

# Texas Commission on Environmental Quality

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## INTEROFFICE MEMORANDUM

**To:** Office of Chief Clerk

**DATE:** April 5, 2023

**From:** Kathy Humphreys  
Staff Attorney  
Environmental Law Division

**Subject:** Backup Documents Filed for Consideration of Hearing Requests at  
Agenda

Applicant:	Aqua Utilities, Inc.
Proposed Permit No.:	WQ0005206000
Program:	Water
Docket No.:	TCEQ Docket No. 2023-0384-IWD

Enclosed please find a copy of the following documents for inclusion in the background material for this permit application:

- Fact sheet and ED's preliminary decision
- Draft permit
- Compliance history report

STATEMENT OF BASIS/TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

**DESCRIPTION OF APPLICATION**

Applicant: Aqua Utilities, Inc.; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005206000 (EPA I.D. No. TX0137294)

Regulated activity: Industrial wastewater permit

Type of application: New permit

Request: New permit to authorize the discharge of water treatment wastes at a daily average flow not to exceed 55,000 gallons per day via Outfall 001.

Authority: Federal Clean Water Act (CWA) § 402; Texas Water Code (TWC) § 26.027; 30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, and Chapters 307 and 319; commission policies; and Environmental Protection Agency (EPA) guidelines

**EXECUTIVE DIRECTOR RECOMMENDATION**

The executive director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit will expire at midnight, five years from the date of permit issuance according to the requirements of 30 TAC § 305.127(1)(C)(i).

**REASON FOR PROJECT PROPOSED**

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit.

**PROJECT DESCRIPTION AND LOCATION**

The applicant currently operates Country View Estates Potable Water Treatment Plant (WTP), a reverse osmosis WTP.

Wastewater generated by the facility consists of water treatment wastes, including reverse osmosis reject, dilution water, and filter backwash. The wastewater is routed through a 2500 gallon blending tank where it is blended with untreated well water before being discharged via gravity through a six inch effluent line at Outfall 001. Domestic wastewater is not generated on-site and is not authorized for discharge.

The facility is located on Country Scene Road, approximately 2 miles north of Park Road 37 and 2.5 miles north of State Highway 16, northeast of the City of Helotes in Medina County, Texas 78023.

**Discharge Route and Designated Uses**

The effluent is discharged to an unnamed tributary of San Geronimo Creek, thence to San Geronimo Creek, thence to Medina River Below Medina Diversion Lake in Segment No. 1903 of the San Antonio River Basin. The unclassified receiving water uses are minimal aquatic life use for the unnamed tributary of Geronimo Creek (upstream of Indian Mound Springs) and limited aquatic life use for the unnamed tributary of Geronimo Creek (downstream of Indian Mound Springs) The designated uses for Segment No. 1903 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

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**Antidegradation Review**

In accordance with 30 TAC § 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life use are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life use downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

**Endangered Species Review**

A priority watershed of critical concern has been identified in the recharge and contributing zones of the San Antonio Segment of the Edwards Aquifer in Medina County. The Peck's cave amphipod (*Stygobromus pecki*) and Comal Springs dryopid beetle (*Stygoparnus comalensi*), endangered aquatic-dependent species, and the San Marcos salamander (*Eurycea nana*), a threatened aquatic-dependent species, have been determined to occur in the areas affected by the recharge and contributing zones of the San Antonio Segment of the Edwards Aquifer in Medina County. To make this determination for TPDES permits, TCEQ, and EPA only considered aquatic or aquatic-dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the United States Fish and Wildlife Service's (USFWS) biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. **The presence of the endangered Peck's cave amphipod and Comal Springs dryopid beetle and the threatened San Marcos Salamander requires EPA review and, if appropriate, consultation with USFWS.**

**Impaired Water Bodies**

Segment No. 1903 is currently listed on the state's inventory of impaired and threatened waters, the 2014 CWA § 303(d) list. The listing is specifically for elevated levels of bacteria from 5 miles upstream of the San Antonio River to 1.5 miles upstream of Leon Creek (AU 1903\_02). The facility does not generate domestic wastewater and there are no other known sources of bacteria within facility processes. The proposed discharge from this facility, consisting of water treatment wastes, is not expected to contribute to the above listed impairments.

**Dissolved Oxygen**

Wastewater of this character (i.e., water treatment wastes) is not expected to contain significant levels of oxygen-demanding substances. Therefore, no significant dissolved oxygen depletion is anticipated in the receiving waters as a result of this discharge.

**SUMMARY OF EFFLUENT DATA**

Self-reporting data is not available because this is an application for a new permit.

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**DRAFT PERMIT CONDITIONS**

The draft permit authorizes the discharge of water treatment wastes at a daily average flow not to exceed 0.055 MGD via Outfall 001.

Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average mg/L	Daily Maximum Mg/L
001	Flow	0.055 MGD	0.110 MGD
	Total Dissolved Solids	1484	3139
	Sulfate	260	551
	pH	6.0 SU, min	9.0 SU

OUTFALL LOCATION

Outfall	Latitude	Longitude
001	29.635801 N	98.847384 W

**Technology-Based Effluent Limitations**

Regulations in Title 40 of the Code of Federal Regulations (40 CFR) require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines. The discharge of water treatment wastes is not subject to any effluent limitation guidelines.

**Water Quality-Based Effluent Limitations**

Calculations of water quality-based effluent limitations for the protection of aquatic life and human health are presented in Appendix A. Aquatic life criteria established in Table 1 and human health criteria established in Table 2 of 30 TAC Chapter 307 are incorporated into the calculations, as are recommendations in the Water Quality Assessment Team's memorandum dated September 30, 2019. TCEQ practice for determining significant potential is to compare the reported analytical data from the facility against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70 percent of the calculated daily average water quality-based effluent limitation. Data submitted with the application for Outfall 001 was screened and no additional limitations or requirements are necessary based on the screening. However, the data is older than 12 months and Other Requirement No. 7 has been added to the draft permit to require effluent sampling and analysis upon commencement of discharge via Outfall 001. The analytical data must be submitted to the TCEQ within 90 days of commencement of discharge and will be screened against the calculated water quality based effluent limitation thresholds as described above. Based on the screening, the permit may be reopened to include additional limitations or requirements, if necessary.

**Total Dissolved Solids (TDS), Chloride, and Sulfate Screening**

The average concentration of TDS and sulfate anticipated to be in the effluent is greater than the segment criterion. Screening procedures and effluent limitations for TDS and sulfate are calculated using the methodology in the *Procedures to Implement the Texas Surface Water Quality Standards*, June 2010, and criteria in the *Texas Surface Water Quality Standards* (30 TAC Chapter 307). Detailed calculations are presented in Appendix B. Based on the screening, daily average and daily

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maximum effluent limitations for TDS and sulfate have been included to the draft permit at Outfall 001.

**pH Screening**

The draft permit includes pH limits of 6.0 – 9.0 SU at Outfall 001, which discharges into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with *Texas Surface Water Quality Standards* pH criteria.

**Whole Effluent Toxicity Testing (Biomonitoring)**

Biomonitoring requirements are not included in the draft permit.

**SUMMARY OF CHANGES FROM APPLICATION**

No changes were made from the application.

**SUMMARY OF CHANGES FROM EXISTING PERMIT**

N/A – New permit.

**BASIS FOR DRAFT PERMIT**

The following items were considered in developing the draft permit:

1. Application received on August 3, 2016, and additional information received on August 26, 2016, September 15, 2016, and March 30, 2017.
2. TCEQ Rules.
3. *Texas Surface Water Quality Standards* – 30 TAC §§ 307.1-307.10, effective March 6, 2014, as approved by EPA Region 6.
4. *Texas Surface Water Quality Standards* – 30 TAC §§ 307.1-307.10, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 standards not approved by EPA Region 6.
5. *Texas Surface Water Quality Standards* – 30 TAC §§ 307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 standards not approved by EPA Region 6.
6. *Procedures to Implement the Texas Surface Water Quality Standards* (IPs), Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
7. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.
8. Memos from the Standards Implementation Team and Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
9. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
10. EPA Effluent Guidelines: N/A.
11. Consistency with the Coastal Management Plan: N/A
12. Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures).
13. Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures).

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**PROCEDURES FOR FINAL DECISION**

When an application is declared administratively complete, the chief clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the chief clerk instructs the applicant to place a copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The chief clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent to the chief clerk, along with the executive director's preliminary decision contained in the technical summary or fact sheet. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the executive director's preliminary decision and draft permit in the public place with the application.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment and is not a contested case hearing.

After the public comment deadline, the executive director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The chief clerk then mails the executive director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the executive director's response and decision, they can request a contested case hearing or file a request to reconsider the executive director's decision within 30 days after the notice is mailed.

The executive director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the executive director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the executive director will not issue the permit and will forward the application and request to the TCEQ commissioners for their consideration at a scheduled commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the executive director calls a public meeting or the commission grants a contested case hearing as described above, the commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the commission will consider all public comments in making its decision and shall either adopt the executive director's response to public comments or prepare its own response.

For additional information about this application, contact Shannon M. Gibson at (512) 239-4284.

Shannon M. Gibson  
Shannon M. Gibson

January 23, 2020  
Date

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**Appendix A**  
**Calculated Water Quality-Based Effluent Limits**

TEXTOX MENU #7 - INTERMITTENT STREAM WITH PERENNIAL POOLS

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life  
Table 2, 2018 Texas Surface Water Quality Standards for Human Health, Incidental Fishery  
"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

**PERMIT INFORMATION**

Permittee Name:	Aqua Utilities, Inc
TPDES Permit No.:	WQ0005206000
Outfall No.:	001
Prepared by:	Shannon Gibson
Date:	January 22, 2020

**DISCHARGE INFORMATION**

Intermittent Receiving Waterbody:	unnamed tributary of San Geronimo Creek
Segment No.:	1903
TSS (mg/L):	6
pH (Standard Units):	7.4
Hardness (mg/L as CaCO <sub>3</sub> ):	240
Chloride (mg/L):	41
Effluent Flow for Aquatic Life (MGD):	0.055
Critical Low Flow [7Q2] (cfs):	0
% Effluent for Chronic Aquatic Life:	100
% Effluent for Acute Aquatic Life:	100
Effluent Flow for Human Health (MGD):	0.055
Harmonic Mean Flow (cfs):	0.1
% Effluent for Human Health:	45.974

**CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):**

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	129404.56	0.563		1.00	Assumed
Cadmium	6.60	-1.13	525640.82	0.241		1.00	Assumed
Chromium (total)	6.52	-0.93	625632.55	0.210		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	625632.55	0.210		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	278078.92	0.375		1.00	Assumed
Lead	6.45	-0.80	672169.81	0.199		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	176381.81	0.486		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	378882.21	0.306		1.00	Assumed
Zinc	6.10	-0.70	359165.10	0.317		1.00	Assumed

AQUATIC LIFE

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**CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:**

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>FW Chronic Criterion (µg/L)</i>	<i>WLAa (µg/L)</i>	<i>WLAc (µg/L)</i>	<i>LTAa (µg/L)</i>	<i>LTAc (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Aldrin	3.0	N/A	3.00	N/A	1.72	N/A	2.52	5.34
Aluminum	991	N/A	991	N/A	568	N/A	834	1765
Arsenic	340	150	604	266	346	205	301	638
Cadmium	20.1	0.452	83.4	1.88	47.8	1.44	2.12	4.49
Carbaryl	2.0	N/A	2.00	N/A	1.15	N/A	1.68	3.56
Chlordane	2.4	0.004	2.40	0.00400	1.38	0.00308	0.00452	0.00957
Chlorpyrifos	0.083	0.041	0.0830	0.0410	0.0476	0.0316	0.0464	0.0981
Chromium (+3)	1167	152	5548	722	3179	556	816	1728
Chromium (+6)	15.7	10.6	15.7	10.6	9.00	8.16	11.9	25.3
Copper	32.4	20.0	86.5	53.4	49.5	41.1	60.4	127
Cyanide (free)	45.8	10.7	45.8	10.7	26.2	8.24	12.1	25.6
4,4'-DDT	1.1	0.001	1.10	0.00100	0.630	0.000770	0.00113	0.00239
Demeton	N/A	0.1	N/A	0.100	N/A	0.0770	0.113	0.239
Diazinon	0.17	0.17	0.170	0.170	0.0974	0.131	0.143	0.302
Dicofol	59.3	19.8	59.3	19.8	34.0	15.2	22.4	47.4
Dieldrin	0.24	0.002	0.240	0.00200	0.138	0.00154	0.00226	0.00478
Diuron	210	70	210	70.0	120	53.9	79.2	167
Endosulfan I (alpha)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan II (beta)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan sulfate	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endrin	0.086	0.002	0.0860	0.00200	0.0493	0.00154	0.00226	0.00478
Guthion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Heptachlor	0.52	0.004	0.520	0.00400	0.298	0.00308	0.00452	0.00957
Hexachlorocyclohexane (Lindane)	1.126	0.08	1.13	0.0800	0.645	0.0616	0.0905	0.191
Lead	165	6.43	831	32.4	476	24.9	36.6	77.5
Malathion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Mercury	2.4	1.3	2.40	1.30	1.38	1.00	1.47	3.11
Methoxychlor	N/A	0.03	N/A	0.0300	N/A	0.0231	0.0339	0.0718
Mirex	N/A	0.001	N/A	0.00100	N/A	0.000770	0.00113	0.00239
Nickel	982	109.1	2021	225	1158	173	254	537
Nonylphenol	28	6.6	28.0	6.60	16.0	5.08	7.47	15.8
Parathion (ethyl)	0.065	0.013	0.0650	0.0130	0.0372	0.0100	0.0147	0.0311
Pentachlorophenol	13.0	10.0	13.0	10.0	7.47	7.70	10.9	23.2
Phenanthrene	30	30	30.0	30.0	17.2	23.1	25.2	53.4
Polychlorinated Biphenyls (PCBs)	2.0	0.014	2.00	0.0140	1.15	0.0108	0.0158	0.0335
Selenium	20	5	20.0	5.00	11.5	3.85	5.65	11.9
Silver	0.8	N/A	9.60	N/A	5.50	N/A	8.08	17.1
Toxaphene	0.78	0.0002	0.780	0.000200	0.447	0.000154	0.000226	0.000478
Tributyltin (TBT)	0.13	0.024	0.130	0.0240	0.0745	0.0185	0.0271	0.0574
2,4,5 Trichlorophenol	136	64	136	64.0	77.9	49.3	72.4	153
Zinc	246	248	776	783	445	603	653	1383

**HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)**

**CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:**

<i>Parameter</i>	<i>Incidental Fish Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	1150	2501	2326	3419	7234
Aldrin	1.147E-04	0.000249	0.000232	0.000341	0.000721
Anthracene	13170	28646	26641	39162	82854
Antimony	10710	23296	21665	31847	67377

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HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Incidental Fish Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	5810	12637	11753	17276	36551
Benzidine	1.07	2.33	2.16	3.18	6.73
Benzo(a)anthracene	0.25	0.544	0.506	0.743	1.57
Benzo(a)pyrene	0.025	0.0544	0.0506	0.0743	0.157
Bis(chloromethyl)ether	2.745	5.97	5.55	8.16	17.2
Bis(2-chloroethyl)ether	428.3	932	866	1273	2694
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	75.5	164	153	224	474
Bromodichloromethane [Dichlorobromomethane]	2750	5982	5563	8177	17300
Bromoform [Tribromomethane]	10600	23056	21442	31520	66685
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	460	1001	931	1367	2893
Chlordane	0.025	0.0544	0.0506	0.0743	0.157
Chlorobenzene	27370	59533	55366	81387	172187
Chlorodibromomethane [Dibromochloromethane]	1830	3980	3702	5441	11512
Chloroform [Trichloromethane]	76970	167420	155700	228879	484227
Chromium (hexavalent)	5020	10919	10155	14927	31581
Chrysene	25.2	54.8	51.0	74.9	158
Cresols [Methylphenols]	93010	202309	188147	276576	585137
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.02	0.0435	0.0405	0.0594	0.125
4,4'-DDE	0.0013	0.00283	0.00263	0.00386	0.00817
4,4'-DDT	0.004	0.00870	0.00809	0.0118	0.0251
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	4730	10288	9568	14065	29757
1,2-Dibromoethane [Ethylene Dibromide]	42.4	92.2	85.8	126	266
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	5950	12942	12036	17693	37432
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	32990	71757	66734	98099	207544
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	22.4	48.7	45.3	66.6	140
1,2-Dichloroethane	3640	7917	7363	10823	22899
1,1-Dichloroethylene [1,1-Dichloroethene]	551140	1198800	1114884	1638878	3467288
Dichloromethane [Methylene Chloride]	133330	290010	269709	396472	838795
1,2-Dichloropropane	2590	5634	5239	7701	16294
1,3-Dichloropropene [1,3-Dichloropropylene]	1190	2588	2407	3538	7486
Dicofol [Kelthane]	3	6.53	6.07	8.92	18.8
Dieldrin	2.0E-04	0.000435	0.000405	0.000594	0.00125
2,4-Dimethylphenol	84360	183494	170649	250854	530718
Di- <i>n</i> -Butyl Phthalate	924	2010	1869	2747	5812
Dioxins/Furans [TCDD Equivalents]	7.97E-07	0.0000017	0.0000016	0.0000024	0.0000050
Endrin	0.2	0.435	0.405	0.594	1.25
Epichlorohydrin	20130	43785	40720	59858	126640
Ethylbenzene	18670	40610	37767	55517	117455
Ethylene Glycol	1.68E+08	365421382	339841885	499567571	1056908262
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.001	0.00218	0.00202	0.00297	0.00629
Heptachlor Epoxide	0.0029	0.00631	0.00587	0.00862	0.0182
Hexachlorobenzene	0.0068	0.0148	0.0138	0.0202	0.0427
Hexachlorobutadiene	2.2	4.79	4.45	6.54	13.8

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
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TPDES Permit No. WQ0005206000

HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Incidental Fish Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Hexachlorocyclohexane ( <i>alpha</i> )	0.084	0.183	0.170	0.249	0.528
Hexachlorocyclohexane ( <i>beta</i> )	2.6	5.66	5.26	7.73	16.3
Hexachlorocyclohexane ( <i>gamma</i> ) [Lindane]	3.41	7.42	6.90	10.1	21.4
Hexachlorocyclopentadiene	116	252	235	344	729
Hexachloroethane	23.3	50.7	47.1	69.2	146
Hexachlorophene	29	63.1	58.7	86.2	182
4,4'-Isopropylidenediphenol [Bisphenol A]	159820	347629	323295	475243	1005446
Lead	38.3	419	390	573	1212
Mercury	0.122	0.265	0.247	0.362	0.767
Methoxychlor	30	65.3	60.7	89.2	188
Methyl Ethyl Ketone	9.92E+06	21577263	20066854	29498275	62407916
Methyl <i>tert</i> -butyl ether [MTBE]	104820	227997	212037	311694	659435
Nickel	11400	51038	47466	69774	147618
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	18730	40740	37888	55695	117832
N-Nitrosodiethylamine	21	45.7	42.5	62.4	132
N-Nitroso-di- <i>n</i> -Butylamine	42	91.4	85.0	124	264
Pentachlorobenzene	3.55	7.72	7.18	10.5	22.3
Pentachlorophenol	2.9	6.31	5.87	8.62	18.2
Polychlorinated Biphenyls [PCBs]	6.40E-03	0.0139	0.0129	0.0190	0.0402
Pyridine	9470	20598	19157	28160	59576
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.4	5.22	4.85	7.13	15.0
1,1,2,2-Tetrachloroethane	263.5	573	533	783	1657
Tetrachloroethylene [Tetrachloroethylene]	2800	6090	5664	8326	17615
Thallium	2.3	5.00	4.65	6.83	14.4
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.11	0.239	0.223	0.327	0.692
2,4,5-TP [Silvex]	3690	8026	7464	10972	23214
1,1,1-Trichloroethane	7843540	17060698	15866449	23323679	49344656
1,1,2-Trichloroethane	1660	3611	3358	4936	10443
Trichloroethylene [Trichloroethene]	719	1564	1454	2138	4523
2,4,5-Trichlorophenol	18670	40610	37767	55517	117455
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	165	359	334	490	1038

CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

<i>Aquatic Life Parameter</i>	<i>70% of Daily Avg. (µg/L)</i>	<i>85% of Daily Avg. (µg/L)</i>
Aldrin	1.76	2.14
Aluminum	584	709
Arsenic	211	256
Cadmium	1.48	1.80
Carbaryl	1.17	1.43
Chlordane	0.00316	0.00384
Chlorpyrifos	0.0324	0.0394
Chromium (+3)	571	694
Chromium (+6)	8.39	10.1

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
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<b>Aquatic Life</b>	<b>70% of Daily Avg.</b>	<b>85% of Daily Avg.</b>
<b>Parameter</b>	<b>(µg/L)</b>	<b>(µg/L)</b>
Copper	42.3	51.3
Cyanide (free)	8.47	10.2
4,4'-DDT	0.000792	0.000962
Demeton	0.0792	0.0962
Diazinon	0.100	0.121
Dicofol	15.6	19.0
Dieldrin	0.00158	0.00192
Diuron	55.4	67.3
Endosulfan (alpha)	0.0443	0.0538
Endosulfan (beta)	0.0443	0.0538
Endosulfan sulfate	0.0443	0.0538
Endrin	0.00158	0.00192
Guthion	0.00792	0.00962
Heptachlor	0.00316	0.00384
Hexachlorocyclohexane (Lindane)	0.0633	0.0769
Lead	25.6	31.1
Malathion	0.00792	0.00962
Mercury	1.03	1.25
Methoxychlor	0.0237	0.0288
Mirex	0.000792	0.000962
Nickel	177	215
Nonylphenol	5.22	6.34
Parathion (ethyl)	0.0103	0.0125
Pentachlorophenol	7.68	9.33
Phenanthrene	17.6	21.4
Polychlorinated Biphenyls (PCBs)	0.0110	0.0134
Selenium	3.96	4.81
Silver	5.66	6.87
Toxaphene	0.000158	0.000192
Tributyltin (TBT)	0.0190	0.0230
2,4,5 Trichlorophenol	50.7	61.5
Zinc	457	555

<b>Human Health</b>	<b>70% of Daily Avg.</b>	<b>85% of Daily Avg.</b>
<b>Parameter</b>	<b>(µg/L)</b>	<b>(µg/L)</b>
Acrylonitrile	2393	2906
Aldrin	0.000238	0.000289
Anthracene	27413	33288
Antimony	22293	27070
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	12093	14685
Benzidine	2.22	2.70
Benzo(a)anthracene	0.520	0.631
Benzo(a)pyrene	0.0520	0.0631
Bis(chloromethyl)ether	5.71	6.93
Bis(2-chloroethyl)ether	891	1082
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	157	190
Bromodichloromethane [Dichlorobromomethane]	5724	6950
Bromoform [Tribromomethane]	22064	26792

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Human Health	70% of Daily Avg.	85% of Daily Avg.
<i>Parameter</i>	( $\mu\text{g/L}$ )	( $\mu\text{g/L}$ )
Cadmium	N/A	N/A
Carbon Tetrachloride	957	1162
Chlordane	0.0520	0.0631
Chlorobenzene	56971	69179
Chlorodibromomethane [Dibromochloromethane]	3809	4625
Chloroform [Trichloromethane]	160215	194547
Chromium (hexavalent)	10449	12688
Chrysene	52.4	63.6
Cresols [Methylphenols]	193603	235089
Cyanide (free)	N/A	N/A
4,4'-DDD	0.0416	0.0505
4,4'-DDE	0.00270	0.00328
4,4'-DDT	0.00832	0.0101
2,4'-D	N/A	N/A
Danitol [Fenpropathrin]	9845	11955
1,2-Dibromoethane [Ethylene Dibromide]	88.2	107
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	12385	15039
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	68669	83384
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	46.6	56.6
1,2-Dichloroethane	7576	9200
1,1-Dichloroethylene [1,1-Dichloroethene]	1147215	1393047
Dichloromethane [Methylene Chloride]	277530	337001
1,2-Dichloropropane	5391	6546
1,3-Dichloropropene [1,3-Dichloropropylene]	2477	3007
Dicofol [Kelthane]	6.24	7.58
Dieldrin	0.000416	0.000505
2,4-Dimethylphenol	175598	213226
Di- <i>n</i> -Butyl Phthalate	1923	2335
Dioxins/Furans [TCDD Equivalents]	0.0000017	0.0000020
Endrin	0.416	0.505
Epichlorohydrin	41901	50880
Ethylbenzene	38862	47189
Ethylene Glycol	349697299	424632435
Fluoride	N/A	N/A
Heptachlor	0.00208	0.00252
Heptachlor Epoxide	0.00603	0.00732
Hexachlorobenzene	0.0141	0.0171
Hexachlorobutadiene	4.57	5.56
Hexachlorocyclohexane ( <i>alpha</i> )	0.174	0.212
Hexachlorocyclohexane ( <i>beta</i> )	5.41	6.57
Hexachlorocyclohexane ( <i>gamma</i> ) [Lindane]	7.09	8.61
Hexachlorocyclopentadiene	241	293
Hexachloroethane	48.4	58.8
Hexachlorophene	60.3	73.2
4,4'-Isopropylidenediphenol [Bisphenol A]	332670	403956
Lead	401	487
Mercury	0.253	0.308
Methoxychlor	62.4	75.8
Methyl Ethyl Ketone	20648792	25073534
Methyl <i>tert</i> -butyl ether [MTBE]	218186	264940

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
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<b>Human Health</b>	<i>70% of Daily Avg.</i>	<i>85% of Daily Avg.</i>
<b>Parameter</b>	<b>(µg/L)</b>	<b>(µg/L)</b>
Nickel	48842	59308
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	38987	47341
N-Nitrosodiethylamine	43.7	53.0
N-Nitroso-di-n-Butylamine	87.4	106
Pentachlorobenzene	7.38	8.97
Pentachlorophenol	6.03	7.32
Polychlorinated Biphenyls [PCBs]	0.0133	0.0161
Pyridine	19712	23936
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	4.99	6.06
1,1,2,2-Tetrachloroethane	548	666
Tetrachloroethylene [Tetrachloroethylene]	5828	7077
Thallium	4.78	5.81
Toluene	N/A	N/A
Toxaphene	0.228	0.278
2,4,5-TP [Silvex]	7680	9326
1,1,1-Trichloroethane	16326575	19825127
1,1,2-Trichloroethane	3455	4195
Trichloroethylene [Trichloroethene]	1496	1817
2,4,5-Trichlorophenol	38862	47189
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	343	417

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**Appendix B**  
**TDS, Chloride, and Sulfate Screening Calculations**  
**Menu 7 - Discharge to an Intermittent Stream with Perennial Pools**

**Screen the Intermittent Characteristics of the Stream**

**Applicant Name:** Aqua Utilities, Inc.  
**Permit Number, Outfall:** WQ0005206000, 001  
**Segment Number:** 1903

<b>Enter values needed for screening:</b>	<b>Data Source (edit if different)</b>	
TDS CC - segment criterion - TDS	<u>700</u> mg/L	2014 TSWQS, Appendix A
Cl CC - segment criterion - chloride	<u>120</u> mg/L	2014 TSWQS, Appendix A
SO4 CC - segment criterion - sulfate	<u>120</u> mg/L	2014 TSWQS, Appendix A
TDS CE - average effluent concentration - TDS	<u>4000</u> mg/L	Permit application
Cl CE - average effluent concentration - chloride	<u>34.6</u> mg/L	Permit application
SO4 CE - average effluent concentration - sulfate	<u>2470</u> mg/L	Permit application

**TDS Screening**

The TDS screening value is determined by first calculating an initial TDS concentration, CTDS, as follows:

$$CTDS = (TDS\ CC / 500\ mg/L) * 2,500\ mg/L$$

Where:	<p>CTDS = TDS concentration used to determine C<sub>sv</sub> screening value</p> <p>TDS CC = TDS criterion at the first downstream segment</p> <p>500 mg/L = the median TDS concentration in Texas streams</p> <p>2,500 mg/L = the minimum TDS screening value</p>
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$$CTDS = 3500\ mg/L$$

The next step is to use the initial CTDS to set the actual TDS screening value, TDS C<sub>sv</sub>, using the following table:

If CTDS	Then TDS C <sub>sv</sub>
≤ 2,500 mg/L	= 2,500 mg/L
> 2,500 mg/L but ≤ 6,000 mg/L	= CTDS
> 6,000 mg/L	= 6,000 mg/L

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Some specific types of intermittent streams have alternative screening values (Csv):

Specific Type of Intermittent Stream	If CTDS is	Default Csv =
Dry except for short-term flow in immediate response to rainfall.	< 4,000 mg/L	4,000 mg/L
	≥ 4,000 mg/L	CTDS
Constructed ditch conveying stormwater and wastewater, considered water in the state.	< 4,000 mg/L	4,000 mg/L
	≥ 4,000 mg/L	CTDS
Within 3 miles of tidal waters.	—	6,000 mg/L

Once TDS Csv is established, the next step is to compare the effluent TDS concentration, TDS CE, to the screening value. Control measures, which may include effluent limitations, are considered for TDS if the effluent TDS is greater than the screening value.

Values needed for Screening	Data Source
TDS CE - average effluent TDS concentration	4000 mg/L Permit application
TDS Csv - TDS screening value	<b>3500</b> mg/L Determined above

No control measures needed if:	4000	≤	3500
Consider control measures if:	4000	>	3500

**Consider control measures for TDS**

**Chloride Screening**

If TDS limits are necessary or there are concerns about chloride, additional screening can be performed for chloride. First calculate the screening value for chloride, Cl Csv, as follows:

$$\text{Cl Csv} = (\text{TDS Csv} / \text{TDS CC}) * \text{Cl CC}$$

Where:	Cl Csv = chloride screening value
	TDS Csv = TDS screening value
	TDS CC = TDS criterion at the first downstream segment
	Cl CC - chloride criterion at the first downstream segment

$$\text{Cl Csv} = \mathbf{600} \text{ mg/L}$$

Once the Cl Csv is established, the next step is to compare the effluent chloride concentration, Cl CE, to the screening value. Control measures, which may include effluent limitations, are considered for chloride if the effluent chloride is greater than the screening value.

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Values needed for Screening	Data Source
Cl CE - average effluent chloride concentration	34.6 mg/L Permit application
Cl Csv - chloride screening value	600 mg/L Determined above

No control measures needed if:                      34.6            ≤            600  
 Consider control measures if:                        34.6            >            600

**No control measures needed for chloride**

**Sulfate Screening**

If TDS limits are necessary or there are concerns about sulfate, additional screening can be performed for sulfate. First calculate the screening value for sulfate, SO<sub>4</sub> Csv, as follows:

$$\text{SO}_4 \text{ Csv} = (\text{TDS Csv} / \text{TDS CC}) * \text{SO}_4 \text{ CC}$$

Where:	SO <sub>4</sub> Csv = sulfate screening value TDS Csv = TDS screening value TDS CC = TDS criterion at the first downstream segment SO <sub>4</sub> CC - sulfate criterion at the first downstream segment
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$$\text{SO}_4 \text{ Csv} = \quad \mathbf{600} \quad \text{mg/L}$$

Once the SO<sub>4</sub> Csv is established, the next step is to compare the effluent sulfate concentration, SO<sub>4</sub> CE, to the screening value. Control measures, which may include effluent limitations, are considered for sulfate if the effluent sulfate is greater than the screening value.

Values needed for Screening	Data Source
SO <sub>4</sub> CE - average effluent sulfate concentration	2470 mg/L Permit application
SO <sub>4</sub> Csv - sulfate screening value	600 mg/L Determined above

No control measures needed if:                      2470            ≤            600  
 Consider control measures if:                        2470            >            600

**Consider control measures for sulfate**

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**Screen the Perennial Pool Characteristics of the Stream**

**Applicant Name:** Aqua Utilities, Inc.  
**Permit Number, Outfall:** WQ0005206000, 001  
**Segment Number:** 1903

Enter values needed for screening:			Data Source (edit if different)
QE - Average effluent flow	<u>0.055</u>	MGD	
QS - Stream harmonic mean flow	<u>0.10</u>	cfs	Critical conditions memo
QE - Average effluent flow	<u>0.0851</u>	cfs	Calculated
CA - TDS - ambient segment concentration	<u>372</u>	mg/L	2010 IP, Appendix D
CA - chloride - ambient segment concentration	<u>41</u>	mg/L	2010 IP, Appendix D
CA - sulfate - ambient segment concentration	<u>60</u>	mg/L	2010 IP, Appendix D
CC - TDS - segment criterion	<u>700</u>	mg/L	2014 TSWQS, Appendix A
CC - chloride - segment criterion	<u>120</u>	mg/L	2014 TSWQS, Appendix A
CC - sulfate - segment criterion	<u>120</u>	mg/L	2014 TSWQS, Appendix A
CE - TDS - average effluent concentration	<u>4000</u>	mg/L	Permit application
CE - chloride - average effluent concentration	<u>34.6</u>	mg/L	Permit application
CE - sulfate - average effluent concentration	<u>2470</u>	mg/L	Permit application

**Screening Equation**

$$CC \geq [(QS)(CA) + (QE)(CE)]/[QE + QS]$$

**No further screening for TDS needed if:**                    **2039.95**        ≤        **700**  
**No further screening for chloride needed if:**                    **38.06**        ≤        **120**  
**No further screening for sulfate needed if:**                    **1167.98**        ≤        **120**

**Permit Limit Calculations**

**TDS**

Calculate the WLA	WLA = [CC(QE+QS) - (QS)(CA)]/QE	<b>1085.44</b>
Calculate the LTA	LTA = WLA * 0.93	<b>1009.46</b>
Calculate the daily average	Daily Avg. = LTA * 1.47	<b>1483.90</b>
Calculate the daily maximum	Daily Max. = LTA * 3.11	<b>3139.42</b>
Calculate 70% of the daily average	70% of Daily Avg. =	<b>1038.73</b>
Calculate 85% of the daily average	85% of Daily Avg. =	<b>1261.32</b>

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
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<b>No permit limitations needed if:</b>	<b>4000</b>	<b>≤</b>	<b>1038.73</b>		
<b>Reporting needed if:</b>	<b>4000</b>	<b>&gt;</b>	<b>1038.73</b>	<b>but ≤</b>	<b>1261.32</b>
<b>Permit limits may be needed if:</b>	<b>4000</b>	<b>&gt;</b>	<b>1261.32</b>		

**Consider control measures for TDS**

**Chloride**

Calculate the WLA	WLA = $[CC(QE+QS) - (QS)(CA)]/QE$	<b>212.83</b>
Calculate the LTA	LTA = WLA * 0.93	<b>197.94</b>
Calculate the daily average	Daily Avg. = LTA * 1.47	<b>290.97</b>
Calculate the daily maximum	Daily Max. = LTA * 3.11	<b>615.58</b>
Calculate 70% of the daily average	70% of Daily Avg. =	<b>203.68</b>
Calculate 85% of the daily average	85% of Daily Avg. =	<b>247.32</b>

<b>No permit limitations needed if:</b>	<b>34.6</b>	<b>≤</b>	<b>203.68</b>		
<b>Reporting needed if:</b>	<b>34.6</b>	<b>&gt;</b>	<b>203.68</b>	<b>but ≤</b>	<b>247.32</b>
<b>Permit limits may be needed if:</b>	<b>34.6</b>	<b>&gt;</b>	<b>247.32</b>		

**No control measures needed for chloride**

**Sulfate**

Calculate the WLA	WLA = $[CC(QE+QS) - (QS)(CA)]/QE$	<b>190.51</b>
Calculate the LTA	LTA = WLA * 0.93	<b>177.17</b>
Calculate the daily average	Daily Avg. = LTA * 1.47	<b>260.44</b>
Calculate the daily maximum	Daily Max. = LTA * 3.11	<b>551.00</b>
Calculate 70% of the daily average	70% of Daily Avg. =	<b>182.31</b>
Calculate 85% of the daily average	85% of Daily Avg. =	<b>221.38</b>

<b>No permit limitations needed if:</b>	<b>2470</b>	<b>≤</b>	<b>182.31</b>		
<b>Reporting needed if:</b>	<b>2470</b>	<b>&gt;</b>	<b>182.31</b>	<b>but ≤</b>	<b>221.38</b>
<b>Permit limits may be needed if:</b>	<b>2470</b>	<b>&gt;</b>	<b>221.38</b>		

**Consider control measures for sulfate**



TPDES PERMIT NO.  
WQ0005206000  
*[For TCEQ office use only -  
EPA I.D. No. TX0137294]*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES

under provisions of  
Section 402 of the Clean Water Act  
and Chapter 26 of the Texas Water Code

Aqua Utilities, Inc.

whose mailing address is

1106 Clayton Lane, Suite 400W  
Austin, Texas 78723

is authorized to treat and discharge wastes from Country View Estates Potable Water Treatment Plant (WTP), a reverse osmosis WTP (SIC 4941)

located on Country Scene Road, approximately 2 miles north of Park Road 37 and 2.5 miles north of State Highway 16, northeast of the City of Helotes, Medina County, Texas 78023

to an unnamed tributary of San Geronimo Creek, thence to San Geronimo Creek, thence to Medina River Below Medina Diversion Lake in Segment No. 1903 of the San Antonio River Basin

only according to effluent limitations, monitoring requirements, and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, five years from the date of permit issuance.

ISSUED DATE:

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For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge water treatment wastes<sup>1</sup> subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.055 million gallons per day (MGD). The daily maximum flow shall not exceed 0.110 MGD.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	0.055 MGD	0.110 MGD	N/A	Continuous <sup>2</sup>	Meter
Total Dissolved Solids	1484	3139	3139	1/week <sup>2</sup>	Grab
Sulfate	260	551	551	1/week <sup>2</sup>	Grab

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day<sup>2</sup> by grab sample.
3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples must be taken at the following location: At Outfall 001, following discharge from the blending tank and prior to entering the receiving water.

<sup>1</sup> See Other Requirement No. 3.

<sup>2</sup> When discharge occurs.

**DEFINITIONS AND STANDARD PERMIT CONDITIONS**

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§ 305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§ 5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§ 361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code § 26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

**1. Flow Measurements**

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

**2. Concentration Measurements**

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
  - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
  - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.
- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total

mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the sampling day.

The “daily discharge” determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the “daily discharge” determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the  $n$ th root of the product of all measurements made in a calendar month, where  $n$  equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
  - f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as  $(\text{Flow, MGD} \times \text{Concentration, mg/L} \times 8.34)$ .
  - g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.
3. Sample Type
- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9(c).
  - b. Grab sample - an individual sample collected in less than 15 minutes.
4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
5. The term “sewage sludge” is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

## MONITORING AND REPORTING REQUIREMENTS

### 1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§ 319.4 - 319.12. Unless otherwise specified, effluent monitoring data shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

## 2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§ 319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

## 3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR § 264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
  - i. date, time, and place of sample or measurement;
  - ii. identity of individual who collected the sample or made the measurement;
  - iii. date and time of analysis;
  - iv. identity of the individual and laboratory who performed the analysis;
  - v. the technique or method of analysis; and
  - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

## 4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

## 5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

## 6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the regional office and the Enforcement Division (MC 224).

## 7. Noncompliance Notification

- a. In accordance with 30 TAC § 305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the regional office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
  - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
    - i. unauthorized discharges as defined in Permit Condition 2(g).
    - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
    - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
  - c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the regional office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
  - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§ 35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

## 9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
  - i. one hundred micrograms per liter (100 µg/L);
  - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
  - iv. the level established by the TCEQ.

- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
  - i. five hundred micrograms per liter (500 µg/L);
  - ii. one milligram per liter (1 mg/L) for antimony;
  - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
  - iv. the level established by the TCEQ.

#### 10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

#### 11. All POTWs must provide adequate notice to the Executive Director of the following:

- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA Chapters 301 or 306 if it were directly discharging those pollutants;
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. for the purpose of this paragraph, adequate notice shall include information on:
  - i. the quality and quantity of effluent introduced into the POTW; and
  - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

### PERMIT CONDITIONS

#### 1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
  - i. violation of any terms or conditions of this permit;
  - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
  - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

#### 2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment,

revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§ 305.62 and 305.66 and TWC § 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC § 305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA Chapters 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA Chapter 402, or any requirement imposed in a pretreatment program approved under the CWA §§ 402(a)(3) or 402(b)(8).

### 3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC § 7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

#### 4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
  - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC § 305.534 (relating to New Sources and New Dischargers); or
  - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
  - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC § 26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA § 307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA § 307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

#### 5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC § 305.64 (relating to Transfer of Permits) and 30 TAC § 50.133 (relating to Executive Director Action on Application or WQMP update).

#### 6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

#### 7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

#### 8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

#### 9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

#### 10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

#### 11. Notice of Bankruptcy.

- a. Each permittee shall notify the executive director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
  - i. the permittee;
  - ii. an entity (as that term is defined in 11 USC, § 101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
  - iii. an affiliate (as that term is defined in 11 USC, § 101(2)) of the permittee.
- b. This notification must indicate:
  - i. the name of the permittee;
  - ii. the permit number(s);
  - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
  - iv. the date of filing of the petition.

### **OPERATIONAL REQUIREMENTS**

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§ 319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:
  - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
  - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC § 7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC § 1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.
  - a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
  - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
  10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
  11. Facilities that generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:
    - a. Any solid waste, as defined in 30 TAC § 335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
    - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
    - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
    - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.
    - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.

- f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
  - i. volume of waste and date(s) generated from treatment process;
  - ii. volume of waste disposed of on-site or shipped off-site;
  - iii. date(s) of disposal;
  - iv. identity of hauler or transporter;
  - v. location of disposal site; and
  - vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

- 12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

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**OTHER REQUIREMENTS**

1. Violations of daily maximum limitations for the following pollutants must be reported orally or by facsimile to TCEQ Region 13 Office within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 13 Office and Compliance Monitoring Section (MC 224): None.
2. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.
3. The term *water treatment wastes* include but is not limited to: cold lime water treatment wastes, demineralizer backwash, filter backwash, ion exchange water treatment system wastes, membrane regeneration wastes, reverse osmosis reject water, and dilution water.
4. There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.
5. Wastewater discharged via Outfall 001 must be sampled and analyzed as directed below for those parameters listed in Tables 1, 2, and 3 of Attachment A of this permit. Analytical testing for Outfall 001 must be completed within 60 days of initial discharge under the issued permit. Results of the analytical testing must be submitted within 90 days of initial discharge under the issued permit to the TCEQ Industrials Permits Team (MC 148). Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

Table 1: Analysis is required for all pollutants. Wastewater must be sampled and analyzed for those parameters listed in Table 1 for a minimum of four sampling events which are at least one week apart.

Table 2: Analysis is required for those pollutants in Table 2 that are used at the facility that could in any way contribute to contamination in the Outfall 001 discharge. Sampling and analysis must be conducted for a minimum of one sampling event.

Table 3: For all pollutants listed, the permittee shall indicate whether each pollutant is believed to be present or absent in the discharge. Sampling and analysis must be conducted for each pollutant believed present, for a minimum of four sampling events which are at least one week apart.

The permittee shall report the flow at Outfall 001 in million gallons per day (MGD) in the attachment. The permittee shall indicate on each table whether the samples are composite (C) or grab (G) by checking the appropriate box.

**Attachment A**

**Table 1**

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (mg/L)				
		Samp.	Samp.	Samp.	Samp.	Average
Pollutant						
Flow (MGD)						
BOD (5-day)						
CBOD (5-day)						
Chemical Oxygen Demand						
Total Organic Carbon						
Dissolved Oxygen						
Ammonia Nitrogen						
Total Suspended Solids						
Nitrate Nitrogen						
Total Organic Nitrogen						
Total Phosphorus						
Oil and Grease						
Total Residual Chlorine						
Total Dissolved Solids						
Sulfate						
Chloride						
Fluoride						
Total Alkalinity (mg/L as CaCO <sub>3</sub> )						
Temperature (°F)						
pH (Standard Units; min/max)						

Pollutant	Effluent Concentration (µg/L) <sup>1</sup>					MAL <sup>2</sup> (µg/L)
	Samp. 1	Samp. 2	Samp. 3	Samp. 4	Average	
Aluminum, Total						2.5
Antimony, Total						5
Arsenic, Total						0.5
Barium, Total						3
Beryllium, Total						0.5
Cadmium, Total						1
Chromium, Total						3
Chromium, Hexavalent						3
Chromium, Trivalent						N/A
Copper, Total						2
Cyanide, Free						10
Lead, Total						0.5
Mercury, Total						0.005
Nickel, Total						2
Selenium, Total						5
Silver, Total						0.5
Thallium, Total						0.5
Zinc, Total						5.0

<sup>1</sup> Indicate units if different than µg/L.

<sup>2</sup> Minimum Analytical Level.

**Table 2**

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 (µg/L) <sup>2</sup>	Samp. 2 (µg/L) <sup>2</sup>	Samp. 3 (µg/L) <sup>2</sup>	Samp. 4 (µg/L) <sup>2</sup>	Avg. (µg/L) <sup>2</sup>	MAL <sup>1</sup> (µg/L)
Pollutant							
Acrolein							0.7
Acrylonitrile							50
Anthracene							10
Benzene							10
Benzidine							50
Benzo(a)anthracene							5
Benzo(a)pyrene							5
Bis(2-chloroethyl)ether							10
Bis(2-ethylhexyl) phthalate							10
Bromodichloromethane							10
Bromoform							10
Carbon Tetrachloride							2
Chlorobenzene							10
Chlorodibromomethane							10
Chloroform							10
Chrysene							5
Cresols							10
1,2-Dibromoethane							10
<i>m</i> -Dichlorobenzene							10
<i>o</i> -Dichlorobenzene							10
<i>p</i> -Dichlorobenzene							10
3,3'-Dichlorobenzidine							5
1,2-Dichloroethane							10
1,1-Dichloroethylene							10
Dichloromethane							20
1,2-Dichloropropane							10
1,3-Dichloropropylene							10
2,4-Dimethylphenol							10
Di- <i>n</i> -Butyl Phthalate							10
Epichlorohydrin							1,000
Ethylbenzene							10
Ethylene Glycol							—
Fluoride							500
Hexachlorobenzene							5
Hexachlorobutadiene							10
Hexachlorocyclopentadiene							10
Hexachloroethane							20
4,4'-Isopropylidenediphenol [bisphenol A]							—
Methyl Ethyl Ketone							50
Methyl <i>tert</i> -butyl ether [MTBE]							—
Nitrobenzene							10
<i>N</i> -Nitrosodiethylamine							20
<i>N</i> -Nitroso-di- <i>n</i> -Butylamine							20
Nonylphenol							333
Pentachlorobenzene							20
Pentachlorophenol							5
Phenanthrene							10

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 ( $\mu\text{g/L}$ ) <sup>2</sup>	Samp. 2 ( $\mu\text{g/L}$ ) <sup>2</sup>	Samp. 3 ( $\mu\text{g/L}$ ) <sup>2</sup>	Samp. 4 ( $\mu\text{g/L}$ ) <sup>2</sup>	Avg. ( $\mu\text{g/L}$ ) <sup>2</sup>	MAL <sup>1</sup> ( $\mu\text{g/L}$ )
Pollutant							
Polychlorinated Biphenyls (PCBs) <sup>3</sup>							0.2
Pyridine							20
1,2,4,5-Tetrachlorobenzene							20
1,1,2,2-Tetrachloroethane							10
Tetrachloroethylene							10
Toluene							10
1,1,1-Trichloroethane							10
1,1,2-Trichloroethane							10
Trichloroethylene							10
2,4,5-Trichlorophenol							50
TTHM (Total Trihalomethanes)							10
Vinyl Chloride							10

**Table 3**

Outfall No.	<input type="checkbox"/> C <input type="checkbox"/> G	Believed Present	Believed Absent	Average Concentration (mg/L)	Maximum Concentration (mg/L)	No. of Samples	MAL (mg/L)
Pollutant							
Bromide							0.400
Color (PCU)							—
Nitrate-Nitrite (as N)							—
Sulfide (as S)							—
Sulfite (as SO <sub>3</sub> )							—
Surfactants							—
Boron, total							0.020
Cobalt, total							0.0003
Iron, total							0.007
Magnesium, total							0.020
Manganese, total							0.0005
Molybdenum, total							0.001
Tin, total							0.005
Titanium, total							0.030

<sup>3</sup> Total of detects for PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016. If all values are non-detects, enter the highest non-detect preceded by a "<" symbol.

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# Compliance History Report

Compliance History Report for CN602787509, RN105571004, Rating Year 2022 which includes Compliance History (CH) components from September 1, 2017, through August 31, 2022.

<b>Customer, Respondent, or Owner/Operator:</b>	CN602787509, Aqua Utilities, Inc.	<b>Classification:</b> SATISFACTORY	<b>Rating:</b> 53.65
<b>Regulated Entity:</b>	RN105571004, COUNTRY VIEW ESTATES WWTP	<b>Classification:</b> UNCLASSIFIED	<b>Rating:</b> -----
<b>Complexity Points:</b>	4	<b>Repeat Violator:</b> NO	
<b>CH Group:</b>	14 - Other		
<b>Location:</b>	LOCATED NE OF MEDINA LAKE ON PARK RD 37 APPROX 2.5 MI N OF SH 16 AND APPROX 10.5 MI NE OF THE CITY OF HELOTES TX ON COUNTRY SCENE RD APPROX 2 MI N OF PORK RD 37 MEDINA, TX, MEDINA COUNTY		
<b>TCEQ Region:</b>	REGION 13 - SAN ANTONIO		
<b>ID Number(s):</b>			
<b>WASTEWATER EPA ID TX0137294</b>		<b>WASTEWATER PERMIT WQ0005206000</b>	
<b>Compliance History Period:</b>	September 01, 2017 to August 31, 2022	<b>Rating Year:</b> 2022	<b>Rating Date:</b> 09/01/2022
<b>Date Compliance History Report Prepared:</b>	March 21, 2023		
<b>Agency Decision Requiring Compliance History:</b>	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
<b>Component Period Selected:</b>	September 01, 2017 to August 31, 2022		
<b>TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.</b>			
<b>Name:</b> KHumphrey		<b>Phone:</b> (512) 239-1000	

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

## Components (Multimedia) for the Site Are Listed in Sections A - J

### **A. Final Orders, court judgments, and consent decrees:**

N/A

### **B. Criminal convictions:**

N/A

### **C. Chronic excessive emissions events:**

N/A

### **D. The approval dates of investigations (CCEDS Inv. Track. No.):**

N/A

### **E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

### **F. Environmental audits:**

N/A

### **G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A