

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 23, 2023

TO: All interested persons.

RE: Clean Harbors San Leon, Inc.  
TPDES Permit No. WQ0004086000

### **Decision of the Executive Director.**

The executive director has made a decision that the above-referenced permit application meets the requirements of applicable law. **This decision does not authorize construction or operation of any proposed facilities.** This decision will be considered by the commissioners at a regularly scheduled public meeting before any action is taken on this application unless all requests for contested case hearing or reconsideration have been withdrawn before that meeting.

Enclosed with this letter are instructions to view the Executive Director's Response to Public Comment (RTC) on the Internet. Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at [chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov). A complete copy of the RTC (including the mailing list), complete application, draft permit and related documents, including public comments, are available for review at the TCEQ Central Office. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Dickinson Public Library, 4411 Highway 3, Dickinson, Texas.

If you disagree with the executive director's decision, and you believe you are an "affected person" as defined below, you may request a contested case hearing. In addition, anyone may request reconsideration of the executive director's decision. The procedures for the commission's evaluation of hearing requests/requests for reconsideration are located in 30 Texas Administrative Code Chapter 55, Subchapter F. A brief description of the procedures for these two requests follows.

### **How to Request a Contested Case Hearing.**

It is important that your request include all the information that supports your right to a contested case hearing. Your hearing request must demonstrate that you meet the applicable legal requirements to have your hearing request granted. The commission's consideration of your request will be based on the information you provide.

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.
- (3) A statement clearly expressing that you are requesting a contested case hearing. For example, the following statement would be sufficient: “I request a contested case hearing.”
- (4) If the request is made by a group or association, the request must identify:
  - (A) one person by name, address, daytime telephone number, and, if possible, the fax number, of the person who will be responsible for receiving all communications and documents for the group;
  - (B) the comments on the application submitted by the group that are the basis of the hearing request; and
  - (C) by name and physical address one or more members of the group that would otherwise have standing to request a hearing in their own right. The interests the group seeks to protect must relate to the organization’s purpose. Neither the claim asserted nor the relief requested must require the participation of the individual members in the case.

Additionally, your request must demonstrate that you are an **“affected person.”** An affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. Your request must describe how and why you would be adversely affected by the proposed facility or activity in a manner not common to the general public. For example, to the extent your request is based on these concerns, you should describe the likely impact on your health, safety, or uses of your property which may be adversely affected by the proposed facility or activities. To demonstrate that you have a personal justiciable interest, you must state, as specifically as you are able, your location and the distance between your location and the proposed facility or activities.

Your request must raise disputed issues of fact that are relevant and material to the commission’s decision on this application that were raised **by you** during the public comment period. The request cannot be based solely on issues raised in comments that you have withdrawn.

To facilitate the commission’s determination of the number and scope of issues to be referred to hearing, you should: 1) specify any of the executive director’s responses to **your** comments that you dispute; 2) the factual basis of the dispute; and 3) list any disputed issues of law.

### **How to Request Reconsideration of the Executive Director’s Decision.**

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director’s decision. A request for reconsideration should contain your name,

address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

### **Deadline for Submitting Requests.**

A request for a contested case hearing or reconsideration of the executive director's decision must be **received by** the Chief Clerk's office no later than **30 calendar days** after the date of this letter. You may submit your request electronically at [www.tceq.texas.gov/agency/decisions/cc/comments.html](http://www.tceq.texas.gov/agency/decisions/cc/comments.html) or by mail to the following address:

Laurie Gharis, Chief Clerk  
TCEQ, MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

### **Processing of Requests.**

Timely requests for a contested case hearing or for reconsideration of the executive director's decision will be referred to the TCEQ's Alternative Dispute Resolution Program and set on the agenda of one of the commission's regularly scheduled meetings. Additional instructions explaining these procedures will be sent to the attached mailing list when this meeting has been scheduled.

### **How to Obtain Additional Information.**

If you have any questions or need additional information about the procedures described in this letter, please call the Public Education Program, toll free, at 1-800-687-4040.

Sincerely,



Laurie Gharis  
Chief Clerk

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Enclosure

**EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT  
for  
Clean Harbors San Leon, Inc.  
TPDES Permit No. WQ0004086000**

The Executive Director has made the Response to Public Comment (RTC) for the application by Clean Harbors San Leon, Inc., for TPDES Permit No. WQ0004086000 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:

<https://www.tceq.texas.gov/goto/cid>

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0004086000) and click the "Search" button. The search results will display a link to the RTC.

Individuals who would prefer a mailed copy of the RTC or are having trouble accessing the RTC on the website, should contact the Office of the Chief Clerk, by phone at (512) 239-3300 or by email at [chiefclk@tceq.texas.gov](mailto:chiefclk@tceq.texas.gov).

**Additional Information**

For more information on the public participation process, you may contact the Office of the Public Interest Counsel at (512) 239-6363 or call the Public Education Program, toll free, at (800) 687-4040.

A complete copy of the RTC (including the mailing list), the complete application, the draft permit, and related documents, including comments, are available for review at the TCEQ Central Office in Austin, Texas. Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at the Dickinson Public Library, 4411 Highway 3, Dickinson, Texas.

MAILING LIST  
for  
Clean Harbors San Leon, Inc.  
TPDES Permit No. WQ0004086000

FOR THE APPLICANT:

Bruce Riffel, Senior Compliance Manager  
Clean Harbors San Leon, Inc.  
2700 Avenue S  
San Leon, Texas 77539

Ruiqiang Zong, Technical Staff  
Texas Commission on Environmental  
Quality  
Water Quality Division MC-148  
P.O. Box 13087  
Austin, Texas 78711-3087

INTERESTED PERSONS:

Hajrulla Halili  
P.O. Box 8448  
Bacliff, Texas 77512

Andrew Miller  
San Leon Municipal Utility District  
443 24<sup>th</sup> Street  
San Leon, Texas 77539

FOR PUBLIC INTEREST COUNSEL  
via electronic mail:

Garrett T. Arthur, Attorney  
Texas Commission on Environmental  
Quality  
Public Interest Counsel MC-103  
P.O. Box 13087  
Austin, Texas 78711-3087

FOR THE EXECUTIVE DIRECTOR  
via electronic mail:

Ryan Vise, Deputy Director  
Texas Commission on Environmental  
Quality  
External Relations Division  
Public Education Program MC-108  
P.O. Box 13087  
Austin, Texas 78711-3087

FOR THE CHIEF CLERK  
via electronic mail:

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental  
Quality  
Office of Chief Clerk MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

Aubrey Pawelka, Staff Attorney  
Texas Commission on Environmental  
Quality  
Environmental Law Division MC-173  
P.O. Box 13087  
Austin, Texas 78711-3087

**TPDES PERMIT NO. WQ0004086000**

|                                     |          |                              |
|-------------------------------------|----------|------------------------------|
| <b>APPLICATION BY</b>               | <b>§</b> | <b>BEFORE THE</b>            |
| <b>CLEAN HARBORS SAN LEON, INC.</b> | <b>§</b> | <b>TEXAS COMMISSION ON</b>   |
| <b>FOR TPDES PERMIT</b>             | <b>§</b> | <b>ENVIRONMENTAL QUALITY</b> |
| <b>NO. WQ0004086000</b>             | <b>§</b> |                              |

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**EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT**

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The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to Public Comment (Response) on Clean Harbors San Leon, Inc. (Applicant) application for Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004086000, and on the ED's preliminary decision. As required by Title 30 of the Texas Administrative Code (30 TAC) Section (§) 55.156, before an application is approved, the ED prepares a response to all timely, relevant, and material, or significant comments. The Office of the Chief Clerk received a timely comment from Hajrulla Halili on behalf of the Razz Halili Trust. This response addresses all timely public comments received, whether or not withdrawn.

If you need more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found on the TCEQ web site at <http://www.tceq.texas.gov>.

**I. BACKGROUND**

The Applicant has applied to the TCEQ for a major amendment which would authorize the relocation of Outfall 001. The draft permit authorizes the discharge of stormwater associated with industrial activity and previously monitored effluent (treated process wastewater and treated contaminated stormwater from internal Outfalls 101 and 102) on an intermittent and flow-variable via Outfall 001 in both interim phase and final phase, treated process wastewater and treated contaminated stormwater at a daily average flow not to exceed 65,000 gallons per day (GPD) via internal Outfall 101, and treated process wastewater and treated contaminated stormwater at a daily average flow not to exceed 40,000 GPD via internal Outfall 102.

The Executive Director forwarded the Clean Harbors San Leon, Inc. draft permit to U.S. Environmental Protection Agency (EPA) on October 31, 2022. EPA approved the Clean Harbors San Leon, Inc. draft permit on December 12, 2022.

**A. Facility Description**

The Clean Harbors San Leon facility is located at 2700 Avenue South, in the City of San Leon, Galveston County, Texas. Clean Harbors San Leon’s facility is a recycling and storage facility that manages catalyst and oily wastes from the petroleum refining and petrochemical industries. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbd360f8168250f&marker=-94.966666%2C29.469722&level=12>

**B. Discharge Route**

Discharge is currently via Outfall 001 to a drainage ditch, thence to an unnamed tidal tributary of Dickinson Bayou, thence to Dickinson Bayou Tidal in Segment No. 1103 of the San Jacinto-Brazos Coastal Basin. The relocated Outfall 001 will be discharged directly to Dickinson Bayou Tidal in Segment No. 1103 of the San Jacinto - Brazos Coastal Basin.

**C. Receiving Water Body Uses**

The unclassified receiving water uses are minimal aquatic life use for the drainage ditch and high aquatic life use for unnamed tidal tributary. The designated uses for Segment No. 1103 are primary contact recreation and high aquatic life use.

**D. Proposed Effluent limitations**

See Attachment A.

**E. Outfall Locations**

| Outfall     | Latitude    | Longitude   |
|-------------|-------------|-------------|
| 001-interim | 29.470649 N | 94.968408 W |
| 001-final   | 29.467500 N | 94.966653 W |

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. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Unnamed Tidal Tributary and Dickinson Bayou Tidal, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The discharge from this permit is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS's) biological opinion on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998 update). 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 USFWS's biological opinion. Though the piping plover, *Charadrius melodus* Ord, can occur in Galveston County, the county is north of Copano Bay and is not a watershed of high priority per Appendix A of the biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

## **II. Procedural Background**

The TCEQ received the application on July 8, 2021, and declared it administratively complete on October 8, 2021. The applicant published the Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) in English in the *Bay Area Citizen* on October 20, 2021, and in Spanish in *La Voz* on October 20, 2021. The ED completed the technical review of the application on November 16, 2022, and prepared the proposed permit, which if approved, would establish the conditions under which the facility must operate. The Applicant published the Notice of Application and Preliminary Decision (NAPD) in English in the *Houston Chronical* on November 23, 2022, and in



Spanish in *La Voz* on November 30, 2022. The comment period for this application closed on January 2, 2023.

Because this application was received after September 1, 2015, and because it was declared administratively complete after September 1, 1999, it is subject to both the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999, and the procedural requirements of and rules implementing Senate Bill 709, 84th Legislature, 2015.

#### **F. Access to Rules, Laws and Records**

Please consult the following websites to access the rules and regulations applicable to this permit:

- to access the Secretary of State Website: [www.sos.state.tx.us](http://www.sos.state.tx.us);
- for TCEQ rules in Title 30 of the Texas Administrative Code (TAC): [www.sos.state.tx.us/tac/](http://www.sos.state.tx.us/tac/) (select “View the current Texas Administrative Code” on the right, then “Title 30 Environmental Quality”);
- for Texas statutes: <https://statutes.capitol.texas.gov/>;
- to access the TCEQ website: [www.tceq.texas.gov](http://www.tceq.texas.gov) (for downloadable rules in Adobe PDF format, select “Rules and Rulemaking,” then “Current Rules and Regulations,” then “Download TCEQ Rules”);
- for Federal rules in Title 40 of the Code of Federal Regulations (C.F.R.)
- [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab_02.tpl);
- and
- for Federal environmental laws: <https://www.epa.gov/laws-regulations>.

Commission records for this facility are available for viewing and copying at TCEQ’s main office in Austin, 12100 Park 35 Circle, Building F, 1<sup>st</sup> Floor (Office of Chief Clerk), until final action is taken. In addition, some documents located in the Office of the Chief Clerk may be located on the Commissioners’ Integrated Database at: <https://www14.tceq.texas.gov/epic/eCID/>. The permit application has been available for viewing and copying at Dickinson Public Library, 4411 Highway 3, Dickinson, Texas since publication of the NORI. The ED’s preliminary decision and draft permit have been available for viewing and copying at the same locations since the publication of the revised NAPD.

### III. COMMENTS AND RESPONSES

#### COMMENT 1:

Hajrulla Halili, on behalf of The Razz Halili Trust, commented that he has four properties located less than a mile from the facility and he has concerns about the discharge that this permit will allow the facility to discharge and would like a contested case hearing.

#### RESPONSE 1:

Although no specific concerns were identified in this comment, the Executive Director acknowledges Mr. Halili's concern and notes that the draft permit was developed in accordance with the Texas Surface Water Quality Standards (TSWQS). The TSWQS were designed to maintain the quality of water in the state and be protective of human health, aquatic life, the environment, and federal technology-based effluent limit requirements, provided that Clean Harbors San Leon, Inc. operates and maintains the proposed facility accordance to TCEQ rules and the proposed permit's requirements. The methodology outlined in the Procedures to Implement the Texas Surface Water Quality Standards (June 2010) is designed to ensure compliance with the TSWQS (30 TAC Chapter 307).

#### **CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT**

No changes to the proposed permit were made in response to comments.

Respectfully submitted,

Texas Commission on Environmental Quality

Erin E. Chancellor  
Interim Executive Director

Charmaine K. Backens, Deputy Director  
Environmental Law Division



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Aubrey Pawelka  
Environmental Law Division  
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REPRESENTING THE  
EXECUTIVE DIRECTOR OF THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

1. During the period beginning upon the date of permit issuance and lasting through the date of outfall relocation 1, the permittee is authorized to discharge stormwater associated with industrial activity and previously monitored effluent (treated process wastewater and treated contaminated stormwater from internal Outfalls 101 and 201)) subject to the following effluent limitations:

Volume: Intermittent and flow-variable.

| Effluent Characteristics    | Discharge Limitations                |                                      |                            | Minimum Self-Monitoring Requirements              |                              |
|-----------------------------|--------------------------------------|--------------------------------------|----------------------------|---|------------------------------|
|                             | Daily Average<br>mg/L<br>Report, MGD | Daily Maximum<br>mg/L<br>Report, MGD | Single Grab<br>mg/L<br>N/A | Report Daily Average and<br>Measurement Frequency | Daily Maximum<br>Sample Type |
| Flow                        |                                      |                                      | N/A                        | 1/day <sup>2</sup>                                | Instantaneous                |
| Total Organic Carbon        | N/A                                  | 55                                   | 55                         | 1/day <sup>2</sup>                                | Grab                         |
| Oil and Grease              | N/A                                  | 15                                   | 15                         | 1/day <sup>2</sup>                                | Grab                         |
| Total Aluminum <sup>3</sup> | Report                               | Report                               | N/A                        | 1/week <sup>2</sup>                               | Grab                         |
| Total Aluminum <sup>4</sup> | 0.834                                | 1.76                                 | 1.76                       | 1/week <sup>2</sup>                               | Grab                         |
| Total Copper <sup>3</sup>   | Report                               | Report                               | N/A                        | 1/week <sup>2</sup>                               | Grab                         |
| Total Copper <sup>4</sup>   | 0.0036                               | 0.0077                               | 0.0077                     | 1/week <sup>2</sup>                               | Grab                         |
| Total Lead <sup>3</sup>     | Report                               | Report                               | N/A                        | 1/week <sup>2</sup>                               | Grab                         |
| Total Lead <sup>4</sup>     | 0.012                                | 0.026                                | 0.026                      | 1/week <sup>2</sup>                               | Grab                         |
| Total Nickel <sup>3</sup>   | Report                               | Report                               | N/A                        | 1/week <sup>2</sup>                               | Grab                         |
| Total Nickel <sup>4</sup>   | 0.011                                | 0.024                                | 0.024                      | 1/week <sup>2</sup>                               | Grab                         |
| Total Mercury <sup>3</sup>  | Report                               | Report                               | N/A                        | 1/week <sup>2</sup>                               | Grab                         |
| Total Mercury <sup>4</sup>  | 0.000034                             | 0.000073                             | 0.000073                   | 1/week <sup>2</sup>                               | Grab                         |
| Total Zinc <sup>3</sup>     | Report                               | 6.0                                  | 6.0                        | 1/week <sup>2</sup>                               | Grab                         |
| Total Zinc <sup>4</sup>     | 0.072                                | 0.153                                | 0.153                      | 1/week <sup>2</sup>                               | Grab                         |
| BTEX <sup>5</sup>           | N/A                                  | 0.5                                  | 0.5                        | 1/month <sup>2</sup>                              | Grab                         |

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS-INTERIM PHASE <sup>1</sup> (continued)

Outfall Number 001

| Effluent Characteristics   | Discharge Limitations |                | Minimum Self-Monitoring Requirements           |                           |
|--|-----------------------|----------------|--|---------------------------|
|  | 7-day Minimum         | 30-day Average | Report Daily Average and Measurement Frequency | Daily Maximum Sample Type |
| Lethal Whole Effluent Toxicity (WET) limit (Parameter 51713) <sup>6</sup>        |                       |                |  |                           |
| Mysidopsis bahia (7-day chronic NOEC <sup>7</sup> )                              | Report                | Report         | 1/quarter                                      | Composite                 |
| Sublethal Whole Effluent Toxicity (WET) limit (Parameter 51713) <sup>6</sup>     |                       |                |  |                           |
| Mysidopsis bahia (7-day chronic NOEC <sup>7</sup> )                              | Report                | Report         | 1/quarter                                      | Composite                 |
| Lethal Whole Effluent Toxicity (WET) limit 100% (Parameter 51713) <sup>6</sup>   |                       |                |  |                           |
| <i>Mysidopsis bahia</i> (7-day chronic NOEC <sup>7</sup> )                       | 100%                  | 100%           | 1/quarter                                      | Composite                 |
| Sublethal Whole Effluent Toxicity (WET) limit 80% (Parameter 51713) <sup>6</sup> |                       |                |  |                           |
| <i>Mysidopsis bahia</i> (7-day chronic NOEC <sup>7</sup> )                       | 80%                   | 80%            | 1/quarter                                      | Composite                 |

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/day <sup>2</sup> by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At Outfall 001, at the gated stormwater outfall in the northwest corner of the facility property.

<sup>1</sup>See Other Requirement No. 11.

<sup>2</sup>When discharge occurs, samples must be collected within 30 minutes of the beginning of the discharge.

<sup>3</sup>Beginning upon the date of permit issuance and lasting through July 5, 2023.

<sup>4</sup>Beginning on July 6, 2023 and lasting through permit expiration.

<sup>5</sup>BTEX means the summation of benzene, toluene, ethylbenzene, and total xylenes.

<sup>6</sup>Beginning 34 months after date of permit issuance and lasting through date of permit expiration.

<sup>7</sup>The NOEC is defined as the greatest effluent dilution at which no significant effect is demonstrated. A significant effect is defined as a statistically significant difference between a specified effluent dilution and the control for toxicity (lethal or sublethal effects, whichever is specified).

1. During the period beginning upon the date of outfall relocation <sup>1</sup> and lasting through the date of permit expiration, the permittee is authorized to discharge stormwater associated with industrial activity and previously monitored effluent (treated process wastewater and treated contaminated stormwater from internal Outfalls 101 and 201)) subject to the following effluent limitations:

Volume: Intermittent and flow-variable.

| Effluent Characteristics | Discharge Limitations |                       |                     | Minimum Self-Monitoring Requirements                            |               |
|--------------------------|-----------------------|-----------------------|---------------------|---|---------------|
|                          | Daily Average<br>mg/L | Daily Maximum<br>mg/L | Single Grab<br>mg/L | Report Daily Average and Daily Maximum<br>Measurement Frequency | Sample Type   |
| Flow                     | Report, MGD           | Report, MGD           | N/A                 | 1/day <sup>2</sup>  | Instantaneous |
| Total Organic Carbon     | N/A                   | 55                    | 55                  | 1/day <sup>2</sup>  | Grab          |
| Oil and Grease           | N/A                   | 15                    | 15                  | 1/day <sup>2</sup>  | Grab          |
| BTEX <sup>3</sup>        | N/A                   | 0.5                   | 0.5                 | 1/month <sup>2</sup>  | Grab          |

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

<sup>1</sup>See Other Requirement No. 11

<sup>2</sup>When discharge occurs. Samples must be collected within 30 minutes of the beginning of the discharge.

<sup>3</sup>BTEX means the summation of benzene, toluene, ethylbenzene, and total xylenes.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 101

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 treated process wastewater and treated contaminated stormwater subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.065 million gallons per day (MGD). The daily maximum flow shall not exceed 0.105 MGD.

| Effluent Characteristics     | Discharge Limitations    |                       |                          |                       | Minimum Self-Monitoring Requirements |   |                              |
|------------------------------|--------------------------|-----------------------|--------------------------|-----------------------|--------------------------------------|---|------------------------------|
|                              | Daily Average<br>lbs/day | Daily Average<br>mg/L | Daily Maximum<br>lbs/day | Daily Maximum<br>mg/L | Single Grab<br>mg/L                  | Report Daily Average and Daily Maximum<br>Measurement Frequency | Daily Maximum<br>Sample Type |
| Flow                         | 0.065 MGD                |                       | 0.105 MGD                |                       | N/A                                  | 1/day <sup>1</sup>  | Record                       |
| Total Suspended Solids       | 16.5                     | 30.6                  | 40.1                     | 74.1                  | 74.1                                 | 1/day <sup>1</sup>  | Grab                         |
| Oil and Grease               | 20.6                     | 38.0                  | 68.8                     | 127                   | 127                                  | 1/day <sup>1</sup>  | Grab                         |
| Total Arsenic                | 0.0542                   | 0.1                   | 0.163                    | 0.3                   | 0.3                                  | 1/day <sup>1</sup>  | Grab                         |
| Total Cadmium                | 0.0055                   | 0.0102                | 0.0093                   | 0.0172                | 0.0172                               | 1/day <sup>1</sup>  | Grab                         |
| Total Chromium               | 0.175                    | 0.323                 | 0.404                    | 0.746                 | 0.746                                | 1/day <sup>1</sup>  | Grab                         |
| Total Cobalt                 | 10.1                     | 18.8                  | 30.5                     | 56.4                  | 56.4                                 | 1/day <sup>1</sup>  | Grab                         |
| Total Copper                 | 0.131                    | 0.242                 | 0.271                    | 0.500                 | 0.500                                | 1/day <sup>1</sup>  | Grab                         |
| Total Lead                   | 0.086                    | 0.160                 | 0.189                    | 0.350                 | 0.350                                | 1/day <sup>1</sup>  | Grab                         |
| Total Mercury                | 0.0027                   | 0.005                 | 0.0054                   | 0.01                  | 0.01                                 | 1/day <sup>1</sup>  | Grab                         |
| Total Tin                    | 0.089                    | 0.165                 | 0.181                    | 0.335                 | 0.335                                | 1/day <sup>1</sup>  | Grab                         |
| Total Zinc                   | 0.542                    | 1.0                   | 3.25                     | 6.0                   | 6.0                                  | 1/day <sup>1</sup>  | Grab                         |
| Bis(2-ethylhexyl) phthalate  | 0.054                    | 0.101                 | 0.116                    | 0.215                 | 0.215                                | 1/day <sup>1</sup>  | Grab                         |
| Butylbenzyl phthalate        | 0.048                    | 0.0887                | 0.101                    | 0.188                 | 0.188                                | 2/week <sup>1</sup>   | Grab                         |
| Carbazole                    | 0.149                    | 0.276                 | 0.324                    | 0.598                 | 0.598                                | 2/week <sup>1</sup>   | Grab                         |
| n-Decane                     | 0.237                    | 0.437                 | 0.514                    | 0.948                 | 0.948                                | 2/week <sup>1</sup>   | Grab                         |
| Fluoranthene                 | 0.014                    | 0.0268                | 0.029                    | 0.0537                | 0.0537                               | 2/week <sup>1</sup>   | Grab                         |
| n-Octadecane                 | 0.163                    | 0.302                 | 0.319                    | 0.589                 | 0.589                                | 2/week <sup>1</sup>   | Grab                         |
| Total Petroleum Hydrocarbons | Report                   | Report                | Report                   | Report                | N/A                                  | 1/week <sup>1</sup>   | Grab                         |

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/day 1 by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At internal Outfall 101, prior to commingling with any other wastestreams.

<sup>1</sup>When discharge occurs.

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 treated process wastewater and treated contaminated stormwater subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.040 million gallons per day (MGD). The daily maximum flow shall not exceed 0.050 MGD.

| Effluent Characteristics     | Discharge Limitations    |                       |                          |                       | Minimum Self-Monitoring Requirements |   |             |
|------------------------------|--------------------------|-----------------------|--------------------------|-----------------------|--------------------------------------|---|-------------|
|                              | Daily Average<br>lbs/day | Daily Average<br>mg/L | Daily Maximum<br>lbs/day | Daily Maximum<br>mg/L | Single Grab<br>mg/L                  | Report Daily Average and Daily Maximum<br>Measurement Frequency | Sample Type |
| Flow                         | 0.040 MGD                |                       | 0.050 MGD                |                       | N/A                                  | 1/day <sup>1</sup>  | Record      |
| Total suspended solids       | 10.2                     | 30.6                  | 24.7                     | 74.1                  | 74.1                                 | 1/day <sup>1</sup>  | Grab        |
| Oil and grease               | 12.6                     | 38.0                  | 42.3                     | 127                   | 127                                  | 1/day <sup>1</sup>  | Grab        |
| Total Arsenic                | 0.0334                   | 0.1                   | 0.100                    | 0.3                   | 0.3                                  | 1/day <sup>1</sup>  | Grab        |
| Total Cadmium                | 0.0034                   | 0.0102                | 0.0057                   | 0.0172                | 0.0172                               | 1/day <sup>1</sup>  | Grab        |
| Total Chromium               | 0.107                    | 0.323                 | 0.249                    | 0.746                 | 0.746                                | 1/day <sup>1</sup>  | Grab        |
| Total Cobalt                 | 6.27                     | 18.8                  | 18.8                     | 56.4                  | 56.4                                 | 1/day <sup>1</sup>  | Grab        |
| Total Copper                 | 0.080                    | 0.242                 | 0.166                    | 0.500                 | 0.500                                | 1/day <sup>1</sup>  | Grab        |
| Total Lead                   | 0.053                    | 0.160                 | 0.116                    | 0.350                 | 0.350                                | 1/day <sup>1</sup>  | Grab        |
| Total Mercury                | 0.0017                   | 0.005                 | 0.0033                   | 0.01                  | 0.01                                 | 1/day <sup>1</sup>  | Grab        |
| Total Tin                    | 0.055                    | 0.165                 | 0.111                    | 0.335                 | 0.335                                | 1/day <sup>1</sup>  | Grab        |
| Total Zinc                   | 0.334                    | 1.0                   | 2.00                     | 6.0                   | 6.0                                  | 1/day <sup>1</sup>  | Grab        |
| Bis(2-ethylhexyl) phthalate  | 0.033                    | 0.101                 | 0.071                    | 0.215                 | 0.215                                | 1/day <sup>1</sup>  | Grab        |
| Butylbenzyl phthalate        | 0.029                    | 0.0887                | 0.062                    | 0.188                 | 0.188                                | 2/week <sup>1</sup>   | Grab        |
| Carbazole                    | 0.092                    | 0.276                 | 0.199                    | 0.598                 | 0.598                                | 2/week <sup>1</sup>   | Grab        |
| n-Decane                     | 0.145                    | 0.437                 | 0.316                    | 0.948                 | 0.948                                | 2/week <sup>1</sup>   | Grab        |
| Fluoranthene                 | 0.0089                   | 0.0268                | 0.018                    | 0.0537                | 0.0537                               | 2/week <sup>1</sup>   | Grab        |
| n-Octadecane                 | 0.100                    | 0.302                 | 0.196                    | 0.589                 | 0.589                                | 2/week <sup>1</sup>   | Grab        |
| Total Petroleum Hydrocarbons | Report                   | Report                | Report                   | Report                | N/A                                  | 1/week <sup>1</sup>   | Grab        |

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/day <sup>11</sup> by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At internal Outfall 102, prior to commingling with any other wastestreams.

<sup>1</sup>When discharge occurs.