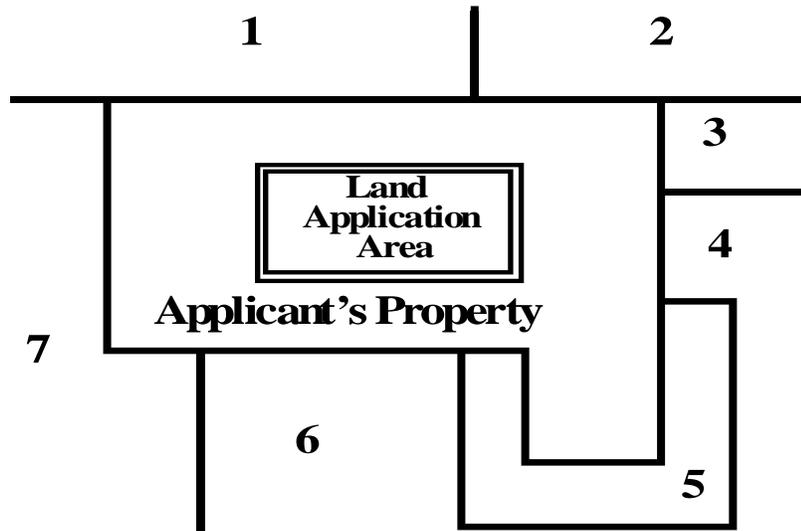
Submit a minimum of one original ground level. Clearly describe the exact location of the photos on a plot plan or map. Indicate the direction (N,E,S or W) that the photographer is facing. The photos should show a) the location of the treatment facility and b) the location of the disposal area and the general characteristics of the area of disposal.

## 4. PLANT OPERATION

Indicate by a checkmark if the plant will be operated by the applicant. If YES, list all other facilities operated. If necessary provide an attachment. If No, indicate who will be the operator in the space provided. List all other permitted and non permitted facilities currently operated by the contract source. If necessary provide an attachment.

## ADJACENT LANDOWNERS MAP - EXAMPLE A

### For Applications Proposing Beneficial Use and/or Processing Of Sludge

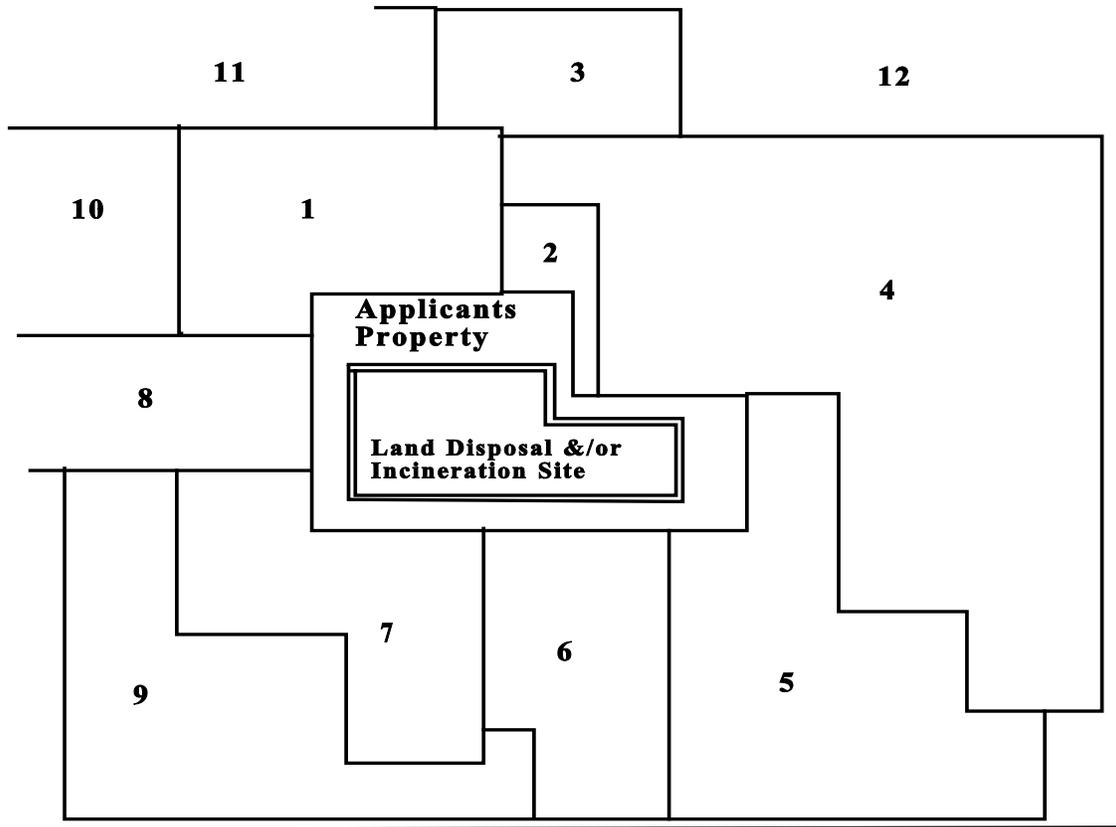


#### Landowner List - Example

- |    |  |    |   |
|----|--|----|---|
| 1. | Mr. & Mrs. Edward Smith<br>1405 Craigmont Lane<br>Waco, Texas 76710            | 2. | Mrs. Margaret Thompkins<br>5504 Justin Drive<br>Waco, Texas 76710 |
| 3. | Mr. & Mrs. Terry L. Johnson<br>Star Route 1, Box 34-A<br>Robinson, Texas 76706 |    | .....Etc.   |

## ADJACENT LANDOWNERS MAP - EXAMPLE B

### For Applications Proposing Land Disposal and/or Incineration of Sludge



Scale 1.5 inch = ½ mile

#### Landowner List - Example

- |  |   |
|--|---|
| 1. MR. AND MRS. ED SMITH<br>1405 MONTAGUE LANE<br>WACO, TEXAS 76710    | 3. MR. AND MRS. TERRY WELLS<br>ROUTE 1, BOX 34<br>WACO, TEXAS 76724 |
| 2. MRS. MATILDA THOMPSON<br>5515 NOCONA DRIVE<br>ROBINSON, TEXAS 76706 | 4. (CONTINUE LIST...)   |

# Technical Report General Application Requirements

## Sampling and Testing

All sampling and laboratory analyses required by the application must be performed in accordance with the specifications established by Title 30 of the Texas Administrative Code, Chapter 312 (Sludge Use, Disposal and Transportation) unless otherwise specified in the application.

**The applicant is responsible for instructing laboratories about minimally acceptable testing levels.** Analytical results may not be acceptable if the test method is not sensitive enough to quantify concentrations as low as the minimum analytical levels (MALs) specified in the application.

## USEPA Requirements

The State of Texas is an NPDES delegated state; therefore, an NPDES permit issued by the United States Environmental Protection Agency (USEPA) is not required in addition to a Texas Commission on Environmental Quality permit.

## Confidentiality

30 TAC, Section 305.46, Designation of Material as Confidential.

The Commission recognizes that trade secrecy and other related legal concepts give a business the right to preserve the confidentiality of certain information. The Commission is required to review each item that has been designated as confidential and to protect this information from becoming public knowledge. However, the Commission also has an obligation to provide copies of the application to other agencies and interested parties upon request. Therefore, it is requested that the applicant:

- 1) Exercise prudence in the designation of confidential material.
- 2) Not submit any confidential materials that are not absolutely necessary to the Executive Director's review of the application.
- 3) Submit designated confidential materials in a separate report from the application which is clearly identified as confidential. (Do not include such information as an attachment to the application and do not include copies with the required copies of the application.)

## Definitions:

**Active Sludge unit** - A sludge unit that has not closed and/or is still receiving sewage sludge.

**Aerobic digestion** - The biochemical decomposition of organic matter in sewage sludge into carbon dioxide, water and other by-products by microorganisms in the presence of free oxygen.

**Agricultural Management Unit (AMU)** - A portion of land application area contained within an identifiable boundary, such as a river, fence, or road, where the area has a known crop or land use history.

**Agronomic rate** - The whole sludge application rate (dry weight basis) designed: (A) to provide the amount of nitrogen needed by the crop or vegetation grown on the land; and (B) to minimize the amount of nitrogen in the sewage sludge that passes below the root zone of the crop or vegetation grown on the land to the groundwater.

**Beneficial Use** - Placement of sewage sludge onto land in a manner which complies with the requirements of Subchapter B of this chapter (relating to Land Application for Beneficial Use), and does not exceed the agronomic need or rate for a cover crop, or any metal or toxic constituent limitations which the cover crop may have. Placement of sewage sludge on the land at a rate below the optimal agronomic rate will be considered a beneficial use.

**Bulk sewage sludge** - Sewage sludge that is not sold or given away in a bag or other container for application to the land.

**CFR** - Code of Federal Regulations.

**Class A Sewage sludge** - Sewage sludge meeting one of the pathogen reduction requirement in Section 312.82(a) of this title (relating to Pathogen Reduction).

**Class B Sewage sludge** - Sewage sludge meeting one of the pathogen reduction requirements in Section 312.82(b) of this title.

**Commission** - The Texas Commission on Environmental Quality.

**Disposal** - The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid, liquid, or hazardous waste into or on any land or water so that such waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

**Domestic septage** - Either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from a grease trap.

**Domestic sewage** - Waste and wastewater from humans or household operations that is discharged to a wastewater collection system or otherwise enters a treatment works.

**Dry weight basis** - Calculated on the basis of having been dried at 105 degrees Celsius until reaching a constant mass (i.e., essentially 100% solids content).

**EPA** - The United States Environmental Protection Agency.

**Executive Director** - The executive director of the Texas Commission on Environmental Quality or his/her designee.

**Facility** - All contiguous land and fixtures, structures, or appurtenances used for storing, processing, or disposing of waste.

**Fault** - A fracture or zone of fractures in any materials along which strata, rocks, or soils on one side are displaced with respect to strata, rocks, or soil on the other side.

**Ground water** - Water below the land surface in the saturated zone.

**Industrial wastewater** - Wastewater generated in a commercial or industrial process.

**Land Application** - The spraying or spreading of sewage sludge onto the land surface; the injection of sewage sludge below the land surface; or the incorporation of sewage sludge into the soil so that the sewage sludge can either condition the soil or fertilize crops or vegetation grown in the soil.

**Liner** - Soil or synthetic material that has a hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec or less. Soil liners shall be of suitable material with more than 30% plasticity index greater than 15, compaction of greater than 95% Standard Proctor at optimum moisture content, and will be at least two feet thick placed in six inch lifts. Synthetic liners shall be a membrane with a minimum thickness of 20 mils and include an under drain leak detection system.

**Major Amendment of Permit** - A change in a substantive term, provision, requirement, or limiting parameter of a permit.

**Minor Amendment of Permit** - A change 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 or fluid to be discharged nor a material change in the pattern or place of discharge. Includes any other change to a permit issued under this chapter that will not cause a potential deterioration of quality of water in the state nor relax a standard or criterion which may result in a potential deterioration of quality of water in the state.

**Monofill** - A landfill or landfill trench in which sewage sludge is the only type of solid waste placed.

**Off-site** - Property which cannot be characterized as "on-site".

**On-site** - The same or contiguous property owned, controlled, or supervised by the same person. If the property is divided by public or private right-of-way, the access shall be by crossing the right-of-way or the right-of-way shall be under the control of the person.

**Operator** - The person responsible for the overall operation of a facility or beneficial use site.

**Owner** - The person who owns a facility or part of a facility.

**Permit** - A written document issued by the Commission which, by its conditions, may authorize the permittee to construct, install, modify or operate, in accordance with stated limitations a specified facility for waste discharge, for solid waste storage, processing or disposal, or for underground injection, and includes a waste discharge permit, solid waste permit, and an injection well permit.

**Person** - An individual, corporation, organization, government, governmental subdivision or agency, business trust, estate, partnership, or any other legal entity or association.

**Place sewage sludge or sewage sludge placed** - Disposal of sewage sludge on a surface disposal site.

**Process or Processing** - For the purposes of this chapter, these terms shall have the same meaning as "treat" or "treatment".

**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, byproduct or waste product.

**Renewal of Permit** - An extension of the effective date of a permit that authorizes the continued discharge or disposal of wastewater without changes in substantive term, provision, requirement, or limiting parameter of a permit.

**Sewage Sludge** - Solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in treatment works. Sewage sludge includes, but is not limited to, domestic septage, scum, or solids removed in primary, secondary, or advanced wastewater treatment processes; and material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

**Site** - The land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

**Sludge unit** - Land on which only sewage sludge is placed for disposal. A sludge unit shall be used for sewage sludge. This does not include land on which sewage sludge is either stored or treated.

**Sludge unit boundary** - The outermost perimeter of a surface disposal site.

**Transporter** - Any person who collects, conveys, or transports sewage sludge, water treatment plant sludge, grit trap waste, grease trap waste, chemical toilet waste and/or septage by roadway, ship, rail, or other means.

**Unstable Area** - Land subject to natural or human induced forces that may damage the structural components of an active sewage sludge unit. This includes, but is not limited to, land on which the soils are subject to mass movement.

**Vector attraction** - The characteristic of sewage sludge that attracts rodents, flies, mosquitos, or other organisms capable of transporting infectious agents.

**Water treatment sludge** - Sludge generated during the treatment of either surface water or ground water for potable use, which is not an industrial solid waste as defined in Section 335.1 of this title (relating to Definitions).

**Wetlands** - Those areas that are inundated or saturated by surface water or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

#### **ABBREVIATIONS:**

|                 |   |
|-----------------|---|
| <b>C</b>        | - degree(s) Centigrade                      |
| <b>GPD</b>      | - gallons per day                           |
| <b>gpm</b>      | - gallons per minute                        |
| <b>MGD</b>      | - million gallons per day                   |
| <b>mg/L</b>     | - milligrams per liter                      |
| <b>mg/kg</b>    | - milligrams per kilogram                   |
| <b>TAC</b>      | - Texas Administrative Code                 |
| <b>TDH</b>      | - Texas Department of Health                |
| <b>TCEQ</b>     | - Texas Commission on Environmental Quality |
| <b>umhos/cm</b> | - micro mhos per centimeter                 |
| <b>µg/L</b>     | - micrograms per liter                      |
| <b>USGS</b>     | - U.S. Geological Survey                    |

#### **TCEQ Rules Related To Sludge Permits - Title 30 Texas Administrative Code**

|             |  |
|-------------|--|
| Chapter 37  | - Financial Assurance  |
| Chapter 39  | - Public Notice  |
| Chapter 40  | - Alternative Dispute Resolution   |
| Chapter 50  | - Action on Applications   |
| Chapter 55  | - Request for Contested Case Hearings; Public Comment                    |
| Chapter 80  | - Contested Case Hearings  |
| Chapter 101 | - General Rules  |
| Chapter 106 | - Exemptions From Permitting (Air)                                       |
| Chapter 111 | - Control of Air Pollution From Visible Emissions and Particulate Matter |
| Chapter 213 | - Aquifer  |
| Chapter 238 | - Well Drillers and Water Well Pump Installers                           |
| Chapter 281 | - Applications Processing  |
| Chapter 285 | - On-Site Wastewater Treatment   |
| Chapter 305 | - Consolidated Permits   |

Chapter 309 - Effluent Standards  
Chapter 310 - Use of Reclaimed Water  
Chapter 312 - Sludge Use, Disposal and Transportation  
Chapter 317 - Design Criteria for Sewerage Systems  
Chapter 319 - General Regulations Incorporated into Permits  
Chapter 330 - Municipal Solid Waste  
Chapter 332 - Composting  
Chapter 335 - Industrial Solid Waste and Municipal Hazardous Waste

Current rules may be obtained through the TCEQ at:

<http://www.tceq.texas.gov/rules/index.html>.