



# PLUMMER

0326-114-01

May 18, 2021

Texas Commission on Environmental Quality  
Applications Review and Processing Team (MC 148)  
Building F, Room 2101  
12100 Park 35 Circle  
Austin, Texas 78753

Re: North Texas Municipal Water District (CN 601365448)  
North Texas Municipal Water District Water Treatment Residuals Disposal Monofill  
Residuals Surface Disposal Monofill New Permit Application

To Whom It May Concern:

On behalf of the North Texas Municipal Water District, Plummer submits one original and four copies of a new permit application for residuals surface disposal. The application fee of \$150.00 for the New Permit Application has been submitted via ePay with receipt enclosed.

Please feel free to contact me at (972) 996-5730 or [rpierce@plummer.com](mailto:rpierce@plummer.com), if you have any questions regarding this submittal.

Sincerely,

PLUMMER  
TBPE Firm Registration No. F-13

Ryan Pierce  
Project Manager

Enclosures: New Permit Application (1 original, 4 copies)

cc: Jerry Allen, North Texas Municipal Water District  
Travis Markham, North Texas Municipal Water District

### TCEQ ePay Receipt

#### Transaction Information

**Trace Number:** 582EA000433969  
**Date:** 05/18/2021 04:34 PM  
**Payment Method:** CC - Authorization 0000050468  
**ePay Actor:** JENNI ENGLISH  
**TCEQ Amount:** \$150.00  
**Texas.gov Price::** \$153.64\*

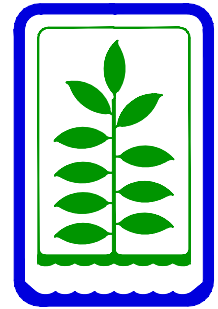
\* This service is provided by Texas.gov, the official website of Texas. The price of this service includes funds that support the ongoing operations and enhancements of Texas.gov, which is provided by a third party in partnership with the State.

#### Payment Contact Information

**Name:** JENNI ENGLISH  
**Company:** PLUMMER ASSOCIATES INC  
**Address:** 6300 LA CALMA DR STE 400, AUSTIN, TX 78752  
**Phone:** 817-694-8386

#### Cart Items

Voucher	Fee Description	AR Number	Amount
513290	PERMIT - DISPOSAL, INCINERATION & PROCESSING (NO CLASS B BLU) - NEW & MAJOR		\$100.00
513291	30 TAC 305.53B WQ NOTIFICATION FEE		\$50.00
<b>TCEQ Amount:</b>			<b>\$150.00</b>



NORTH TEXAS MUNICIPAL  
WATER DISTRICT

NORTH TEXAS MUNICIPAL WATER  
DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL

RESIDUALS SURFACE DISPOSAL  
MONOFILL NEW PERMIT APPLICATION

SUBMITTED TO:

TEXAS COMMISSION  
ON ENVIRONMENTAL QUALITY

MAY 2021



**PLUMMER**

0326-114-01

**NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
 MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

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A	Deed of Record and Metes and Bounds	Admin Rpt. 1.0 Section 6.o
B	Site Drawing with Wind Rose	Admin Rpt. 1.0 Section 6.q
C	U.S. Geological Survey Map	Admin Rpt. 1.0 Section 7
D	Affected Landowner Map and Information	Admin Rpt. 1.1 Section 1
E	Buffer Zone Map	Admin Rpt. 1.1 Section 2
F	Original Photographs	Admin Rpt. 1.1 Section 3
G	Other Facilities Operated by North Texas Municipal Water District	Admin Rpt. 1.1 Section 4
H	General Highway County Map	Tech Rpt. 2.0 Section 1.a
I	USDA Natural Resource Conservation Service Soil Map	Tech Rpt. 2.0 Section 1.b
J	Federal Emergency Management Agency Map	Tech Rpt. 2.0 Section 1.c
K	Site Development Plan	Tech Rpt. 2.0 Section 5
L	Technical Information for Application	Tech Rpt. 2.0 Section 6, 17.b, and 17.c
M	Design Features and Design Calculations	Tech Rpt. 2.0 Section 14

# Application for Permit to Process, Surface Dispose, or Incinerate Sludge

## ADMINISTRATIVE REPORT (Instructions, Page 1)

Applicant North Texas Municipal Water District

Permit Number N/A - Application for New Permit/Facility

### Type of application:

- New (Original, Unpermitted)
- Major amendment with Renewal
- Major amendment without Renewal (Retain current expiration date. Application requirements are limited to those items that relate to the proposed modification.)
- Renewal of existing permit
- Minor amendment to permit (Retain current expiration date. Application requirements are limited to those items that relate to the proposed modification.)

For an application to amend a permit, list the major proposed changes causing the amendment. (i.e., INCREASE PROCESSING VOLUME, REQUEST BUFFER ZONE VARIANCE, REDUCE OR REMOVE A MONITORING REQUIREMENT OR FREQUENCY)

**N/A - Not an Amendment**

### Type of Technical Report(s) attached to Administrative Report for Permit Application:

- Sewage Sludge Processing Technical Report
- Sewage Sludge Surface Disposal Technical Report **Note: This application is for Water Treatment Plant Residual Disposal**
- Sewage Sludge Incineration Technical Report
- Sewage Sludge Beneficial Use Technical Report

### Application fee:

New/Amend:  \$150

Renewal:  \$115

The permit application processing and postage fee in the amount of \$ \$150.00, has been submitted to the TCEQ. (See the instructions for the appropriate fee amount.)

### *For Commission Use Only:*

Proposed/Current Permit Number \_\_\_\_\_ Region: \_\_\_\_\_

Segment Number: \_\_\_\_\_ County \_\_\_\_\_ Expiration Date: \_\_\_\_\_

**1. APPLICANT INFORMATION** (Instructions, Page 3)

**a. Facility Operator** (the Operator must apply for the permit.)

What is the Legal Name of the entity (applicant) applying for this permit?

North Texas Municipal Water District

*(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)*

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN 601365448

What is the name and title of the person signing the application?

(The person must be an executive official meeting signatory requirements in TAC 305.43(a).)

Prefix: Mr.

(Mr. Ms, Miss)

First/Last Name: Rodney Rhoades

Suffix: N/A

Title: Interim Executive Director

Credential: N/A

What is the applicant's mailing address as recognized by the **US Postal Service**?

You may verify the address at: <http://zip4.usps.com/zip4/welcome.jsp>

Organization Name: North Texas Municipal Water District

Mailing Address: P.O. Box 2408

Internal Routing (Mail Code, Etc.): N/A

City: Wylie

State: TX

ZIP Code: 75098

Mailing Information if outside USA

Territory: N/A Country Code: N/A Postal Code: N/A

Phone No.: (972) 442-5405

Extension: N/A

Fax No.: (972) 295-6441

E-mail Address: rrhoades@ntmwd.com

Indicate the type of Customer:

Individual

Limited Partnership

Trust

Federal Government

County Government

Other Government

Sole Proprietorship-D.B.A.

Corporation

Estate

State Government

City Government

Other: \_\_\_\_\_

Independent entity

Yes

No *(If governmental entity, subsidiary, or part of a larger corporation)*







What is the individual's mailing address as recognized by the **US Postal Service**?  
You may verify the address at: <http://zip4.usps.com/zip4/welcome.jsp>

Mailing Address: N/A  
Internal Routing (Mail Code, Etc.): N/A  
City: N/A State: N/A ZIP Code: \_\_\_\_\_  
Mailing Information if outside USA  
Territory: N/A Country Code: N/A Postal Code: N/A  
Phone No.: \_\_\_\_\_ Extension: N/A  
Fax No.: \_\_\_\_\_ E-mail Address: N/A

## 2. BILLING CONTACT INFORMATION (Instructions Page 6)

### a. Billing Contact and Address Information

*The permittee is responsible for paying the annual fee. The annual fee will be assessed to permits **active on September 1 of each year**. TCEQ will send a bill to the address provided in this section. The permittee is responsible for terminating the permit when it is no longer needed.*

Is the billing address the same as the permittee or co-permittee?

Permittee     Co-permittee     No, fill out this section

Prefix: Mr.  
(Mr. Ms, Miss)  
First/Last Name: Billy George  
Suffix: N/A  
Title: Assistant Deputy of Water Credential: N/A  
Organization Name: North Texas Municipal Water District  
Billing Mailing Address: P.O. Box 2408  
Internal Routing (Mail Code, Etc.): N/A  
City: Wylie State: TX ZIP Code: 75098  
Mailing Information if outside USA.  
Territory: N/A Country Code: N/A Postal Code: N/A  
Phone No.: (469) 626-4330 Extension: N/A  
Fax No.: (972) 295-6436 E-mail Address: bgeorge@ntmwd.com

## 3. APPLICATION CONTACT INFORMATION (Instructions, Page 6)

If TCEQ needs additional information regarding this application, who should be contacted?

### a. Application Contact

Prefix (Mr. Ms, Miss): Mr.  
First/Last Name: Travis Markham  
Suffix: N/A  
Title: Program Manager Credential: P.E., PMP

Organization Name: North Texas Municipal Water District  
Mailing Address: P.O. Box 2408  
Internal Routing (Mail Code, Etc.): N/A  
City: Wylie State: TX ZIP Code: 75098  
Mailing Information if outside USA.  
Territory: N/A Country Code: N/A Postal Code: N/A  
Phone No.: (469) 626-4724 Extension: N/A  
Fax No.: (972) 295-6441 E-mail Address: tmarkham@ntmwd.com  
Check one or both:  Administrative contact  Technical Contact

**b. Application Contact**

Prefix: Mr.  
(Mr. Ms, Miss)  
First/Last Name: Ryan Pierce  
Suffix: N/A  
Title: Project Manager Credential: P.E.  
Organization Name: Plummer Associates, Inc.  
Mailing Address: 6300 La Calma Drive, Suite 400  
Internal Routing (Mail Code, Etc.): N/A  
City: Austin State: TX ZIP Code: 78752  
Mailing Information if outside USA.  
Territory: N/A Country Code: N/A Postal Code: N/A  
Phone No.: (972) 996-5730 Extension: N/A  
Fax No.: (512) 452-2325 E-mail Address: rpierce@plummer.com  
Check one or both:  Administrative contact  Technical Contact

**4. PERMIT CONTACT INFORMATION** (Instructions, Page 7)

Provide two names of individuals that can be contacted throughout the permit term.

**a.** Prefix: Mr.  
(Mr. Ms, Miss)  
First/Last Name: Jerry Allen  
Suffix: N/A  
Title: Environmental Manager Credential: N/A  
Organization Name: North Texas Municipal Water District  
Mailing Address: P.O. Box 2408  
Internal Routing (Mail Code, Etc.): N/A  
City: Wylie State: TX ZIP Code: 75098  
Mailing Information if outside USA.  
Territory: N/A Country Code: N/A Postal Code: N/A  
Phone No.: (469) 626-4634 Extension: N/A  
Fax No.: (972) 295-6441 E-mail Address: jallen@ntmwd.com

**b.** Prefix (Mr. Ms, Miss): Mr.  
 First/Last Name: Billy George  
 Suffix: N/A  
 Title: Assistant Deputy of Water Credential: N/A  
 Organization Name: North Texas Municipal Water District  
 Mailing Address: P.O. Box 2408  
 Internal Routing (Mail Code, Etc.): N/A  
 City: Wylie State: TX ZIP Code: 75098  
 Mailing Information if outside USA.  
 Territory: N/A Country Code: N/A Postal Code: N/A  
 Phone No.: (469) 626-4330 Extension: N/A  
 Fax No.: (972) 295-6436 E-mail Address: bgeorge@ntmwd.com

**5. NOTICE INFORMATION** (Instructions, Page 7)

**a. Individual publishing the notices**

First/Last Name: Jerry Allen  
 Suffix: N/A Title: Environmental Manager Credential: N/A  
 Organization Name: North Texas Municipal Water District  
 Mailing Address: P.O. Box 2408  
 Internal Routing (Mail Code, Etc.): N/A  
 City: Wylie State: TX ZIP Code: 75098  
 Mailing Information if outside USA.  
 Territory: N/A Country Code: N/A Postal Code: N/A  
 Phone No.: (469) 626-4634 Extension: N/A  
 Fax No.: (972) 295-6441 E-mail Address: jallen@ntmwd.com

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

Indicate by a check mark the preferred method for receiving the first notice and instructions:

- E-mail Address: jallen@ntmwd.com
- Fax No.: \_\_\_\_\_
- Overnight/Priority mail: (self addressed, prepaid envelope required)
- Regular Mail:  
 Mailing Address: \_\_\_\_\_  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: \_\_\_\_\_ State: TX ZIP Code: \_\_\_\_\_

**c. Contact to Be Listed In the Notice**

Prefix: Mr.  
(Mr. Ms, Miss)  
First/Last Name: Jerry Allen  
Suffix: N/A  
Title: Environmental Manager Credential: N/A  
Organization Name: North Texas Municipal Water District  
Phone No.: (469) 626-4634 Extension: N/A

**d. Public Place Information**

*If the facility and/or disposal location are located in more than one county, a public viewing place for each county must be provided.*

Public Building name: Charles J. Rike Memorial Library  
Location within the building: References  
Physical address of building: 203 Orange St.  
City: Farmersville County: Collin  
Contact Name: Receptionist  
Phone No.: (972) 782-6681 Extension: N/A

**e. Bilingual Notice Requirements:**

**For new permit applications, major amendment and renewal applications. Not applicable for minor amendment or minor modification applications.**

Please call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine if an alternative language notice is required:

1. Is a bilingual education program required by the Texas Education Code at the nearest elementary or middle school to the facility or proposed facility?  
 Yes      No     (If No, alternative language notice publication is not required; skip to item 6. SITE INFORMATION.)
  
2. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?  
 Yes      No
  
3. Do the students at these schools attend a bilingual education program at another location?  
 Yes      No
  
4. Would the school be required to provide a bilingual education program but the school has waived out of this requirement under 19 TAC §89.1205(g)?  
 Yes      No

5. If the answer is yes to 1, 2, 3, or 4, public notice in an alternative language is required. Which language is required by the bilingual program?  
Spanish

***This section of the application is only used to determine if alternative language notice will be needed. Complete instructions on publishing the alternative language notice will be in your public notice package.***

**6. SITE INFORMATION** (Instructions, Page 8)

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

**N/A - New Facility**

NPDES Permit No. TX N/A Expiration Date: \_\_\_\_\_

Hazardous Waste Management Permit No. N/A

Non-attainment Permit No. N/A

National Emission Standards for Hazardous Pollutants Permit No. N/A

Water Right/Use Permit No. N/A

Water Right/Secondary Use Permit No: N/A

TCEQ Certificate of Adjudication N/A

TCEQ Certificate of Convenience and Necessity N/A

On-Site Subsurface Facility Permit N/A

Industrial Solid Waste Registration No. N/A

Dredge and Fill Permit No. N/A

UIC program under SWDA N/A

Sewage Sludge Registration N/A

Sludge/Septage Transporter Registration N/A

Municipal Solid Waste Landfill No. N/A

Other: N/A

- b. Sludge Processing/Disposal Site Information:

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

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

If the site is found, provide the assigned Regulated Entity Reference Number and provide the information for the site to be authorized through this application below.

The site information for this authorization may vary from the larger site information.

TCEQ issued RE Reference Number (RN): **RN** N/A - New Regulated Entity

- c. Name of project or site (the name known by the community where located):

North Texas Municipal Water District Water Treatment Residuals Disposal Monofill

- d. Is the location of the facility used in the existing permit correct?  Yes  No  N/A

Does the site have a physical address?

If Yes, complete Section A for a physical address.

If No (the location description is not accurate or this is a new permit application, complete), complete Section B for site location information.

**Section A:** Enter the physical address for the site.

Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergencies, or other online map tool to confirm an address.

*Physical Address of Project or Site:*

Street Number: N/A Street Name: N/A

City: N/A ZIP Code: \_\_\_\_\_

**Section B:** Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site:

1/4 Mile North of intersection of County Road 644 and FM 547. 100 ft North of Cooks Lake.

(Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

- e. Are your waste disposal operations within the incorporated limits of a municipality?  
 Yes  No

Are your waste disposal operations within the extraterritorial jurisdiction of a municipality?

Yes  No

- f. City where the site is located or, if not in a city, what is the nearest city/community:

Josephine, TX

- g. ZIP Code where the site is located: 75442

- h. County where the site is located Collin County

- i. Latitude: 33° 5' 34" N Longitude: 96°19' 23" W

- j. In your own words, briefly describe the primary business of the Regulated Entity:  
(Do not repeat the SIC and NAICS code)

The primary business is the disposal of water treatment plant residuals generated by the Wylie Water Treatment Plant.

k. Is facility located on Indian Land?  Yes  No

l. Owner of treatment facility (plant): North Texas Municipal Water District

m. Owner of land where treatment facility is or will be: North Texas Municipal Water District  
(If not the same as the facility owner, there must be a long term lease agreement in effect for at least six years. In some cases, a lease may not suffice - see instructions.)

n. Owner of the land where sludge disposal/land application area is or will be located  
North Texas Municipal Water District  
(Required only if authorization is sought in the permit for sludge disposal on property owned/controlled by the applicant.)

o.  Indicate by a checkmark that you have provided a copy of the deed of record and a copy of the meets and bounds giving the legal description of the site.

**See Attachment A**

p. Provide a written description that traces the flow of process wastewater to final disposition including transportation and temporary storage (e.g., holding ponds). Identify the nearest identifiable watercourse to the disposal site to which rainfall/runoff might flow if not contained.

This application is for monofill surface disposal only. Processing of residuals prior to surface disposal may include gravity-thickening and mechanical dewatering. Residuals will be conveyed either by truck or pipeline to the monofill site where they will be disposed. Wastewater generated on-site will be managed as appropriate, possibly including discharge under a General Permit. Discharges of wastewater are not authorized under this surface disposal permit. The nearest watercourse is Cowskin Creek and is located 300 ft east of the proposed monofill.

q. Site Drawing: **Attachment B**

Attach a drawing on an 8 1/2" by 11" (to scale) sheet showing the following:

- a. The boundaries of the treatment facility.
- b. Each treatment unit and the distance from each unit to the property line. *N/A*
- c. The required buffer zone (set back) in accordance with 30 TAC Chapter 30 TAC Chapter 285. **N/A - No buffer zones required**
- d. If sludge is disposed on property owned, leased or under direct control of the permittee by land application or surface disposal, show the location of the sludge use or disposal site with a scale sufficient to show the buffer zone (set back) in accordance with 30 TAC Section 312.44, for beneficial land application, or 30 TAC Section 312.63, surface disposal. **N/A - No buffer zones required**
- e. The direction of prevailing winds, indicated by wind rose.
- f. For process wastewater surface land disposal or evaporation, show the location of all process wastewater storage/holding/evaporation ponds and disposal area(s). The map of the site should indicate the general slope of the land. **N/A**

- r. Is this processing facility or waste disposal activity subject to 30 TAC Chapter 213, entitled Edwards Aquifer Rules?  Yes  No

If **YES**, the applicant may be required to submit additional information concerning methods of aquifer protection. **N/A**

- s. Attachments to the application: **See Table of Contents**

Please index all attachments cross-referenced to the specific item (i.e. Item 8.a on Page 2) in this application.

Attachment Number: _____	Item cross-referenced to: _____
Attachment Number: _____	Item cross-referenced to: _____
Attachment Number: _____	Item cross-referenced to: _____
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Attachment Number: _____	Item cross-referenced to: _____
Attachment Number: _____	Item cross-referenced to: _____



**7. USGS MAP** (Instructions, Page 11)

Attach a complete, **FULL-SIZED, ORIGINAL USGS TOPOGRAPHIC MAP(S)** (7 1/2 minute scale) which will show an area at least 1 mile in all directions of the site and includes the following: **See Attachment C**

- a. Identify the location of the facility, showing the applicant's approximate property boundaries.
- b. When requesting process wastewater surface land disposal, identify the location of all storage/holding/evaporation ponds and the area to be irrigated, showing the applicant's approximate property boundaries. **N/A**
- c. When requesting sludge disposal/land application, identify the location of the disposal/land application area, showing the applicant's approximate property boundaries.
- d. Indicate the proximity of the facility site and/or disposal site(s) to any new or future commercial developments, housing developments, industrial sites, parks, schools and recreational areas.
- e. Identify all springs, public water supply wells, surface water supply intakes, water treatment plants, potable water storage facilities and sewage treatment plants within one mile of the treatment facility.

**8. MISCELLANEOUS INFORMATION** (Instructions, Pages 12)

- a. List each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application:

N/A

- b. Do you owe fees to the TCEQ?  Yes  No

If yes, please provide:

Account number: N/A Amount past due: \_\_\_\_\_

- c. Do you owe any penalties to the TCEQ?  Yes  No

If yes, please provide:

Enforcement order number N/A Amount past due \_\_\_\_\_

**9. CERTIFICATION** (Instructions, Page 12)

APPLICANT/SITE OPERATOR:

I, Rodney Rhoades, Interim Executive Director  
(Name) (Title)

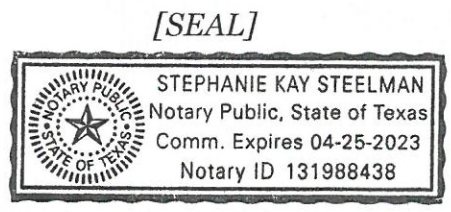
certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: [Handwritten Signature] Date: 4/28/21  
(Use blue ink)

**Note: all applications must bear the signature and seal of notary public.**

Subscribed and sworn to before me by the said Rodney Rhoades  
on this 28th day of April, 20 21.  
My commission expires on the 25th day of April, 20 23.

Stephanie Kay Steelman  
Notary Public  
Collin  
County, Texas



**THIS PAGE APPLIES TO SLUDGE SURFACE DISPOSAL OR LAND APPLICATION FACILITIES ONLY**

**SITE OPERATOR:**

I, Zeke Campbell, Water System Manager  
(Name) (Title)

understand that I am responsible for operating the site described in the legal description in accordance with the Texas Commission on Environmental Quality requirements in 30 TAC, Chapter 312, the conditions set forth in this application, and any additional conditions as required by the Texas Commission on Environmental Quality. I also certify under penalty of law that all information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment for violations, and revocation of this registration.

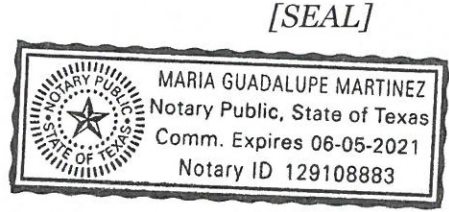
Signature: *Zeke Campbell* Date: 4/28/2021  
(Use blue ink)

**Note: all applications must bear the signature and seal of notary public.**

Subscribed and sworn to before me by the said Zeke Campbell  
on this 28<sup>th</sup> day of April, 20 21.

My commission expires on the 05 day of June, 20 21.

Maria G. Martinez  
Notary Public  
Collin County Texas  
County, Texas



# ADMINISTRATIVE REPORT 1.1

The following item is only required for new permit applications and major amendment permit applications. (The item is not applicable for renewal or minor amendment permit applications.) (Instructions, Page 14)

## 1. LANDOWNERS MAP AND INFORMATION (Instructions, Page 14)

a. Provide a map or drawing, with scale which includes the following information (See application instructions for example): **See Attachment D**

The approximate boundaries of the tract of land on which the sludge processing facility is located, contiguous property owned or under the control of the applicant and those landowners immediately adjacent.

N/A  The approximate boundaries of an irrigation or evaporation disposal area, contiguous property owned or under the control of the applicant and those landowners immediately adjacent.

N/A  The approximate boundaries of a **sludge land application site**, contiguous property owned or under the control of the applicant and those landowners immediately adjacent. (Example A - Instructions, Page 15)

The approximate boundaries of a **sludge disposal or incineration site**, contiguous property owned or under the control of the applicant and the boundaries of each tract of land within a 1/2 mile of the border of land owned or under the control of the applicant. (Example B - Instructions, Page 16)

Note: Not sewage sludge. Adjacent landowners are shown.

An index of the affected landowners cross-referenced in a numeric order, to the list requested for item 1.b.

b. Provide a separate list of names and complete mailing addresses (with zip codes) numerically cross-referenced to the map requested for item 1.a. (See application instructions for example): **See Attachment D**

Show on a separate list, properly cross-referenced in a numeric order, to the map required in item 1.a. above, the names and mailing addresses (include zip codes) of all adjacent landowners required to be identified in item 1.a. above. (Please do not cross-reference by Lot/Tract numbers.)

The names and mailing addresses of persons identified as potentially affected persons were obtained from:

Collin County Appraisal District

(Source: City, County, School or Water District Records, Abstract Co., etc.)

## 2. BUFFER ZONE MAP (Instructions, Page 14)

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

**See Attachment E**

**3. GROUND LEVEL PHOTOGRAPHS** (Instructions, Page 14)

New Facilities and physical expansions of facility: Submit a minimum of one original ground level photograph as instructed in items below. Clearly describe the exact location of the photos on a plot plan or map. Indicate the direction (N,E,S or W) that the photographer is facing. See Attachment F

- Show the location of the treatment facility. N/A - No treatment on site
- Show the location of the disposal area and the general characteristics of the area of disposal.

**4. PLANT OPERATION** (Instructions, Page 14)

Plant Operation

Will the plant be operated by the applicant?  YES  NO

If **YES**, list all other facilities operated. If necessary provide an attachment.

See Attachment G

If **No**, who will be the operator? N/A

List all other permitted and non permitted facilities currently operated by the contract source. If necessary provide an attachment.

N/A

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)**  
**FOR AGENCIES REVIEWING MUNICIPAL**  
**TPDES WASTEWATER PERMIT APPLICATIONS**

<b>TCEQ USE ONLY:</b>			
Application type:	<input type="checkbox"/> Renewal	<input type="checkbox"/> Major Amendment	<input type="checkbox"/> Minor Amendment <input type="checkbox"/> New
County: _____ Segment Number _____ Admin Complete Date: _____			
Agency Receiving SPIF:			
<input type="checkbox"/> Texas Historical Commission	<input type="checkbox"/> U.S. Fish and Wildlife _____		
<input type="checkbox"/> Texas Parks and Wildlife Department	<input type="checkbox"/> U.S. Army Corps of Engineers _____		

**This form applies to TPDES permit applications only.** The SPIF must be completed as a separate document. The TCEQ will mail a copy of the SPIF to each agency as required by the TCEQ agreement with EPA. If any of the items are not completely addressed and/or further information is needed, you will be contacted to provide the information before the permit is issued. Each item must be completely addressed.

**Do not refer to a response of any item in the permit application form.** Each attachment must be provided with this form separately from the administrative report of the application. The application will not be declared administratively complete without this form being completed in its entirety including all attachments.

**The following applies to all applications:**

1. Permittee: North Texas Municipal Water District
2. Permit No. WQ00N/A - New (EPA ID No.) TXL N/A
3. Address of the project (location description that includes street/highway, city/vicinity, & county)

1/4 Mile North of intersection of Co Rd 644 and FM 547. Just North of Cooks Lake. North of City of Josephine, Collin County, Texas.

4. Provide the name, address, phone and fax number of an individual that can be contacted to answer specific questions about the property.

Name: Billy George Company: North Texas Municipal Water District  
 Phone number: (469) 626-4330 Fax number: (972) 295-6436  
 Street No.: N/A Street name: N/A Street type: N/A  
 P.O. Box: 2408 City: Wylie State: TX ZIPcode: 75098  
 Email: bgeorge@ntmwd.com

5. List the county in which the facility is located: Collin

6. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

N/A - Applicant and Property Owner are the same

7. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the Segment Number.

Discharges of wastewater are not authorized under this permit.

8. Please provide a separate 7.5 minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required **in addition to** the map in the administrative report).  
See SPIF 1 and SPIF 2

9. Provide original photographs of any structures 50 years or older on the property.  
No structures over 50 years old

10. Does your project involve any of the following? Check all that apply.

- a. Proposed access roads, utility lines, construction easements
- b. Visual effects that could damage or detract from a historic property's integrity
- c. Vibration effects during construction or as a result of project design
- d. Additional phases of development that are planned for the future
- e. Sealing caves, fractures, sinkholes, other karst features
- f. Disturbance of vegetation or wetlands

11. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves, or other karst features).

Approximately 330 surface acres will be impacted, and maximum excavation depth from ground level is anticipated to be up to 20 ft

12. Describe existing disturbances, vegetation and land use.

Existing land use is agricultural, no heavy vegetation except for trees and brush in northwest corner of east parcel.

**THE FOLLOWING ITEMS APPLY ONLY TO APPLICATIONS FOR NEW TPDES PERMITS AND MAJOR AMENDMENTS TO TPDES PERMITS**

13. List construction dates of all buildings and structures on the property.

No buildings or structures are currently on the property.

14. Provide a brief history of the property, and name of the architect/builder, if known.

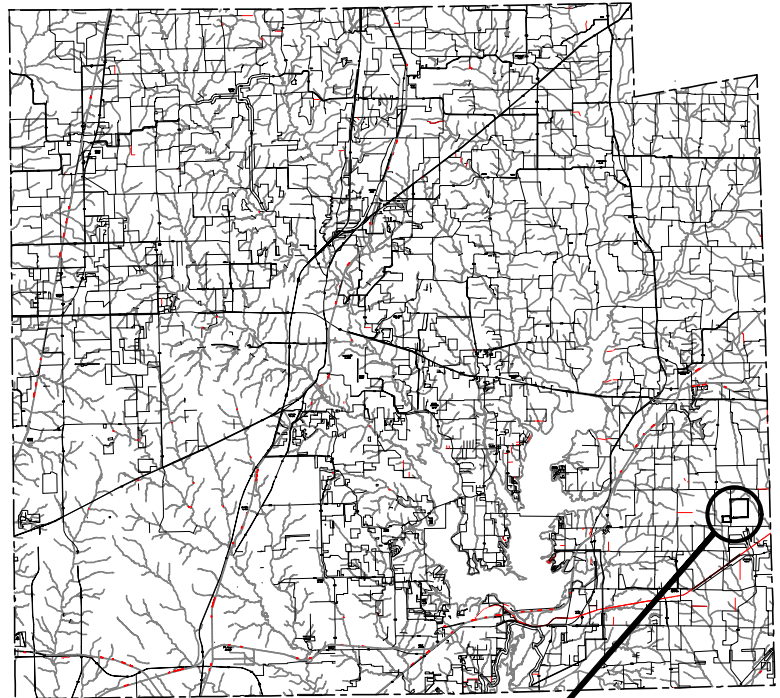
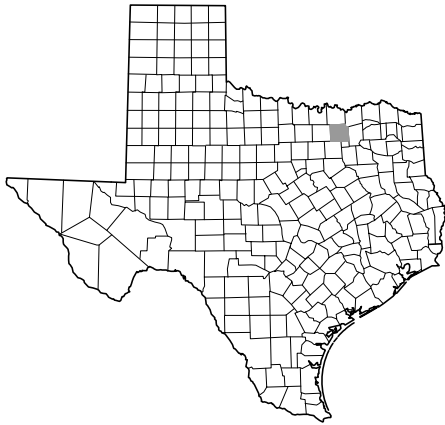
The property was purchased by North Texas Municipal Water District in 2011 and has not since been developed.



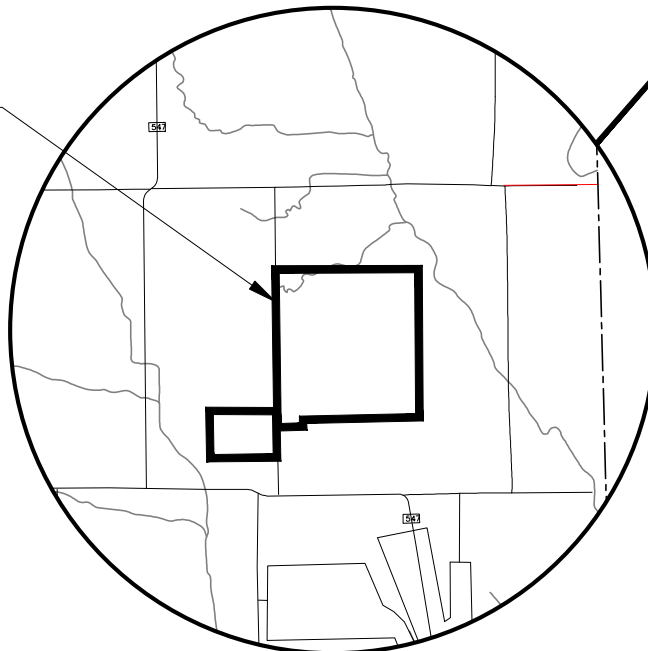
**PLUMMER**



**COLLIN COUNTY**



PROJECT  
SITE



**SPIF 1**

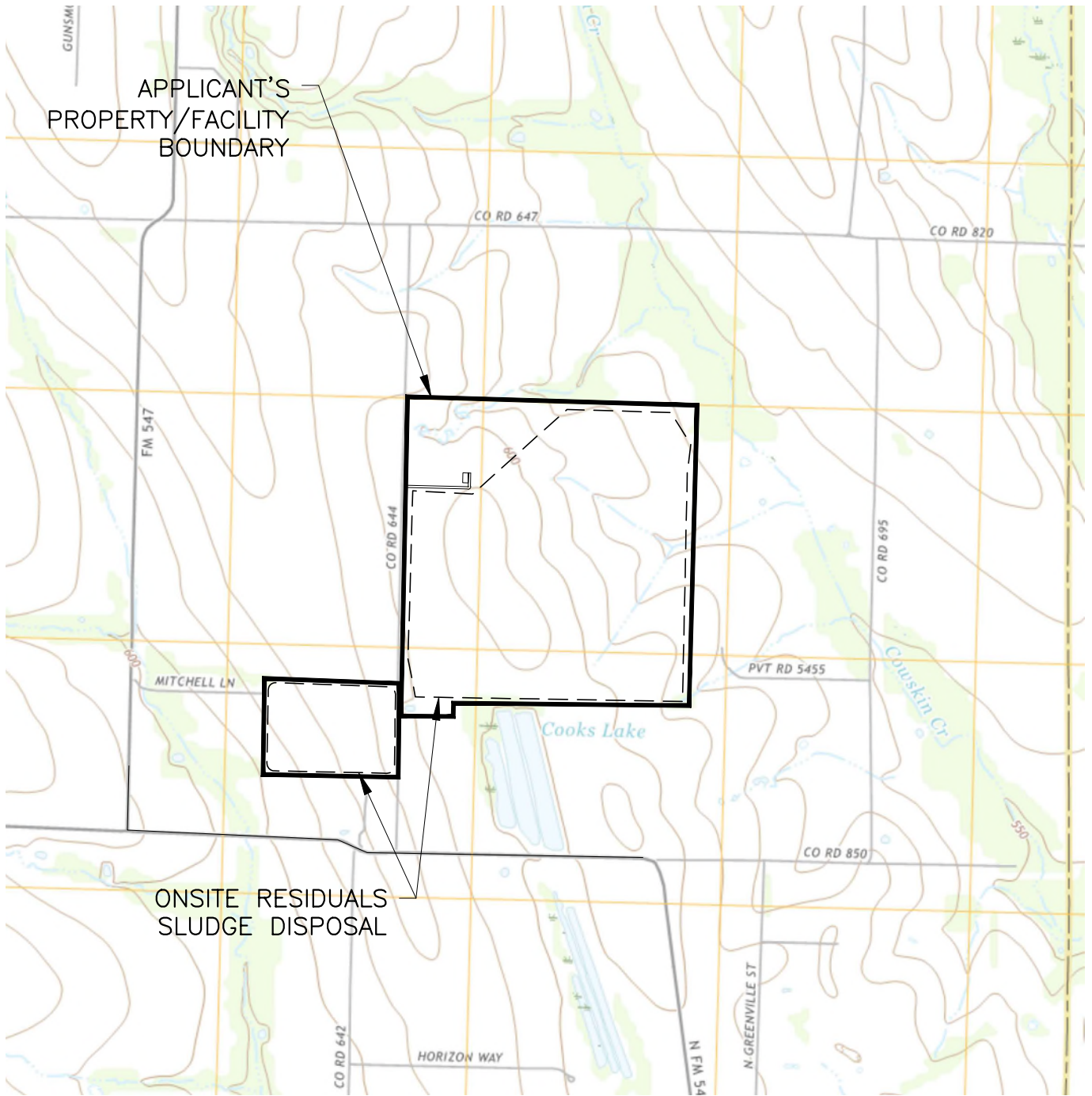
**NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
GENERAL LOCATION MAP**

TEXAS REGISTERED ENGINEERING FIRM F-13  
1/27/2021 4:14 PM L:\Projects\0326\114-01\2-0 Wrk Prod\2-1 ACAD\FIGURES\FIG-GEN\_LOC.dwg Briand





**PLUMMER**



NOTE:  
PROPERTY AND FACILITY  
BOUNDARIES ARE CONTIGUOUS.

**SPIF 2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
USGS MAP**

TEXAS REGISTERED ENGINEERING FIRM F-13  
3/12/2021 4:33 PM L:\Projects\0326\114-01\2-0 Wrk Prod\2-1 ACAD\FIGURES\FIG-SPIF-USGS.dwg Briand

## TECHNICAL REPORT 2

### SLUDGE SURFACE DISPOSAL

This section must be completed for all applications requesting authorization to dispose of sludge in a surface disposal unit.

Provide detailed technical information for the following items. Attach separate reports as necessary.

#### 1. REQUIRED MAPS

Maps of the proposed application site are required with the application. (**Note:** A copy of each map showing the information as required, is to be attached to each required copy of the application)

Attachment H

a. Submit one **ORIGINAL General Highway (County) Map** showing all areas within 1000 feet of the site. (Copies may be submitted on 8.5 x 11 inch sheets). For County Highway Maps you may call the Texas Department of Transportation Map Sales in Austin at (512) 465-7397.

Attachment I

b. Submit a legible copy of a **USDA Natural Resources Conservation Service (NRCS) Soil Map** with soil legend and necessary interpretative information. Contact the nearest NRCS office for map information. If county is not mapped, have a soil scientist identify the soils. The phone number for the State NRCS Headquarters in Temple is (817) 774-1261.

Attachment J

c. Submit a copy of the **Federal Emergency Management Agency (FEMA) Map** showing the 100 year flood plain. Several options are available. These maps can be obtained by requesting a Flood Insurance Study (no charge) from the FEMA Flood Map Distribution Center at (800) 358-9616. The flood insurance study will contain a booklet and the FEMA maps. For further assistance in Texas, you may contact the TCEQ Floodplain Coordination Team at (512) 239-4773.

#### 2. PREVIOUS DISPOSAL

Has sludge been previously disposed at this surface disposal site?

YES     NO

If Yes, provide a use history of the disposal area such as tons of sludge disposed so far, remaining capacity of active sludge unit, anticipated closure date for the surface disposal unit and a copy of the closure plan that has been developed for this active sludge unit.

#### 3. DISPOSAL INFORMATION

a. Does the proposed/existing surface disposal unit area (check all that apply):

- Overlap a designated 100-year flood plain area as shown on an attached FEMA map?
- Contain soils with flooding classification (see the soil legend, NRCS

- Soil Maps.)
- Contain wetlands
  - Overlap an unstable area
  - Located less than 60 meters from a fault
  - None of the above

b. Volume and frequency of sludge disposal(s):

Residuals will be transported at a variable frequency according to need. Up to 51,000 dry tons of residuals per year will be disposed of in the monofill

c. Disposal Rates

Total dry tons of sludge placed on the active sludge unit per 365-day period:

No residuals have been placed in disposal site

---

Total dry tons of sludge placed on the active sludge unit over the life of the unit:

No residuals have been placed in disposal site

---

d. Does the active sludge unit have a liner with a maximum hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec?

YES       NO

If Yes, describe the liner (or attach a description):

The unit will be constructed with a 2-ft thick recompacted clay liner

e. Does the active sludge unit have a leachate collection system?

YES       NO

If Yes, describe the leachate collection system (or attach a description). Also describe the method used for leachate treatment and disposal. If leachate is transported to another treatment facility please provide the TCEQ permit number(s).

N/A

f. If you answered No to either 3.d or 3.e, answer the following question:

Is the boundary of the active sludge unit less than 150 meters from the property line of the surface disposal site in any direction?

YES       NO

If Yes, provide the actual closest distance in meters: 15 m

#### 4. FACILITY SITE

- a. Are the proposed facilities to be located above the 100-year frequency flood level?

YES       NO

List source(s) used to determine 100-year frequency flood plain.  
FEMA FIRM Panels 48085C0455J and 48085C0460J

---

- b. If the proposed facility is not located above the 100-year flood level describe the protective measures to be utilized. Include a site map indicating location of the treatment plant within the 100-year frequency flood level. Provide size of dikes or other protective structures which may be required.

N/A

#### 5. SITE DEVELOPMENT PLAN

Describe the methods used to deposit sludge in the active sludge unit. This description should include site layout plan, site entrance roads from public access roads, rate of sludge deposition, average lift size, maximum lift, average trench or cell size, maximum cell or trench size, active sludge unit cover, seismic impact design, protection from floods, and other information necessary to depict how the surface disposal unit will be developed. Also provide the following:

**See Attachment K**

- a. Please provide a plan view and cross-section of the surface disposal unit.
- b. Provide the source and physical properties of the soil or other media for sludge bulking if applicable. **N/A**
- c. Indicate locations of stockpiles of media and the area for sludge unloading and mixing. **N/A**
- d. Operational procedures detailing how the sludge is to be mixed, the ratio of the mixture, and the handling and placement of the mixture, and daily cover. **N/A**
- e. Provide, with this application, a copy of any closure plan that has been developed for this active sludge unit in accordance with 30 TAC §312.62 (c). The plan should describe what steps will be taken to ensure that the area shall be properly capped, vegetated and maintained for proper drainage after the fill is complete. **N/A - New Facility**
- f. Provide a copy of deed recordation for the site. **See Attachment A**
- g. Sludge to be disposed on approx. 310 acres. Locate sludge disposal site on a site map (scale: 1"=100'). **See Attachment B**
- h. Describe method of controlling infiltration of ground and surface water from entering site:  
**2-ft recompacted clay liner and 10-ft perimeter berms**

**6. FINANCIAL ASSURANCE**

Provide financial assurance to properly operate this surface disposal unit and to provide final closure of this surface disposal unit and storage (if applicable) (30 TAC 312.62(g)). See Attachment L

**COMPLETE ITEMS 7 THROUGH 12 FOR SEWAGE SLUDGE ONLY:**

7. Which vector attraction reduction option in 30 TAC §312.83, is achieved before sludge leaves the wastewater treatment facility?

N/A - Not Sewage Sludge

8. Which vector attraction reduction option in 30 TAC §312.83, is met when sludge is placed on the active sludge unit?

N/A - Not Sewage Sludge

9. Which pathogen reduction option in 30 TAC §312.82, is achieved before sludge leaves the wastewater treatment facility?

N/A - Not Sewage Sludge

10. Which pathogen reduction option in 30 TAC §312.82, is met when sludge is placed on the active sludge unit?

N/A - Not Sewage Sludge

11. Site-Specific Limits.

Are you seeking site-specific pollutant limits for the sludge placed on the active sludge unit?

YES     NO    N/A - Not Sewage Sludge

If Yes, submit information to support the request for site-specific pollutant limits with this application.

N/A - Not Sewage Sludge

12. Provide a brief description of how methane gas is monitored, if cover is placed on unit and how public access to the site is restricted.

N/A - Not Sewage Sludge

13. Ground-Water Monitoring

- a. Is ground-water monitoring currently conducted at this active sludge unit, or are ground-water monitoring data otherwise available for this active sludge unit?

YES  NO

If Yes, provide a copy of available ground-water monitoring data. Also provide a written description of the well locations, the approximate depth to ground water, and the ground-water monitoring procedures used to obtain these data.

N/A

- b. Has a ground-water monitoring program been prepared for this active sludge unit?

YES  NO

If Yes, submit a copy of the ground-water monitoring program with this permit application.

- c. Provide a certification from a qualified ground-water scientist that the aquifer below the active sludge unit will not be contaminated in accordance with 30 TAC §312.64(n)? **N/A**

14. Provide design calculations of how the 25-year, 24-hour rainfall is prevented from leaving the surface disposal unit. Provide sources of all information and assumptions used. Provide design calculations on how the runoff from the storm will be stored and disposed of. Provide a scaled drawing of any detention pond along with the volume calculations; the type of liner proposed for any detention pond; and calculations for stormwater disposal and location along with any proposed acreage for irrigation in relation to stormwater run-on and run-off disposal. **See Attachment M**

15. Provide a profile of soil types encountered down to the groundwater table.

**See Attachment I**

16. Provide depth to shallowest groundwater

**All depths are > 80"**

17. If no leachate collection system is in place, please provide the following soil and soil sample information:

a. Use USDA Natural Resources Conservation Service (NRCS) soil descriptions. Refer to Physical and Chemical Properties Table and Engineering Tables in the appropriate county soil survey. Provide map symbols, soil type, permeability, and depth to bedrock.

**See Attachment I**

b. Attach a map of all fields sampled per site. It must match the scale of the soil survey map submitted with the application. The soil analysis data submitted must clearly be cross referenced to location of the sample.

**N/A - See Attachment L**

c. Obtain one composite sample for each soil depth per 80 acres and per uniform (soils with the same characteristics and texture) soil type within the 80 acres, or per approved soil sampling plan. Composite samples shall be comprised of 10-15 random sample cores taken from each of the following soil depth zones: 0-6 inches; 6-18 inches and 18-36 inches. The soil shall be sampled for Nitrate Nitrogen (NO<sub>3</sub>-N), Total Nitrogen (TKN), Soil Water pH (S.U.), Total Arsenic (mg/kg), Total Cadmium (mg/kg), Total Chromium (mg/kg), Total Copper (mg/kg), Total Lead (mg/kg), Total Mercury (mg/kg), Total Molybdenum (mg/kg), Total Nickel (mg/kg), Total Selenium (mg/kg) and Total Zinc (mg/kg). The soil samples should be analyzed using EPA SW846, Method 3050.

**N/A - See Attachment L**

18. Describe the method of sludge dewatering (drying beds, etc.) and average percent solids of surface disposed sludge:

Residuals will be mechanically dewatered to approximately 25% solids before disposal in the monofill. It is anticipated that the residuals will dewater to 50% solids or higher in the monofill over time.

19. If the surface disposal facility is a dedicated land application site, please provide a list of any crops to be grown on the site.

N/A

## 20. WELL DATA FOR SLUDGE SURFACE DISPOSAL SITES

Provide the following information for all types of wells located on and within 500 feet of the application area including off-site wells of other landowners. By definition (30 TAC Chapter 338) a "well" is any artificial excavation constructed for the purpose of exploring, monitoring or producing substances, elements, chemicals or fluids beneath the surface of the ground. (Potable water wells, irrigation wells, gas wells, oil wells, etc.) **N/A - No Wells within 500 ft of Facility**

**Show well locations and numbers on the USGS map and cross reference to the numbers on the list below.**

Well Number	Type of Well	Producing? Y/N	Plugged? Y/N	Cased? Y/N	Capped? Y/N	Action
		No	No	No	No	
		No	No	No	No	
		No	No	No	No	
		No	No	No	No	

- \* Proper casing is a minimum of 10 feet of casing and cement. (Casing, plugging and capping rules - 30 TAC Section 338.48)
- \*\* Action that the site operator and landowner assure will be taken on each well before sludge disposal begins on the site.

### Condition of Well                      Action to be Taken

- If producing and cased ----- no action necessary.
- If producing and not cased ---- case or describe other means of protection.
- If nonproducing and cased ----- must plug or cap before sludge disposal.
- If nonproducing and not cased - must plug before sludge disposal.

For the site water well history, contact the Texas Water Development Board (512) 936-0837.

For a thorough investigation of other well records, contact the Railroad Commission: Mapping Office (512) 463-6851 or Records Retention Office (512) 463-6882.



**NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
 MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

**TABLE OF ATTACHMENTS**

<b><u>No.</u></b>	<b><u>Description</u></b>	<b><u>Reference</u></b>
A	Deed of Record and Metes and Bounds	Admin Rpt. 1.0 Section 6.o
B	Site Drawing with Wind Rose	Admin Rpt. 1.0 Section 6.q
C	U.S. Geological Survey Map	Admin Rpt. 1.0 Section 7
D	Affected Landowner Map and Information	Admin Rpt. 1.1 Section 1
E	Buffer Zone Map	Admin Rpt. 1.1 Section 2
F	Original Photographs	Admin Rpt. 1.1 Section 3
G	Other Facilities Operated by North Texas Municipal Water District	Admin Rpt. 1.1 Section 4
H	General Highway County Map	Tech Rpt. 2.0 Section 1.a
I	USDA Natural Resource Conservation Service Soil Map	Tech Rpt. 2.0 Section 1.b
J	Federal Emergency Management Agency Map	Tech Rpt. 2.0 Section 1.c
K	Site Development Plan	Tech Rpt. 2.0 Section 5
L	Technical Information for Application	Tech Rpt. 2.0 Section 6, 17.b, and 17.c
M	Design Features and Design Calculations	Tech Rpt. 2.0 Section 14

**ATTACHMENT A**

**Deed of Record and Metes and Bounds  
Admin Rpt. 1.0 Section 6.o**

WARRANTY DEED

Date: JUNE 2, 1993

Grantor: CHARLES DODSON, joined herein by Glynn Dodson as Trustee of the Testamentary Trust created under the Last Will And Testament of M.F. Dodson, deceased

Grantor's Mailing Address (including county):  
9115 EAST PERDUE #120  
SCOTTSDALE, ARIZONA 85258

Grantee: GLYNN DODSON AND DAVID DODSON

Grantee's Mailing Address (including county):  
805 LAKESHORE DRIVE  
ROCKWALL, ROCKWALL COUNTY, TEXAS 75087

Consideration:

Ten and No/100 Dollars (\$10.00) Cash and other good and valuable considerations of the partition of property owned jointly by Grantor and Grantee.

Property (including any improvements): all of the one third (1/3) undivided interest of Charles Dodson in and to the following described property

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Reservations from and Exceptions to Conveyance and Warranty:

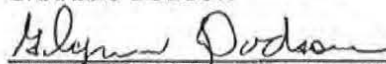
THIS CONVEYANCE IS MADE AND ACCEPTED SUBJECT TO ALL VALID AND SUBSISTING RESTRICTION, RESERVATIONS, COVENANTS, CONDITIONS, RIGHTS-OF-WAY, AND EASEMENTS PROPERLY OF RECORD, IF ANY, AFFECTING THE ABOVE DESCRIBED PROPERTY.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

No liens, express or implied, are retained herein.

When the context requires, singular nouns and pronouns include the plural.

  
CHARLES DODSON

  
GLYNN DODSON, as Trustee only

UNRECORDED

UNRECORDED

93-0047725

(Acknowledgment)

STATE OF ARIZONIA  
COUNTY OF maricopa

This instrument was acknowledged before me on the 2nd day of JUNE, 1993 by  
CHARLES DODSON.



Scott R. McLeary  
Notary Public, State of Arizona

My Commission Expires June 30, 1994

(Acknowledgment)

STATE OF TEXAS  
COUNTY OF ROCKWALL

This instrument was acknowledged before me on the 2nd day of JUNE, 1993 by  
Glynn Dodson, as Trustee of Testamentary Trust created under the Last Will And  
Testament of Charles D. Dodson, deceased.



Donna S. Rushing  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
GLYNN DODSON AND DAVID DODSON  
805 LAKESHORE DRIVE  
ROCKWALL, ROCKWALL COUNTY, TEXAS 75087

2

ATTACHMENT A

EXHIBIT "A"

TRACT 1

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, LYING AND SITUATED IN THE COUNTY OF COLLIN, STATE OF TEXAS, TO-WIT: BEING 50 ACRES OF LAND, MORE OR LESS, OUT OF THE ABNER LEE SURVEY, AND BEING THE SAME TRACT DESCRIBED IN THAT CERTAIN DEED OF TRUST, EXECUTED BY E.M. PAULK, ET AL, TO HARRY LEE TAFT, TRUSTEE, DATED JANUARY 12, 1925, RECORDED IN VOLUME 68, PAGE 356, OF THE DEED OF TRUST RECORDS OF COLLIN COUNTY, TEXAS, AND MORE FULLY DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING IN THE EAST LINE OF SAID SURVEY, 11.25 CHAINS NORTH OF ITS SOUTHEAST CORNER;

THENCE WEST 26.66 CHAINS;

THENCE NORTH 18.75 CHAINS;

THENCE EAST 26.66 CHAINS TO THE EAST BOUNDARY LINE OF SAID SURVEY;

THENCE SOUTH 18.75 CHAINS TO THE PLACE OF BEGINNING; BEING THE SAME LAND CONVEYED BY CONTINENTAL ASSURANCE COMPANY TO ED YEATTS, BY DEED DATED NOVEMBER 23, 1934, AS THE SAME APPEARS OF RECORD IN VOLUME 295, AT PAGE 583, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS.

TRACT 2

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN COLLIN COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

TWO HUNDRED (200) ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN DAVIS 1694-ACRE SURVEY, ABSTRACT NO. 253, SAID 200 ACRES BEING BOUNDED AS FOLLOWS:

BEGINNING AT A STAKE IN THE WEST LINE OF SAID SURVEY, 15 CHAINS SOUTH OF THE NORTHWEST CORNER THEREOF;

THENCE SOUTH WITH THE SAID WEST LIEN 34.435 CHAINS;

THENCE EAST 58.08 CHAINS;

THENCE NORTH 34.435 CHAINS TO SOUTHEAST CORNER OF RILEY MAIN 87 ACRE TRACT;

THENCE WEST WITH THE SOUTH LINE OF THE RILEY MAIN 87 ACRE TRACT 58.08 CHAINS TO THE PLACE OF BEGINNING; AND BEING THE SAME LAND DESCRIBED IN THAT CERTAIN DEED DATED MARCH 30, 1937, EXECUTED BY THE FIRST-TRUST JOINT STOCK LAND BANK OF CHICAGO TO DAVID E. COFFMAN AND RECORDED IN THE DEED RECORDS OF COLLIN COUNTY, TEXAS AT VOLUME 314, PAGE 127.

TRACT 3

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, LYING AND SITUATED IN THE COUNTY OF COLLIN, STATE OF TEXAS, BEING 158.25 ACRES OF LAND OUT OF THE JOHN DAVIS SURVEY OF 1694 ACRES, ABSTRACT NUMBER 253, BOUNDED AS FOLLOWS: BEGINNING IN THE WEST LINE OF ORIGINAL SURVEY, 49.435 CHAINS FROM ITS NORTHWEST CORNER, AT THE SOUTHWEST CORNER OF A TRACT OF 200 ACRES OF LAND HERETOFORE ON DECEMBER 23, 1913, CONVEYED BY E.M. PAULK AND WIFE, TO HARRY LEE TAFT, TRUSTEE; THENCE SOUTH 31.12 CHAINS TO THE SOUTHWEST CORNER OF THE 358.25 ACRE TRACT OF LAND, OF WHICH THIS IS A PART, CONVEYED BY PEYTON R. JORDAN AND WIFE, JAMES PAULK, BY DEED RECORDED IN VOLUME 163, PAGE 43 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS; THENCE EAST A LITTLE NORTH, WITH FENCE 11.48 CHAINS TO ANOTHER CORNER OF SAME; THENCE NORTH 2.87 CHAINS TO AN ALL CORNER THEREOF; THENCE EAST WITH ITS SOUTH LINE 46.60 CHAINS TO ITS MOST EASTERN SOUTHEAST CORNER; THENCE NORTH 28 CHAINS TO THE SOUTHEAST CORNER OF THE 200 ACRE TRACT CONVEYED TO HARRY LEE TAFT, TRUSTEE, AFORESAID, THENCE WEST WITH ITS SOUTH LINE 58.58 CHAINS TO THE PLACE OF BEGINNING.

3

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE  
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS  
INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS )  
COUNTY OF COLLIN )  
I hereby certify that this instrument was FILED in the File Number Register  
on the date and the time stamped hereon by me, and was duly RECORDED  
in the Official Public Records of Real Property of Collin County, Texas on

JUN 18 1993  
*Helene Starnes*  
COUNTY CLERK  
COLLIN COUNTY, TEXAS



Filed for Record in:  
COLLIN COUNTY, TX  
HONORABLE HELEN STARNES

On 1993/06/18

At 12:41P

Number: 93- 0047725  
Type : D1 14.00

4

3/

PC05201496(Ace)

2005-0109487

**AFTER RECORDING RETURN TO:**

Ms. Polly Johnson  
HEXTER-FAIR TITLE COMPANY  
8333 Douglas Avenue #130  
Dallas, Texas 75225

05978 02235

**NOTICE OF CONFIDENTIALITY RIGHTS:** IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**DEED OF TRUST**

**DATE:** August 9, 2005

**GRANTOR:** AFFARE LIMITED PARTNERSHIP,  
an Arizona limited partnership; AND  
EL MARE LIMITED PARTNERSHIP,  
an Arizona limited partnership

**GRANTOR'S MAILING ADDRESS:** 1223 S. Clearview Avenue, Suite 103 and Suite 105, respectively  
Mesa, Arizona 85209

**TRUSTEE:** GLYNN DODSON

**TRUSTEE'S MAILING ADDRESS:** 207 South Elm Street  
Royse City, Texas 75189

**BENEFICIARY:** DAVID DODSON; AND GLYNN DODSON, INDIVIDUALLY,  
AND AS INDEPENDENT EXECUTOR OF THE LAST WILL  
AND TESTAMENT OF M.F. DODSON, DECEASED, AND AS  
TRUSTEE OF THE TESTAMENTARY TRUST CREATED  
UNDER THE LAST WILL AND TESTAMENT OF M.F.  
DODSON, DECEASED

**MAILING ADDRESS:** 207 South Elm Street  
Royse City, Texas 75189

ATTACHMENT A

05978 02236

NOTE:

Date: August 9, 2005

Amount: \$1,549,625.00

Maker: Affaro Limited Partnership and El Mare Limited Partnership

Payee: David Dodson; and Glynn Dodson, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased

Final Maturity Date: August 9, 2010

Terms of Payment: As therein provided.

PROPERTY: All of that certain real property situated in Collin County, Texas, as more particularly described in Exhibit A attached hereto and incorporated herein by reference for all purposes.

PRIOR LIEN: None.

OTHER EXCEPTIONS TO CONVEYANCE AND WARRANTY: This conveyance is made subject to any and all easements, restrictions, covenants, conditions, and reservations of record, if any, applicable to the herein conveyed Property or any part thereof, to the extent same are valid, subsisting and affect the Property.

\* \* \* \* \*

For value received and to secure payment of the Note, Grantor conveys the Property to Trustee in trust. Grantor warrants and agrees to defend the title to the Property. If Grantor performs all the covenants and pays the Note according to its terms, this Deed of Trust shall have no further effect, and Beneficiary shall release it at Grantor's expense.

1. GRANTOR'S OBLIGATIONS

Grantor agrees to:

1. keep the Property in good repair and condition;
2. pay all taxes and assessments on the Property when due and provide evidence of payment to Beneficiary as soon as practicable;



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3. preserve the lien's priority as it is established in this Deed of Trust;
4. maintain, in a form acceptable to Beneficiary, an insurance policy that:
  - a. covers all improvements for their full insurable value as determined when the policy is issued and renewed, unless Beneficiary approves a smaller amount in writing;
  - b. contains an eighty percent (80%) coinsurance clause;
  - c. provides fire and extended coverage, including windstorm coverage;
  - d. protects Beneficiary with a standard mortgage clause;
  - e. provides flood insurance at any time the Property is in a flood hazard area; and
  - f. contains such other coverage as Beneficiary may reasonably require;
5. comply at all times with the requirements of the eighty percent (80%) coinsurance clause;
6. deliver the insurance policy to Beneficiary and deliver renewals to Beneficiary at least ten (10) days before expiration;
7. keep any buildings occupied as required by the insurance policy; and
8. if this is not a first lien, pay all prior lien notes that Grantor is personally liable to pay and abide by all prior lien instruments.

**II. BENEFICIARY'S RIGHTS**

1. Beneficiary may appoint in writing a substitute or successor trustee, succeeding to all rights and responsibilities of Trustee.
2. If the proceeds of the Note are used to pay any debt secured by prior liens, if any, Beneficiary is subrogated to all of the rights and liens of the holders of any debt so paid.
3. Beneficiary may apply any proceeds received under the insurance policy either to reduce the Note or to repair or replace damaged or destroyed improvements covered by the policy.
4. If Grantor fails to perform any of Grantor's obligations, Beneficiary may perform those obligations and be reimbursed by Grantor on demand at the place where the Note is payable for any sums so paid, including attorney's fees, plus interest on those sums from the dates of payment at the rate stated in the Note for matured, unpaid amounts. The sum to be reimbursed shall be secured by this Deed of Trust.
5. If Grantor defaults on the Note or fails to perform any of Grantor's obligations and the default continues after Beneficiary gives Grantor notice of the default and the

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time within which it must be cured, as may be required by law or by written agreement, then Beneficiary may:

- a. declare the unpaid principal balance and earned interest on the Note immediately due;
- b. request Trustee to foreclose this lien, in which case Beneficiary or Beneficiary's agent shall give notice of the foreclosure sale as provided by the Texas Property Code as then amended; and
- c. purchase the Property at any foreclosure sale by offering the highest bid and then have the bid credited on the Note.

**III. TRUSTEE'S DUTIES**

If requested by Beneficiary to foreclose this lien, Trustee shall:

- 1. either personally or by agent give notice of the foreclosure sale as required by the Texas Property Code as then amended;
- 2. sell and convey all or part of the Property to the highest bidder for cash with a general warranty binding Grantor, subject to other exceptions to conveyance and warranty; and
- 3. from the proceeds of the sale, pay, in this order:
  - a. expenses of foreclosure, including a commission to Trustee of five percent (5%) of the bid;
  - b. to Beneficiary, the full amount of principal, interest, attorney's fees, and other charges due and unpaid;
  - c. any amounts required by law to be paid before payment to Grantor; and
  - d. to Grantor, any balance.

**IV. GENERAL PROVISIONS**

- 1. If any of the Property is sold under this Deed of Trust, Grantor shall immediately surrender possession to the purchaser. If Grantor fails to do so, Grantor shall become a tenant at sufferance of the purchaser, subject to an action for forcible detainer.
- 2. Recitals in any Trustee's deed conveying the Property will be presumed to be true.
- 3. Proceeding under this Deed of Trust, filing suit for foreclosure, or pursuing any other remedy will not constitute an election of remedies.
- 4. This lien shall remain superior to liens later created even if the time of payment of all or part of the Note is extended or part of the Property is released.

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5. If any portion of the Note cannot be lawfully secured by this Deed of Trust, payments shall be applied first to discharge that portion,
6. Grantor assigns to Beneficiary all sums payable to or received by Grantor from condemnation of all or part of the Property, from private sale in lieu of condemnation, and from damages caused by public works or construction on or near the Property. After deducting any expenses incurred, including attorney's fees, Beneficiary may release any remaining sums to Grantor or apply such sums to reduce the Note. Beneficiary shall not be liable for failure to collect or to exercise diligence in collecting any such sums.
7. Grantor assigns to Beneficiary absolutely, not only as collateral, all present and future rent and other income and receipts from the Property. Leases are not assigned. Grantor warrants the validity and enforceability of the assignment. Grantor may as Beneficiary's licensee collect rent and other income and receipts as long as Grantor is not in default under the Note or this Deed of Trust. Grantor will apply all rent and other income and receipts to payment of the Note and performance of this Deed of Trust, but if the rent and other income and receipts exceed the amount due under the Note and Deed of Trust, Grantor may retain the excess. If Grantor defaults in payment of the Note or performance of this Deed of Trust, Beneficiary may terminate Grantor's license to collect and then as Grantor's agent may rent the Property if it is vacant and collect all rent and other income and receipts. Beneficiary neither has nor assumes any obligations as lessor or landlord with respect to any occupant of the Property. Beneficiary may exercise Beneficiary's rights and remedies under this paragraph without taking possession of the Property. Beneficiary shall apply all rent and other income and receipts collected under this paragraph first to expenses incurred in exercising Beneficiary's rights and remedies and then to Grantor's obligations under the Note and this Deed of Trust in the order determined by Beneficiary. Beneficiary is not required to act under this paragraph, and acting under this paragraph does not waive any of Beneficiary's other rights or remedies. If Grantor becomes a voluntary or involuntary bankrupt, Beneficiary's filing a proof of claim in bankruptcy will be tantamount to the appointment of a receiver under Texas law.
8. Interest on the debt secured by this Deed of Trust shall not exceed the maximum amount of nonusurious interest that may be contracted for, taken, reserved, charged, or received under law; any interest in excess of that maximum amount shall be credited on the principal of the debt or, if that has been paid, refunded. On any acceleration or required or permitted prepayment, any such excess shall be canceled automatically as of the acceleration or prepayment or, if already paid, credited on the principal of the debt or, if the principal of the debt has been paid, refunded. This provision overrides other provisions in this and all other instruments concerning the debt.
9. Notwithstanding anything to the contrary contained herein or in the Note or any other documents related to this loan, but without in any manner releasing, impairing

05978 02240

or otherwise affecting the lien of this Deed of Trust, in the event of any default under the terms of the Note, this Deed of Trust or any other document related hereto, Beneficiary will not hold Grantor personally liable for repayment of the indebtedness evidenced by the Note or for any other sums due as a result of any defaults under the Note, this Deed of Trust or such other documents or for the payment of any deficiency established after judicial foreclosure, or after non-judicial sale under this Deed of Trust, except for (a) failure to pay property taxes, (b) misapplication of insurance proceeds or condemnation awards (to the extent not applied to restore the Property or pay the Note), (c) misapplication of prepaid rents (to the extent not applied to pay operating expenses of the Property or pay the Note), and (d) security deposits (to the extent received by Grantor and not paid to Beneficiary or properly refunded to tenants).

10. When the context requires, singular nouns and pronouns include the plural.
11. The term Note includes all sums secured by this Deed of Trust.
12. This Deed of Trust shall bind, inure to the benefit of, and be exercised by successors in interest of all parties.
13. If Grantor and Maker are not the same person, the term Grantor shall include Maker.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK.]

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**GRANTOR:**

AFFARE LIMITED PARTNERSHIP,  
an Arizona limited partnership

By: Affare II, LLC,  
an Arizona limited liability company

By:   
Broc C. Hiatt, Manager

EL MAREL LIMITED PARTNERSHIP,  
an Arizona limited partnership

By: El Marel II, LLC,  
an Arizona limited liability company

By:   
Brent A. Bowden, Manager


**ACKNOWLEDGMENTS**

STATE OF ARIZONA  
COUNTY OF MARICOPA

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Broc C. Hiatt, the Manager of Affare II, L.L.C, an Arizona limited liability company, the General Partner of Affare Limited Partnership, an Arizona limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of such company, for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 7<sup>th</sup> day of August, 2005.



  
NOTARY PUBLIC, STATE OF ARIZONA  
Printed Name: Sandra Calandrilla  
My Commission Expires: 4/14/2008

05978 02242

STATE OF ARIZONA §  
COUNTY OF MARICOPA §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Brent A. Bowden, the Manager of El Marell II, LLC, an Arizona limited liability company, the General Partner of El Marell Limited Partnership, an Arizona limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of such company, for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 9th day of August, 2005.

Sandra Calandrilla  
NOTARY PUBLIC, STATE OF ARIZONA  
Printed Name: Sandra Calandrilla  
My Commission Expires: 4/14/2008



ATTACHMENT A

05978 02243

EXHIBIT A

LEGAL DESCRIPTION

BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being all of the called 50 acres described in the deed from Ed Yeatts and wife, Georgia Yeatts, to M.F. Dodson, recorded in Volume 536, Page 356 of the Collin County Deed Records, and all of the called 200 acres described in the deed from Mrs. Dorothy H. Coffman to M.F. Dodson and Gertrude Dodson recorded in Volume 369, Page 395 of the Collin County Deed Records and all of the called 158.25 acres described in the deed from Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, recorded in Volume 328, Page 348 of the Collin County Deed Records and being more particularly described as follows:

BEGINNING at an axle found in a north/south fence at the easternmost southeast corner of said 158.25 acres.

THENCE South 90 degrees 00 minutes 00 seconds West along the easternmost south line of said 158.25 acres 3079.06 feet to a 1/2 inch iron rod found at a fence corner at the interior corner of said 158.25 acres tract, for a corner;

THENCE South 01 degrees 10 minutes 11 seconds West 188.81 feet along a fence and the southernmost east line of the said 158.25 acres to a 1/2 inch iron rod found at a fence corner post at the westernmost southeast corner of said tract, for a corner;

THENCE South 89 degrees 49 minutes 40 seconds West 737.17 feet along the southernmost south line of said 158.25 acres to a 1/2 inch iron rod set at the southernmost southwest corner of the said 158.25 acres, for a corner, said corner being on the east line of the said 50 acres and being in the center of County Road No. 644 and being further referenced by a 5/8 inch iron rod found North 89 degrees 49 minutes 40 seconds East 6.91 feet and by a 1/2 inch iron rod set North 89 degrees 49 minutes 40 seconds East 30.00 feet;

THENCE South 00 degrees 38 minutes 04 seconds West 758.04 feet along said center of Road and with the east line of said 50 acres to a 1/2 inch iron rod set at the southeast corner of said 50 acres, for a corner;

THENCE North 89 degrees 36 minutes 32 seconds West, passing a capped 1/2 inch iron rod found at a T-post at 26.01 feet and continuing with the south line of said 50 acres, for a total distance of 497.88 feet to a 1/2 inch iron rod found, for a corner;

THENCE North 89 degrees 41 minutes 46 seconds West continuing with the south line of said 50 acres 1283.74 feet to 1/2 inch iron rod set at the intersection of an east/west and north bound berm and being the south west corner of the said 50 acres, for a corner;

ATTACHMENT A

05978 02244

THENCE North 00 degrees 33 minutes 57 seconds East along said berm and with the west line of said 50 acres 1010.56 feet to a 3/8 inch iron rod found at a pipe post at the end of a west bound fence;

THENCE North 01 degrees 39 minutes 10 seconds West continuing with the west line of said 50 acres 254.36 feet to a 4 foot tall 3/8 inch iron rod found at the northwest corner of said 50 acres and at the intersection of an east/west and south bound berm, for a corner;

THENCE South 88 degrees 44 minutes 17 seconds East with the north line of said 50 acres, at 1745.78 feet passing a 1/2 inch iron rod set for reference and continuing, for a total distance of 1775.78 feet to a 1/2 inch iron rod set at the northeast corner of said 50 acres on the west line of the said 158.25 acres in the center of said County Road No. 644, for a corner;

THENCE North 00 degrees 45 minutes 05 seconds East along said center of road and with the west lines of said 158.25 acres and said 200 acres 3775.79 feet to a 1/2 inch iron rod set at the northwest corner of said 200 acres, for a corner;

THENCE South 89 degrees 09 minutes 04 seconds East along a hedgerow with the north line of said 200 acres, at 30.00 feet passing a 1/2 inch iron rod set for reference, and continuing for a total distance of 3865.75 feet to a 1/2 inch iron rod set in a north/south bound fence at the northeast corner of said 200 acres, for a corner;

THENCE South 01 degrees 21 minutes 18 seconds West along a fence and with the east line of said 200 acres 937.22 feet to a 3/8 inch iron rod found at a fence corner post.

THENCE South 00 degrees 58 minutes 28 seconds West continuing along said fence and with said east line 816.30 feet to a 1/2 inch iron rod set at a fence corner post;

THENCE South 01 degrees 12 minutes 02 seconds West leaving said fence and continuing with said east line of said 200 acres and continuing with the east line of said 158.25 acres 1041.12 feet to a 1/2 inch iron rod found at a fence corner;

THENCE South 01 degrees 07 minutes 54 seconds West with said east line of 158.25 acres, 948.94 feet to an angle iron found at a fence corner;

THENCE South 01 degrees 20 minutes 47 seconds West along a fence and with said east line 262.37 feet to return to the Place of Beginning and containing 410.838 acres of land of which 0.913 acre lies within defined encasements, leaving a net acreage of 409.925 acres of land, more or less.



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ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS VOID AND UNENFORCEABLE UNDER FEDERAL LAW (COUNTY OF COLLIN) (THE STATE OF TEXAS)  
I hereby certify that this instrument was FILED in the Public Record Sequence Unit on this date and the same placed on file by me, and was duly RECORDED, in the Official Public Records of Real Property of Collin County, Texas.

AUG 10 2005

Brenda Taylor



Filed for Record in:  
Collin County, McKinney TX  
Honorable Brenda Taylor  
Collin County Clerk

On Aug 10 2005  
At 1:27pm

Doc/Num : 2005- 0189487

Recording/Type:DT 34.00  
Receipt #: 32145

24  
AFTER RECORDING RETURN TO:  
Attn: TOLLY JOHNSON  
HEXTER-FAIR TITLE COMPANY  
8333 Douglas Avenue, #130  
Dallas, TX 75225

PC05201496(Ace) 2005-0109485

**AFFIDAVIT OF NON-PRODUCTION**

STATE OF TEXAS §  
  §  
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

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THAT BEFORE ME, the undersigned authority, on this day personally appeared **DAVID DODSON; and GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased,** personally known to me to be the persons whose names are subscribed hereto and being by me duly sworn on their oath deposed and said:

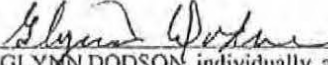
- 1. Our names are David Dodson and Glynn Dodson. We are each over 18 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts stated in it.
- 2. We are the present owners of that certain tract of real property consisting of approximately 410.838 acres of land situated in Collin County, Texas (the "Property") and we have continuously owned same in excess of ten (10) years. The Property is more particularly described on Exhibit A attached hereto and incorporated herein by reference as if fully copied and set forth at length.
- 3. Our predecessors in title and ourselves reserved or created those certain oil and gas leases which had a primary term that has expired prior to the date of this Affidavit. The oil and gas leases are more particularly described as follows:
  - (a) Oil, Gas or Mineral Lease dated August 10, 1976, executed by M.F. Dodson and wife, Nellie Gertrude Dodson, to Texas Oil & Gas Corp., as recorded in **Volume 1016, Page 475** of the Deed Records of Collin County, Texas; as affected by instruments recorded in **Volume 1427, Page 817, Volume 1570, Page 910, and Volume 2493, Page 419** of the Deed Records of Collin County, Texas.
  - (b) Oil, Gas or Mineral Lease dated February 21, 1996, executed by Glynn Dodson and David Dodson, a married man dealing in his sole and separate property, to Genesis Producing Company, as recorded under **County Clerk's File Number: 96-0047331** of the Land Records of Collin County, Texas; as affected by instrument recorded under **County Clerk's File Number: 96-0096554** of the Land Records of Collin County, Texas.
- 4. In order to induce Hexter-Fair Title Company to issue policies of title insurance with respect to the Property, we hereby represent and warrant upon oath that as of the date hereof there has not ever been any production of oil, gas or other minerals from the Property or any other land covered by any Lease; that no delay in rentals have been paid for several years; and, the

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above described oil and gas leases have expired and are of no further force or effect whatsoever.

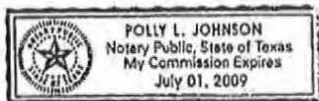
5. Neither of us are aware of any claims or allegations made, asserted or threatened by any third party contrary to the statements contained in this Affidavit.
6. We have read this Affidavit and we can each unequivocally attest to the veracity of the statements made herein. Accordingly, if called upon to testify in Court as to these matters, our testimony would be the same as that which is stated in this Affidavit.
7. This Affidavit may be relied upon by any third party, including, but not limited to, Hexter-Fair Title Company and its underwriters (collectively, "Title Company") and any other title companies issuing policies of title insurance with respect to the Property without exception to the Leases, and any other party purchasing, obtaining a lien against, or otherwise dealing with the Property. We hereby indemnify and agree to hold harmless Title Company from and against any and all liability, loss or damage of any nature, including, but not limited to, reasonable attorneys' fees and expenses, sustained or incurred under or pursuant to any policy of title insurance issued by Title Company (including, but not limited to, costs in defending any insured) that may arise or result from or in connection with any claim or allegation made by any party (regardless of whether such claim or allegation is true or has any basis in law or fact), now or hereafter asserted, that any of the statements contained in this Affidavit is in any way not true (and regardless of whether the statement is of a factual or legal matter, or both).
8. **WE HAVE PERSONAL KNOWLEDGE THAT ALL STATEMENTS CONTAINED IN THIS AFFIDAVIT ARE TRUE. WE UNDERSTAND THAT WE ARE MAKING THIS AFFIDAVIT UNDER OATH AND UNDER PENALTY OF PERJURY.**

  
 \_\_\_\_\_  
 DAVID DODSON

  
 \_\_\_\_\_  
 GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased

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SUBSCRIBED AND SWORN TO BEFORE ME on the 9th day of August, 2005, to certify which witness my hand and official seal.



Polly L. Johnson  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Polly L. Johnson  
My Commission Expires: 7-01-2009

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EXHIBIT ALEGAL DESCRIPTION

BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being all of the called 50 acres described in the deed from Ed Yeatts and wife, Georgia Yeatts, to M.F. Dodson, recorded in Volume 536, Page 356 of the Collin County Deed Records, and all of the called 200 acres described in the deed from Mrs. Dorothy H. Coffman to M.F. Dodson and Gertrude Dodson recorded in Volume 369, Page 395 of the Collin County Deed Records and all of the called 158.25 acres described in the deed from Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, recorded in Volume 328, Page 348 of the Collin County Deed Records and being more particularly described as follows:

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THENCE South 01 degrees 10 minutes 11 seconds West 188.81 feet along a fence and the southernmost east line of the said 158.25 acres to a 1/2 inch iron rod found at a fence corner post at the westernmost southeast corner of said tract, for a corner;

THENCE South 89 degrees 49 minutes 40 seconds West 737.17 feet along the southernmost south line of said 158.25 acres to a 1/2 inch iron rod set at the southernmost southwest corner of the said 158.25 acres, for a corner, said corner being on the east line of the said 50 acres and being in the center of County Road No. 644 and being further referenced by a 5/8 inch iron rod found North 89 degrees 49 minutes 40 seconds East 6.91 feet and by a 1/2 inch iron rod set North 89 degrees 49 minutes 40 seconds East 30.00 feet;

THENCE South 00 degrees 38 minutes 04 seconds West 758.04 feet along said center of Road and with the east line of said 50 acres to a 1/2 inch iron rod set at the southeast corner of said 50 acres, for a corner;

THENCE North 89 degrees 36 minutes 32 seconds West, passing a capped 1/2 inch iron rod found at a T-post at 26.01 feet and continuing with the south line of said 50 acres, for a total distance of 497.88 feet to a 1/2 inch iron rod found, for a corner;

THENCE North 89 degrees 41 minutes 46 seconds West continuing with the south line of said 50 acres 1283.74 feet to 1/2 inch iron rod set at the intersection of an east/west and north bound berm and being the south west corner of the said 50 acres, for a corner;

ATTACHMENT A

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THENCE North 00 degrees 33 minutes 57 seconds East along said berm and with the west line of said 50 acres 1010.56 feet to a 3/8 inch iron rod found at a pipe post at the end of a west bound fence;

THENCE North 01 degrees 39 minutes 10 seconds West continuing with the west line of said 50 acres 254.36 feet to a 4 foot tall 3/8 inch iron rod found at the northwest corner of said 50 acres and at the intersection of an east/west and south bound berm, for a corner;

THENCE South 88 degrees 44 minutes 17 seconds East with the north line of said 50 acres, at 1745.78 feet passing a 1/2 inch iron rod set for reference and continuing, for a total distance of 1775.78 feet to a 1/2 inch iron rod set at the northeast corner of said 50 acres on the west line of the said 158.25 acres in the center of said County Road No. 644, for a corner;

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THENCE South 89 degrees 09 minutes 04 seconds East along a hedgerow with the north line of said 200 acres, at 30.00 feet passing a 1/2 inch iron rod set for reference, and continuing for a total distance of 3865.75 feet to a 1/2 inch iron rod set in a north/south bound fence at the northeast corner of said 200 acres, for a corner;

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THENCE South 00 degrees 58 minutes 28 seconds West continuing along said fence and with said east line 816.30 feet to a 1/2 inch iron rod set at a fence corner post;

THENCE South 01 degrees 12 minutes 02 seconds West leaving said fence and continuing with said east line of said 200 acres and continuing with the east line of said 158.25 acres 1041.12 feet to a 1/2 inch iron rod found at a fence corner;

THENCE South 01 degrees 07 minutes 54 seconds West with said east line of 158.25 acres, 948.94 feet to an angle iron found at a fence corner;

THENCE South 01 degrees 20 minutes 47 seconds West along a fence and with said east line 262.37 feet to return to the Place of Beginning and containing 410.838 acres of land of which 0.913 acre lies within defined easements, leaving a net acreage of 409.925 acres of land, more or less.

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ANY PROVISION HEREIN WHICH ATTEMPTS TO RESTRICT THE SALE, FINANCING OR USE OF THE  
DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS HEREBY AND  
UNENFORCEABLE UNDER FEDERAL LAW (COUNTY OF COLLIN,  
STATE OF TEXAS)  
I hereby certify that this instrument was FILED in the Public Records Office on this date  
and the time stamped herein by me, as said clerk, RECORDED, in the Official Public  
Records of said County of Collin County, Texas on

AUG 10 2005

Brenda Taylor



Filed for Record in:  
Collin County, McKinney TX  
Honorable Brenda Taylor  
Collin County Clerk

On Aug 10 2005  
At 1:27pm

Doc/Num : 2005- 0109405

Recording/Type:AF 26.00  
Receipt #: 32145

HUNT AND COLLIN COUNTY

405

Doc 405 Bk OR Vol 1407 Pg 276

GF# PC05201496 (ACE)



01/20/2006 11:50:22 AM RE 1/6

AFTER RECORDING, RETURN TO:
Hexter-Fair Title Company
8333 Douglas Avenue, Suite 130
Dallas, TX 75225

RELEASE OF LIEN

Lien(s) to be released (whether one or more, the "Lien"):

Deed of Trust dated April 24, 1998, and recorded in Volume 4157, Page 3449 of the Deed of Trust Records of Collin County, Texas, executed by Glynn Dodson, a single person to Robert L. Scott, Trustee, and all terms, conditions and stipulations contained therein, including any additional indebtedness secured thereby, securing one promissory note of even date therewith in the principal amount of \$60,000.00, payable to The State National Bank of Caddo Mills. Said lien has been extended by instrument recorded in Volume 4317, Page 282 of the Deed Records of Collin County, Texas.

Property Subject to Lien (the "Property"):

See Exhibit "A" attached hereto.

The undersigned Holder is the holder and owner of the Lien. In consideration of the payment of all indebtedness and obligations secured by the Lien, the receipt and sufficiency of which is acknowledged, Holder releases the Lien and all of Holder's other interests, liens, and encumbrances in and against the Property, any buildings, fixtures and improvements thereon and any other property covered by the Lien. Holder of Note and Lien expressly waives and releases all present and future rights to establish or enforce the Lien as security for payment of any future or other indebtedness.

HOLDER:

Citibank Texas, National Association,
as successor in interest to The State
National Bank of Caddo Mills

By: James F. Wood
Name: JAMES F. WOOD
Title: Sr. Relationship Manager



ATTACHMENT A

Doc 405 Bk OR Vol 1407 Pg 277

STATE OF TEXAS  
COUNTY OF ROCKWALL

§  
§  
§

This instrument was acknowledged before me on JANUARY 4, 2005,  
by JAMES F WOOD, SR. Rep of Citibank  
Texas, National Association, a national banking association, on behalf of said  
national banking association.



Kim Ferris  
Notary Public, State of TX  
Notary's Printed/Typed Name

My Commission Expires:  
\_\_\_\_\_

ATTACHMENT A

Doc 405 Bk OR Vol 1407 Pg 278

Exhibit "A"

Undivided one-half interest in the following described real property situated in Hunt and Collin Counties, Texas:

TRACT ONE:

All those certain lots, tracts or parcels of land lying and being situated in the County of Hunt, State of Texas, out of the Samuel Lindsey Survey, Abstract No. 594, the Henry Watson Survey, Abstract No. 1126 and the J. A. Dunn Survey, Abstract No. 258, being parts of a tract or parcel of land conveyed by W. E. Stimson to James A. Rutherford and M. F. Dodson and being more particularly described in two tracts as follows:

FIRST TRACT: Being a part of the Henry Watson Survey, Abstract No. 1126 and the J. A. Dunn Survey, Abstract No. 258, and a part of land conveyed from Stimson to Dodson and Rutherford and described in deed of trust to Clark, Trustee, recorded in Volume 339, at page 583 of Hunt County Deed of Trust Records, and more particularly described as follows:

BEGINNING at the N. W. corner of tract number one of said Stimson to Dodson and Rutherford land named above, said point being at the N. E. corner of 23 acres conveyed from Stimson to Stroop per Volume 643, page 592, of Hunt County Deed Records;

THENCE S. 10 deg. W. along property line 134 feet or to corner;

THENCE S. 44 deg. 30' W. along property line 481.5 feet to corner;

THENCE S. 4 deg. E. 424.5 feet and to corner at S. E. corner of said Stroop 23 acre tract;

THENCE E. 680 feet and to corner;

THENCE S. 785 feet and to corner;

THENCE W. 495 feet and to corner;

THENCE S. 17 deg. E. along property line 216 feet or to corner;

THENCE S. 1 deg. E. 710 feet to corner;

THENCE East and along property line and edge of land 980 feet to corner at intersection with Northwesterly R. O. W. of Hwy. No. 66;

THENCE N. 52 deg. E. and along Hwy. R.O.W. 1948 feet to corner and stake;

THENCE N. 2 deg. 30 min. W. across field 1472 feet and to iron stake for corner on North boundary of Dodson and Rutherford land;

THENCE West and along property line 2350 feet to the place of beginning and containing 125.9 acres of land, more or less.

SECOND TRACT: Being a part of the Henry Watson Survey, Abstract No. 1126 and part of land conveyed from Stimson to Dodson and Rutherford and described in Deed of Trust to Clark, Trustee, of record in Volume 339, at page 583 of Hunt County Deed of Trust Records, and bounded as follows:

BEGINNING at the intersection of center line of Hunt County Road No. 2138 Southeasterly R.O.W. of Hwy No. 66;

THENCE S. 108 feet along center of road to Northwesterly R.O.W. of M.K. & T. Railroad;

THENCE S. 52 deg. W. and along M.K. & T. Railroad R.O.W. 1350 feet to corner;

Exhibit "A"

THENCE West along S. boundary of Stinson to Rutherford and Dodson land 163 feet to corner on Hwy. R.O.W.;

THENCE N 52 deg. E. along Hwy. R.O.W. 1520 feet to the place of beginning and containing 3.4 acres of land, more or less; and

TRACT TWO: Three tracts of land out of the Lee Abner Survey, Abstract No. 516, and the John Davis Survey, Abstract No. 2153 in Collin County, Texas, and being more particularly described as follows:

FIRST TRACT: All that certain tract or parcel of land, lying and situated in the County of Collin, State of Texas, to wit: Being 50 acres of land, more or less, out of the Abner Lee Survey, and being the same tract described in that certain Deed of Trust, executed by E. M. Paulk, et al, to Harry Lee Taft, Trustee, dated January 12, 1925, recorded in Volume 68, at page 356 of the Deed of Trust Records of Collin County, Texas, and more fully described as follows, to-wit:

BEGINNING in the East line of said survey, 11.25 chains North of its Southeast corner,

THENCE West 26.66 chains;

THENCE North 18.75 chains;

THENCE East 26.66 chains to the East boundary line of said Survey;

THENCE South 18.75 chains to the place of beginning, being the same land conveyed by Continental Assurance Company to Ed Yeatts, by deed dated November 23, 1934, as the same appears of record in Volume 295, at page 583 of the Deed Records of Collin County, Texas.

SECOND TRACT: All that certain lot, tract or parcel of land lying and being situated in Collin County, Texas, and being described as follows: Two Hundred (200) acres of land, more or less, out of the John Davis 1694-acre survey, Abstract No. 253, said 200 acres being bounded as follows:

BEGINNING at a stake in the West line of said survey, 15 chains South of the Northwest corner thereof;

THENCE South with the said West line 34.435 chains;

THENCE East 58.08 chains;

THENCE North 34.435 chains to Southeast corner of Riley Main 87 acre tract;

THENCE West with the South line of the Riley Main 87 acre tract 58.08 chains to the place of beginning; and being the same land described in that certain Deed dated March 30, 1937, executed by the First-Trust Joint Stock Land Bank of Chicago to David E. Coffman and recorded in the Deed Records of Collin County, Texas in Volume 314, at page 127.

THIRD TRACT: All that certain lot, tract or parcel of land, lying and situated in the County of Collin, State of Texas, being 158.25 acres of land out of the John Davis Survey of 1694 acres, Abstract Number 253, bounded as follows:

BEGINNING in the West line of original survey, 49.435 chains from its Northwest corner, at the Southwest corner of a tract of 200 acres of land heretofore on December 23, 1913, conveyed by E. M. Paulk and wife, Harry Lee Taft, Trustee;

Exhibit "A"

THENCE South 31.12 chains to the Southwest corner of the 358.25 acre tract of land, of which this is a part, conveyed by Payton R. Jordan and wife, to James Paulk, by Deed recorded in Volume 163, at page 43 of the Deed Records of Collin County, Texas;

THENCE East a little North, with fence 11.48 chains to another corner of same;

THENCE North 2.87 chains to an ell corner thereof;

THENCE East with its South line 46.60 chains to its most Eastern Southeast corner,

THENCE North 28 chains to the Southeast corner of the 200 acre tract conveyed to Harry Lee Taft, Trustee, aforesaid;

THENCE West with its South line 53.58 chains to the place of beginning.

Doc 405 Bk 1407 Vol 280 Pg

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS  
On: Jan 11, 2006  
at 10:41A

Document Number: 405

Amount 32.00

By  
Jennifer Thomason  
Linda Brooks,  
County Clerk  
Hunt County

SINGLE TEXAS COUNTY OF HUNT

I hereby certify that this instrument was filed on the date and time stamped herein by me and was duly recorded in the volume and page of the named records of Hunt County as stamped herein by me.

Jan 11, 2006

Linda Brooks, County Clerk  
Hunt County

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of Race, Color, Religion, Sex, Handicap, Familial Status or National Origin is invalid and unenforceable under FEDERAL LAW, 4/12/89

**EXEMPT FROM PUBLIC RECORDS:**  
In the line of recording, this instrument was found to be inadmissible for the best photostatic reproduction because of illegibility, carbon or other copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

ATTACHMENT A

HEXTER-FAIR TITLE COMPANY  
8333 DOUGLAS AVE STE 130  
DALLAS TX 75225

405

Filed and Recorded  
Official Public Records  
Brenda Taylor, County Clerk  
Collin County, TEXAS  
01/20/2006 11:50:22 AM  
\$36.00 TFOSTER  
20060120000085470



*Brenda Taylor*

PC05201496(A02)

2005-0109486

AFTER RECORDING RETURN TO:

Michael D. Hesse  
HESSE & HESSE, L.L.P.  
15303 Dallas Parkway  
Suite 1040  
Addison, Texas 75001

05978 02227

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED  
[WITH VENDOR'S LIEN]

STATE OF TEXAS  
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That DAVID DODSON; and GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased (hereinafter collectively referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by AFFARE LIMITED PARTNERSHIP, an Arizona limited partnership, and EL MAREL LIMITED PARTNERSHIP, an Arizona limited partnership, AS TENANTS IN COMMON (hereinafter collectively referred to as "Grantee"), whose address is 1223 S. Clearview Avenue, Suite 103 and Suite 105, respectively, Mesa, Arizona 85209, and further in consideration of a loan from Grantor, at the special insistence and request of Grantee as the funds advanced in execution of that one certain promissory note of even date herewith (hereinafter referred to as the "Note"), in the principal sum of One Million Five Hundred Forty Nine Thousand Six Hundred Twenty Five and No/100 Dollars (\$1,549,625.00), bearing interest and payable to the order of Grantor, as therein stipulated, which Note is secured by the Vendor's Lien hereinafter retained, and which the Note in its entirety is secured by a Deed of Trust even date herewith executed and delivered by Grantee to Glynn Dodson, Trustee, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of that certain real property located in Collin County, Texas, as more particularly described on Exhibit A attached hereto and incorporated herein by reference the same as if fully copied and set forth at length, together with all improvements located thereon, fixtures thereto, and any and all appurtenances belonging or appertaining thereto and any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way, strips or gores of real estate adjoining such real property (hereinafter collectively referred to as the "Property").

05978 02228


This conveyance is made and accepted subject to the matters described on Exhibit B attached hereto, and incorporated herein by reference the same as if fully copied and set forth at length, to the extent (but not further) the same are valid and subsisting and affect title to the property conveyed hereby (hereinafter collectively referred to as the "Permitted Exceptions").

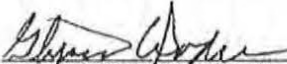
TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind its successors and assigns, to WARRANT and FOREVER DEFEND, subject to the Permitted Exceptions, all and singular the Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Grantee assumes payment of all taxes for current and subsequent years.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the Property until the Note, and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

EXECUTED this 4<sup>th</sup> day of August, 2005.

GRANTOR:

  
\_\_\_\_\_  
DAVID DODSON

  
\_\_\_\_\_  
GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased

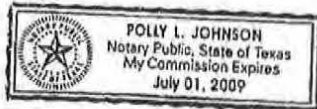
05978 02229

ACKNOWLEDGMENTS

STATE OF TEXAS  
COUNTY OF Dallas

BEFORE ME, the undersigned authority, on this day personally appeared David Dodson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9th day of August, 2005.

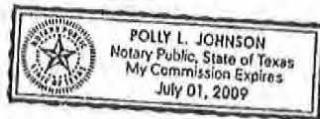


Polly L. Johnson  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Polly L. Johnson  
My Commission Expires: 7-01-2009

STATE OF TEXAS  
COUNTY OF Dallas

BEFORE ME, the undersigned authority, on this day personally appeared Glynn Dodson, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 9th day of August, 2005.



Polly L. Johnson  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Polly L. Johnson  
My Commission Expires: 7-01-2009



ATTACHMENT A

05978 02230

EXHIBIT A

LEGAL DESCRIPTION

BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being all of the called 50 acres described in the deed from Ed Yeatts and wife, Georgia Yeatts, to M.F. Dodson, recorded in Volume 536, Page 356 of the Collin County Deed Records, and all of the called 200 acres described in the deed from Mrs. Dorothy H. Coffman to M.F. Dodson and Gertrude Dodson recorded in Volume 369, Page 395 of the Collin County Deed Records and all of the called 158.25 acres described in the deed from Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, recorded in Volume 328, Page 348 of the Collin County Deed Records and being more particularly described as follows:

BEGINNING at an axle found in a north/south fence at the easternmost southeast corner of said 158.25 acres.

THENCE South 90 degrees 00 minutes 00 seconds West along the easternmost south line of said 158.25 acres 3079.06 feet to a 1/2 inch iron rod found at a fence corner at the interior corner of said 158.25 acres tract, for a corner;

THENCE South 01 degrees 10 minutes 11 seconds West 188.81 feet along a fence and the southernmost east line of the said 158.25 acres to a 1/2 inch iron rod found at a fence corner post at the westernmost southeast corner of said tract, for a corner;

THENCE South 89 degrees 49 minutes 40 seconds West 737.17 feet along the southernmost south line of said 158.25 acres to a 1/2 inch iron rod set at the southernmost southwest corner of the said 158.25 acres, for a corner, said corner being on the east line of the said 50 acres and being in the center of County Road No. 644 and being further referenced by a 5/8 inch iron rod found North 89 degrees 49 minutes 40 seconds East 6.91 feet and by a 1/2 inch iron rod set North 89 degrees 49 minutes 40 seconds East 30.00 feet;

THENCE South 00 degrees 38 minutes 04 seconds West 758.04 feet along said center of Road and with the east line of said 50 acres to a 1/2 inch iron rod set at the southeast corner of said 50 acres, for a corner;

THENCE North 89 degrees 36 minutes 32 seconds West, passing a capped 1/2 inch iron rod found at a T-post at 26.01 feet and continuing with the south line of said 50 acres, for a total distance of 497.88 feet to a 1/2 inch iron rod found, for a corner;

THENCE North 89 degrees 41 minutes 46 seconds West continuing with the south line of said 50 acres 1283.74 feet to 1/2 inch iron rod set at the intersection of an east/west and north bound berm and being the south west corner of the said 50 acres, for a corner;

ATTACHMENT A

05978 02231

THENCE North 00 degrees 33 minutes 57 seconds East along said berm and with the west line of said 50 acres 1010.56 feet to a 3/8 inch iron rod found at a pipe post at the end of a west bound fence;

THENCE North 01 degrees 39 minutes 10 seconds West continuing with the west line of said 50 acres 254.36 feet to a 4 foot tall 3/8 inch iron rod found at the northwest corner of said 50 acres and at the intersection of an east/west and south bound berm, for a corner;

THENCE South 88 degrees 44 minutes 17 seconds East with the north line of said 50 acres, at 1745.78 feet passing a 1/2 inch iron rod set for reference and continuing, for a total distance of 1775.78 feet to a 1/2 inch iron rod set at the northeast corner of said 50 acres on the west line of the said 158.25 acres in the center of said County Road No. 644, for a corner;

THENCE North 00 degrees 45 minutes 05 seconds East along said center of road and with the west lines of said 158.25 acres and said 200 acres 3775.79 feet to a 1/2 inch iron rod set at the northwest corner of said 200 acres, for a corner;

THENCE South 89 degrees 09 minutes 04 seconds East along a hedgerow with the north line of said 200 acres, at 30.00 feet passing a 1/2 inch iron rod set for reference, and continuing for a total distance of 3865.75 feet to a 1/2 inch iron rod set in a north/south bound fence at the northeast corner of said 200 acres, for a corner;

THENCE South 01 degrees 21 minutes 18 seconds West along a fence and with the east line of said 200 acres 937.22 feet to a 3/8 inch iron rod found at a fence corner post.

THENCE South 00 degrees 58 minutes 28 seconds West continuing along said fence and with said east line 816.30 feet to a 1/2 inch iron rod set at a fence corner post;

THENCE South 01 degrees 12 minutes 02 seconds West leaving said fence and continuing with said east line of said 200 acres and continuing with the east line of said 158.25 acres 1041.12 feet to a 1/2 inch iron rod found at a fence corner;

THENCE South 01 degrees 07 minutes 54 seconds West with said east line of 158.25 acres, 948.94 feet to an angle iron found at a fence corner;

THENCE South 01 degrees 20 minutes 47 seconds West along a fence and with said east line 262.37 feet to return to the Place of Beginning and containing 410.838 acres of land of which 0.913 acre lies within defined easements, leaving a net acreage of 409.925 acres of land, more or less.

05978 02232

EXHIBIT BPERMITTED EXCEPTIONS

1. Easement granted to Texas Power & Light Company by instrument dated September 27, 1945, executed by Ed Yeatts and recorded in Volume 362, Page 428, Deed Records of Collin County, Texas, and shown on survey dated July 1, 2005, last revised August 1, 2005, prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
2. Easement granted to Hopewell Water Supply Corporation by instrument dated January 26, 1970, executed by M.F. Dodson and wife, Gertrude Dodson and recorded in Volume 753, Page 557, Deed Records of Collin County, Texas, and noted on survey dated July 1, 2005, last revised August 1, 2005, prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
3. Easement granted to the County of Collin by instrument dated April 20, 2001, executed by Charles Dodson 1/3 Int., Glynn Dodson 1/3 Int., and David Dodson 1/3 Int. and recorded in Volume 4911, Page 2868, Deed Records of Collin County, Texas, and shown on survey dated July 1, 2005, last revised prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
4. Mineral and/or royalty interest as described in instrument executed by Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, dated December 3, 1940 and recorded in Volume 328, Page 348, Deed Records of Collin County, Texas; referenced to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
5. Mineral and/or royalty interest as described in instrument executed by Mrs. Dorothy H. Coffman, et al to M.F. Dodson and Gertrude Dodson, dated May 15, 1946 and recorded in Volume 369, Page 395, Deed Records of Collin County, Texas; reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connect with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
6. Mineral and/or royalty interest as described in instrument executed by Eric Hammond Coffman, Independent Executor of the Estate of Dorothy H. Coffman, Deceased to David Hammond Coffman, et al, dated August 2, 1984, and recorded in Volume 1953, Page 532, Deed Records of Collin County, Texas; reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.

ATTACHMENT A

05978 02233

7. Mineral and/or royalty interest as described in instrument executed by Eric Hammond Coffman, Trustee of Trust for Anthony Wright Coffman to Anthony Wright Coffman, dated October 6, 1984, effective October 15, 1984 and recorded in Volume 1995, Page 336, Deed Records of Collin County, Texas; reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
8. That portion of the property described herein within the limits or boundaries of County Road #644 as shown on survey dated July 1, 2005, last revised August 1, 2005, prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
9. Location of fence into or outside of the most eastern southern boundary line and the most eastern boundary line as shown on survey dated July 1, 2005, last revised August 1, 2005, by Jerry Wisdom, Registered Professional Land Surveyor Number 3646 of Wisdom Engineering, Inc.

05978 02234

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, USE OR OF THE  
DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS HERBY AND  
UNENFORCEABLE UNDER FEDERAL LAW COUNTY OF COLLIN,  
(THE STATE OF TEXAS)  
I hereby certify that this instrument was FILED in the Public Records Office on this date  
and the time stamped hereon by me, and was duly RECORDED, in the Official Public  
Records of Real Property of Collin County, Texas on

AUG 10 2005

Brenda Taylor



Filed for Record in:  
Collin County, McKinney TX  
Honorable Brenda Taylor  
Collin County Clerk

On Aug 10 2005  
At 1:27pm

Doc/Num : 2005- 0109486

Recording/Type: D1 26.00  
Receipt #: 32145



01/25/2006 12:08:33 PM RE 1/7

**AFTER RECORDING RETURN TO:**

Michael D. Hesse  
HESSE & HESSE, L.L.P.  
15303 Dallas Parkway  
Suite 1040  
Addison, Texas 75001

**RELEASE OF LIEN**

STATE OF TEXAS

COUNTY OF COLLIN

§  
§  
§

KNOW BY ALL MEN BY THESE PRESENTS:

That **DAVID DODSON; AND GLYNN DODSON, INDIVIDUALLY, AND AS INDEPENDENT EXECUTOR OF THE LAST WILL AND TESTAMENT OF M.F. DODSON, DECEASED, AND AS TRUSTEE OF THE TESTAMENTARY TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF M.F. DODSON, DECEASED.** being the legal and equitable owner and holder of the note and liens described herein (hereinafter collectively referred to as the "Holder"), in consideration of the full payment and satisfaction according to the face and tenor thereof of one certain promissory note in the original principal sum of \$1,549,625.00 (hereinafter referred to as the "Note"), executed by **Affare Limited Partnership**, an Arizona limited partnership, and **El Marel Limited Partnership**, an Arizona limited partnership, payable to **David Dodson; and Glynn Dodson, Individually, and as Independent Executor of the Last Will And Testament Of M.F. Dodson, Deceased, and as Trustee of the Testamentary Trust Created Under the Last Will And Testament Of M.F. Dodson, Deceased,** as therein provided, secured by and described in a Deed of Trust (hereinafter referred to as the "Deed of Trust"), executed by **Affare Limited Partnership**, an Arizona limited partnership, and **El Marel Limited Partnership**, an Arizona limited partnership, to **Glynn Dodson, Trustee**, dated August 9, 2005, filed August 10, 2005, and recorded in **Volume 5978, Page 2235** of the Real Property Records of Collin County, Texas; additionally secured by a Vendor's Lien retained in that certain General Warranty Deed [With Vendor's Lien] (hereinafter referred to as the "Vendor's Lien") executed by **David Dodson; and Glynn Dodson, Individually, and as Independent Executor of the Last Will And Testament Of M.F. Dodson, Deceased, and as Trustee of the Testamentary Trust Created Under the Last Will And Testament Of M.F. Dodson, Deceased,** to **Affare Limited Partnership**, an Arizona limited partnership, and **El Marel Limited Partnership**, an Arizona limited partnership, as Tenants in Common, dated August 9, 2005, filed August 10, 2005, and recorded in **Volume 5978, Page 2227** of the Real Property Records of Collin County, Texas; and all other liens shown by said instruments to exist upon that certain real property more particularly described on **Exhibit A** attached hereto and incorporated herein by this reference for all purposes (hereinafter referred to as the "Property"), does hereby release and discharge such Deed of Trust, such Vendor's Lien and all other liens shown by said instruments to exist upon the Property to secure payment of the Note.

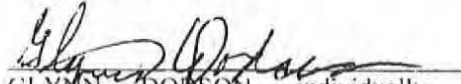
ATTACHMENT A

EXECUTED to be effective on the 11 day of January, 2006.

HOLDER:



DAVID DODSON



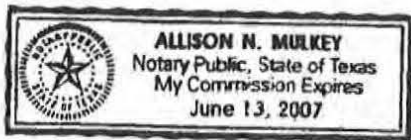
GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased

ACKNOWLEDGMENTS

STATE OF TEXAS §  
COUNTY OF Rockwall §

BEFORE ME, the undersigned authority, on this day personally appeared David Dodson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 11<sup>th</sup> day of January, 2006.

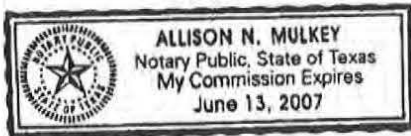


Allison Mulkey  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Allison Mulkey  
My Commission Expires: 6-13-07

STATE OF TEXAS §  
COUNTY OF Rockwall §

BEFORE ME, the undersigned authority, on this day personally appeared Glynn Dodson, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 11<sup>th</sup> day of January, 2006.



Allison Mulkey  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Allison Mulkey  
My Commission Expires: 6-13-07



ATTACHMENT A

EXHIBIT A

LEGAL DESCRIPTION

BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being all of the called 50 acres described in the deed from Ed Yeatts and wife, Georgia Yeatts, to M.F. Dodson, recorded in Volume 536, Page 356 of the Collin County Deed Records, and all of the called 200 acres described in the deed from Mrs. Dorothy H. Coffman to M.F. Dodson and Gertrude Dodson recorded in Volume 369, Page 395 of the Collin County Deed Records and all of the called 158.25 acres described in the deed from Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, recorded in Volume 328, Page 348 of the Collin County Deed Records and being more particularly described as follows:

BEGINNING at an axle found in a north/south fence at the easternmost southeast corner of said 158.25 acres.

THENCE South 90 degrees 00 minutes 00 seconds West along the easternmost south line of said 158.25 acres 3079.06 feet to a 1/2 inch iron rod found at a fence corner at the interior corner of said 158.25 acres tract, for a corner;

THENCE South 01 degrees 10 minutes 11 seconds West 188.81 feet along a fence and the southernmost east line of the said 158.25 acres to a 1/2 inch iron rod found at a fence corner post at the westernmost southeast corner of said tract, for a corner;

THENCE South 89 degrees 49 minutes 40 seconds West 737.17 feet along the southernmost south line of said 158.25 acres to a 1/2 inch iron rod set at the southernmost southwest corner of the said 158.25 acres, for a corner, said corner being on the east line of the said 50 acres and being in the center of County Road No. 644 and being further referenced by a 5/8 inch iron rod found North 89 degrees 49 minutes 40 seconds East 6.91 feet and by a 1/2 inch iron rod set North 89 degrees 49 minutes 40 seconds East 30.00 feet;

THENCE South 00 degrees 38 minutes 04 seconds West 758.04 feet along said center of Road and with the east line of said 50 acres to a 1/2 inch iron rod set at the southeast corner of said 50 acres, for a corner;

THENCE North 89 degrees 36 minutes 32 seconds West, passing a capped 1/2 inch iron rod found at a T-post at 26.01 feet and continuing with the south line of said 50 acres, for a total distance of 497.88 feet to a 1/2 inch iron rod found, for a corner;

THENCE North 89 degrees 41 minutes 46 seconds West continuing with the south line of said 50 acres 1283.74 feet to 1/2 inch iron rod set at the intersection of an east/west and north bound berm and being the south west corner of the said 50 acres, for a corner;

ATTACHMENT A

THENCE North 00 degrees 33 minutes 57 seconds East along said berm and with the west line of said 50 acres 1010.56 feet to a 3/8 inch iron rod found at a pipe post at the end of a west bound fence;

THENCE North 01 degrees 39 minutes 10 seconds West continuing with the west line of said 50 acres 254.36 feet to a 4 foot tall 3/8 inch iron rod found at the northwest corner of said 50 acres and at the intersection of an east/west and south bound berm. for a corner;

THENCE South 88 degrees 44 minutes 17 seconds East with the north line of said 50 acres, at 1745.78 feet passing a 1/2 inch iron rod set for reference and continuing, for a total distance of 1775.78 feet to a 1/2 inch iron rod set at the northeast corner of said 50 acres on the west line of the said 158.25 acres in the center of said County Road No. 644, for a corner;

THENCE North 00 degrees 45 minutes 05 seconds East along said center of road and with the west lines of said 158.25 acres and said 200 acres 3775.79 feet to a 1/2 inch iron rod set at the northwest corner of said 200 acres. for a corner;

THENCE South 89 degrees 09 minutes 04 seconds East along a hedgerow with the north line of said 200 acres, at 30.00 feet passing a 1/2 inch iron rod set for reference, and continuing for a total distance of 3865.75 feet to a 1/2 inch iron rod set in a north/south bound fence at the northeast corner of said 200 acres. for a corner;

THENCE South 01 degrees 21 minutes 18 seconds West along a fence and with the east line of said 200 acres 937.22 feet to a 3/8 inch iron rod found at a fence corner post.

THENCE South 00 degrees 58 minutes 28 seconds West continuing along said fence and with said east line 816.30 feet to a 1/2 inch iron rod set at a fence corner post;

THENCE South 01 degrees 12 minutes 02 seconds West leaving said fence and continuing with said east line of said 200 acres and continuing with the east line of said 158.25 acres 1041.12 feet to a 1/2 inch iron rod found at a fence corner;

THENCE South 01 degrees 07 minutes 54 seconds West with said east line of 158.25 acres, 948.94 feet to an angle iron found at a fence corner;

THENCE South 01 degrees 20 minutes 47 seconds West along a fence and with said east line 262.37 feet to return to the Place of Beginning and containing 410.838 acres of land of which 0.913 acre lies within defined easements, leaving a net acreage of 409.925 acres of land, more or less.

ATTACHMENT A

Filed and Recorded  
Official Public Records  
Brenda Taylor, County Clerk  
Collin County, TEXAS  
01/25/2006 12:08:33 PM  
\$40.00 DLAIRD  
20060125000104470



*Brenda Taylor*

OIL, GAS AND MINERAL LEASE

THIS AGREEMENT made this 21st day of February 19 96 between Glynn Dodson and David Dodson, a married man dealing in his sole and separate property a single man

Lessor (whether one or more), whose address is: 805 South Lakeshore Drive, Rockwall, Texas 75087 and Genesis Producing Company 710 Buffalo, Suite 700, Corpus Christi, Texas 78401

1. Lessor, in consideration of \*\* Ten and other valuable consideration \*\* Dollars, the amount of which is hereby acknowledged, and of the covenants and agreements of Lessee hereinafter contained, does hereby grant, lease and let unto Lessee the land covered hereby for the purposes and with the exclusive right of exploring, drilling, mining and operating for, producing and owning oil, gas, sulphur and all other minerals (whether or not similar to those mentioned), together with the right to make surveys on said land, lay pipe lines, establish and utilize facilities for surface or subsurface disposal of salt water, construct roads and bridges, dig canals, build tanks, power stations, telephone lines, employee houses and other structures on said land, necessary or useful in Lessee's operations in exploring, drilling for, producing, treating, storing and transporting minerals produced from the land covered hereby or any other land adjacent thereto. The land covered hereby, herein called "said land", is located in the County of Collin, State of Texas, and is described as follows:

**378.25 acres of land, more or less, being in the John Davis Survey, A-253, and the Abner Lee Survey A-516 and being further described in that certain Warranty Deed dated June 2, 1993, from Charles Dodson et al, as grantor, to Glynn Dodson and David Dodson, as grantees, and being recorded in 93-0047725 of the Deed Records of Collin County, Texas.**

This lease also covers and includes, in addition to that above described, all land, if any contiguous or adjacent to or adjoining the land above described and (a) owned or claimed by lessor by limitation, prescription, possession, reversion or unrecorded instrument or (b) as to which lessor has a preference right of acquisition. Lessor agrees to execute any supplemental instrument requested by Lessee for a more complete or accurate description of said land. For the purpose of determining the amount of any bonus or other payment hereunder, said land shall be deemed to contain 378.25 acres, whether actually containing more or less, and the above recital of acreage in any tract shall be deemed to be the true acreage thereof. Lessor accepts the bonus at lump sum consideration for this lease and all rights hereunder.

2. Unless sooner terminated or longer kept in force under other provisions hereof, this lease shall remain in force for a term of 10000 years from the date hereof, hereinafter called "primary term", and as long thereafter as operations, as hereinafter defined, are conducted upon said land with no cessation for more than ninety (90) consecutive days.

3. As royalty, Lessee covenants and agrees to pay to the credit of lessor, in the pipe line to which Lessee may connect its wells, the equal one-eighth part of all oil produced and saved by Lessee from said land, or from lines flowing to the option of Lessee, to pay lessor the average posted market price of such one-eighth part of such oil at the wells as of the day it is run to the pipe line of market tanks, lessor's interest. In either case, to bear one-eighth of the cost of treating oil to render it marketable pipe line oil; (b) to pay lessor on gas and casinghead gas produced from said land (1) when sold by Lessee, one-eighth of the amount realized by Lessee, computed at the mouth of the well, or (2) when used by Lessee off said land or in the manufacture of gasoline or other products, the market value, at the mouth of the well, of one-eighth of such gas and casinghead gas; (c) to pay lessor on all other minerals mined and marketed or utilized by Lessee from said land, one-tenth either in kind or value at the well or mine at Lessee's election, except that on sulphur mined and marketed the royalty shall be one dollar (\$1.00) per long ton. If, at the expiration of the primary term or at any time or times thereafter, there is any well on said land or on lands with which said land or any portion thereof has been pooled, capable of producing oil or gas, and all such wells are shut-in, this lease shall, nevertheless, continue in force as though operations were being conducted on said land for so long as said wells are shut-in, and thereafter this lease may be continued in force as if no shut-in had occurred. Lessee covenants and agrees to use reasonable diligence to produce, utilize, or market the minerals capable of being produced from said wells, but in the exercise of such diligence, Lessee shall not be obligated to install or furnish facilities other than well facilities and ordinary lease facilities of flow lines, separator, and lease tank, and shall not be required to settle labor trouble or to market gas upon terms unacceptable to Lessee. If, at any time or times after the expiration of the primary term, all such wells are shut-in for a period of ninety consecutive days, and during such time there are no operations on said land, then at or before the expiration of said ninety day period, Lessee shall pay or tender, by check or draft of Lessee, as royalty, a sum equal to one dollar (\$1.00) for each acre of land then covered hereby. Lessee shall make like payments or tenders at or before the end of each anniversary of the expiration of said ninety day period if upon such anniversary this lease is being continued in force solely by reason of the provisions of this paragraph. Each such payment or tender shall be made to the parties who at the time of payment would be entitled to receive the royalties which would be paid under this lease if the wells were producing, and may be deposited in the Direct to Lessor

at the above address or its successors, which shall continue as the depositories, regardless of changes in the ownership of shut-in royalty. If at any time that Lessee pays or tenders shut-in royalty, two or more parties are, or claim to be, entitled to receive same, Lessee may, in lieu of any other method of payment herein provided, pay or tender such shut-in royalty, in the manner above specified, either jointly to such parties or separately to each in accordance with their respective ownerships thereof, as Lessee may elect. Any payment hereunder may be made by check or draft of Lessee deposited in the mail or delivered to the party entitled to receive payment or to a depository bank provided for above on or before the last date for payment. Nothing herein shall impair Lessee's right to release as provided in paragraph 5 hereof. In the event of assignment of this lease in whole or in part, liability for payment hereunder shall rest exclusively on the then owner or owners of this lease, severally as to acreage owned by each.

4. Lessee is hereby granted the right, at its option, to pool or utilize any land covered by this lease with any other land covered by this lease, and/or with any other land, lease, or leases, as to any or all minerals or horizons, so as to establish units containing not more than 80 surface acres, plus 10% acreage tolerance; provided, however, units may be established as to any one or more horizons, or existing units may be enlarged as to any one or more horizons, so as to contain not more than 640 surface acres plus 10% acreage tolerance, if limited to one or more of the following: (1) gas, other than casinghead gas, (2) liquid hydrocarbons (condensate) which are not liquids in the subsurface reservoir, (3) minerals produced from wells classified as gas wells by the conservation agency having jurisdiction. If larger units than any of those herein permitted, either at the time established, or after enlargement, are required under any governmental rule or order, for the drilling or operation of a well at a regular location, or for obtaining maximum allowable from any well to be drilled, drilled, or already drilled, any such unit may be established or enlarged to conform to the size required by such governmental order or rule. Lessee shall exercise said option as to each desired unit by executing an instrument identifying such unit and filing it for record in the public office in which this lease is recorded. Each of said options may be exercised by Lessee at any time and from time to time while this lease is in force, and whether before or after production has been established either on said land, or on the portion of said land included in the unit, or on other land unitized therewith. A unit established hereunder shall be valid and effective for all purposes of this lease even though there may be mineral, royalty, or leasehold interests in lands within the unit which are not effectively pooled or unitized. Any operations conducted on any part of such unitized land shall be considered, for all purposes, except the payment of royalty, operations conducted upon said land under this lease. There shall be allocated to the land covered by this lease within each such unit (or to each separate tract within the unit if this lease covers separate tracts within the unit) that proportion of the total production of unitized minerals from the unit, after deducting any used in lease or unit operations, which the number of surface acres in such land (or in each such separate tract) covered by this lease within the unit bears to the total number of surface acres in the unit, and the production so allocated shall be considered for all purposes, including payment or delivery of royalty, overriding royalty and any other payments out of production, to be the entire production of unitized minerals from the land to which allocated in the same manner as though produced therefrom under the terms of this lease. The owner of the reversionary estate of any term royalty or mineral estate agrees that the amount of royalties pursuant to this paragraph or of shut-in royalties from a well on the unit shall satisfy any limitation of term requiring production of oil or gas. The formation of any unit hereunder which includes land not covered by this lease shall not have the effect of exchanging or transferring any interest under this lease (including, without limitation, any shut-in royalty which may become payable under this lease) between parties owning interests in land covered by this lease and parties owning interests in land not covered by this lease. Neither shall it impair the right of Lessee to release as provided in paragraph 5 hereof, except that Lessee may not so release as to lands within a unit while there are operations thereon for unitized minerals unless all pooled leases are released as to lands within the unit. At any time while this lease is in force Lessee may dissolve any unit established hereunder by filing for record in the public office where this lease is recorded a declaration to that effect, if at that time no operations are being conducted thereon for unitized minerals. Subject to the provisions of this paragraph 4, a unit once established hereunder shall remain in force so long as any lease subject thereto shall remain in force. If this lease now or hereafter covers separate tracts, no pooling or unitization of royalty interests as between any such separate tracts is intended or shall be implied or result merely from the inclusion of such separate tracts within this lease but Lessee shall nevertheless have the right to pool or unitize as provided in this paragraph 4 with consequent allocation of production as herein provided. As used in this paragraph 4, the words "separate tract" mean any tract with royalty ownership differing, now or hereafter, either as to parties or amounts, from that as to any other part of the leased premises.

5. Lessee may at any time and from time to time execute and deliver to lessor or file for record a release or releases of this lease as to any part or all of said land or of any mineral or horizon thereunder, and thereby be relieved of all obligations, as to the released acreage or interest.

6. Whenever used in this lease the word "operations" shall mean operations for and any of the following: drilling, testing, completing, reworking, recompleting, deepening, plugging back or repairing of a well in search for or in an endeavor to obtain production of oil, gas, sulphur or other minerals, excavating a mine, production of oil, gas, sulphur or other mineral, whether or not in paying quantities.

ATTACHMENT A

7. Lessee shall have the use, free from royalty, of water, other than from lessor's water wells, and of oil and gas produced from said land in all operations hereunder. Lessee shall have the right at any time to remove all machinery and fixtures placed on said land, including the right to draw and remove casing. No well shall be drilled nearer than 200 feet to the house or barn now on said land without the consent of the lessor. Lessee shall pay for damages caused by its operations to growing crops and timber on said land.

8. The rights and estate of any party hereto may be assigned from time to time in whole or in part and as to any mineral or horizon. All of the covenants, obligations, and considerations of this lease shall extend to and be binding upon the parties hereto, their heirs, successors, assigns, and successive assigns. No change or division in the ownership of said land, royalties, or other moneys, or any part thereof, howsoever effected, shall increase the obligations or diminish the rights of lessee, including, but not limited to, the location and drilling of wells and the measurement of production. Notwithstanding any other actual or constructive knowledge or notice thereof or to lessee, its successors or assigns, no change or division in the ownership of said land or of the royalties, or other moneys, or the right to receive the same, howsoever effected, shall be binding upon the then record owner of this lease until thirty (30) days after there has been furnished to such record owner at his or its principal place of business by lessor or lessor's heirs, successors, or assigns, notice of such change or division, supported by either originals or duly certified copies of the instruments which have been properly filed for record and which evidence such change or division, and of such court records and proceedings, transcripts, or other documents as shall be necessary in the opinion of such record owner to establish the validity of such change or division. If any such change in ownership occurs by reason of the death of the owner, lessee may, nevertheless pay or tender such royalties, or other moneys, or part thereof, to the credit of the decedent in a depository bank provided for above.

9. In the event lessor considers that lessee has not complied with all its obligations hereunder, both express and implied, lessor shall notify lessee in writing, setting out specifically in what respects lessee has breached this contract. Lessee shall then have sixty (60) days after receipt of said notice within which to meet or commence to meet all or any part of the breaches alleged by lessor. The service of said notice shall be precedent to the bringing of any action by lessor on said lease for any cause, and no such action shall be brought until the lapse of sixty (60) days after service of such notice on lessee. Neither the service of said notice nor the doing of any acts by lessee aimed to meet all or any of the alleged breaches shall be deemed an admission or presumption that lessee has failed to perform all its obligations hereunder. If this lease is cancelled for any cause, it shall nevertheless remain in force and effect as to (1) sufficient acreage around each well as to which there are operations to constitute a drilling or maximum allowable unit under applicable governmental regulations, (but in no event less than forty acres), such acreage to be designated by lessee as nearly as practicable in the form of a square centered at the well, or in such shape as then existing spacing rules require; and (2) any part of said land included in a pooled unit on which there are operations. Lessee shall also have such easements on said land as are necessary to operations on the acreage so retained.

10. Lessor hereby warrants and agrees to defend title to said land against the claims of all persons whomsoever. Lessor's rights and interests hereunder shall be charged primarily with any mortgages, taxes or other liens, or interest and other charges on said land, but lessor agrees that lessee shall have the right at any time to pay or reduce same for lessor, either before or after maturity, and be subrogated to the rights of the holder thereof and to deduct amounts so paid from royalties or other payments payable or which may become payable to lessor and/or assigns under this lease. If this lease covers a less interest in the oil, gas, sulphur, or other minerals in all or any part of said land than the entire and undivided fee simple estate (whether lessor's interest is herein specified or not), or no interest therein, then the royalties and other moneys accruing from any part as to which this lease covers less than such full interest, shall be paid only in the proportion which the interest therein, if any, covered by this lease, bears to the whole and undivided fee simple estate therein. All royalty interest covered by this lease (whether or not owned by lessor) shall be paid out of the royalty herein provided. This lease shall be binding upon each party who executes it without regard to whether it is executed by all those named herein as lessor.

11. If, while this lease is in force, at, or after the expiration of the primary term hereof, it is not being continued in force by reason of the shut-in well provisions of paragraph 3 hereof, and lessee is not conducting operations on said land by reason of (1) any law, order, rule or regulation, (whether or not subsequently determined to be invalid) or (2) any other cause, whether similar or dissimilar, (except financial) beyond the reasonable control of lessee, the primary term hereof shall be extended until the first anniversary date hereof occurring ninety (90) or more days following the removal of such delaying cause, and this lease may be extended thereafter by operations as if such delay had not occurred.

IN WITNESS WHEREOF, this instrument is executed on the date first above written.

Glynn Dodson SS# 2486 David Dodson SS# 3540

LESSOR SS. OR TAX I.D. NO. LESSOR SS. OR TAX I.D. NO.

ACKNOWLEDGEMENT

STATE OF Texas COUNTY OF Collin

This instrument was acknowledged before me on the 21st day of February, 1996, by Glynn Dodson, a single man

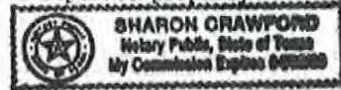


Notary Public, State of Texas Notary's name (printed): Sharon Crawford Notary's commission expires: 4-5-99

ACKNOWLEDGEMENT

STATE OF Texas COUNTY OF Collin

This instrument was acknowledged before me on the 21st day of February, 1996, by David Dodson, a married man dealing in his sole and separate property



Notary Public, State of Texas Notary's name (printed): Sharon Crawford Notary's commission expires: 4-5-99

CORPORATE ACKNOWLEDGEMENT

STATE OF COUNTY OF

This instrument was acknowledged before me on the \_\_\_ day of \_\_\_, 19\_\_\_, by \_\_\_ of \_\_\_ a \_\_\_ corporation, on behalf of said corporation.

Notary Public, State of Texas Notary's name (printed): Notary's commission expires:

Production 88 (1/88) - Paid Up with 640 Acres Drilling Provision FROM TO Oil, Gas and Mineral Lease This instrument was filed for record on the \_\_\_ day of \_\_\_, 19\_\_\_, at \_\_\_ o'clock \_\_\_ M., and duly recorded in Book \_\_\_ Page \_\_\_ of the \_\_\_ records of this office. By County Clerk Deputy When recorded return to

GROUND PRINTING & STATIONERY COMPANY 4704-C RICHMOND, HOUSTON, TEXAS 77027 (713) 552-8777

RETURN TO:  
P.J. VOORHIE, III  
P.O. BOX 52917  
LAFAYETTE, LA. 70505

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE  
DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND  
UNENFORCEABLE UNDER FEDERAL LAW.  
(THE STATE OF TEXAS) (COUNTY OF COLLIN)  
I hereby certify that this instrument was FILED in the File Number Sequence  
on the date and the time stamped hereon by me, and was duly RECORDED,  
on the Official Public Records of Real Property of Collin County, Texas on

JUN 07 1996

*Helen Starnes*

COUNTY CLERK, COLLIN COUNTY, TEXAS



Filed for Record in  
COLLIN COUNTY, TX  
HONORABLE HELEN STARNES

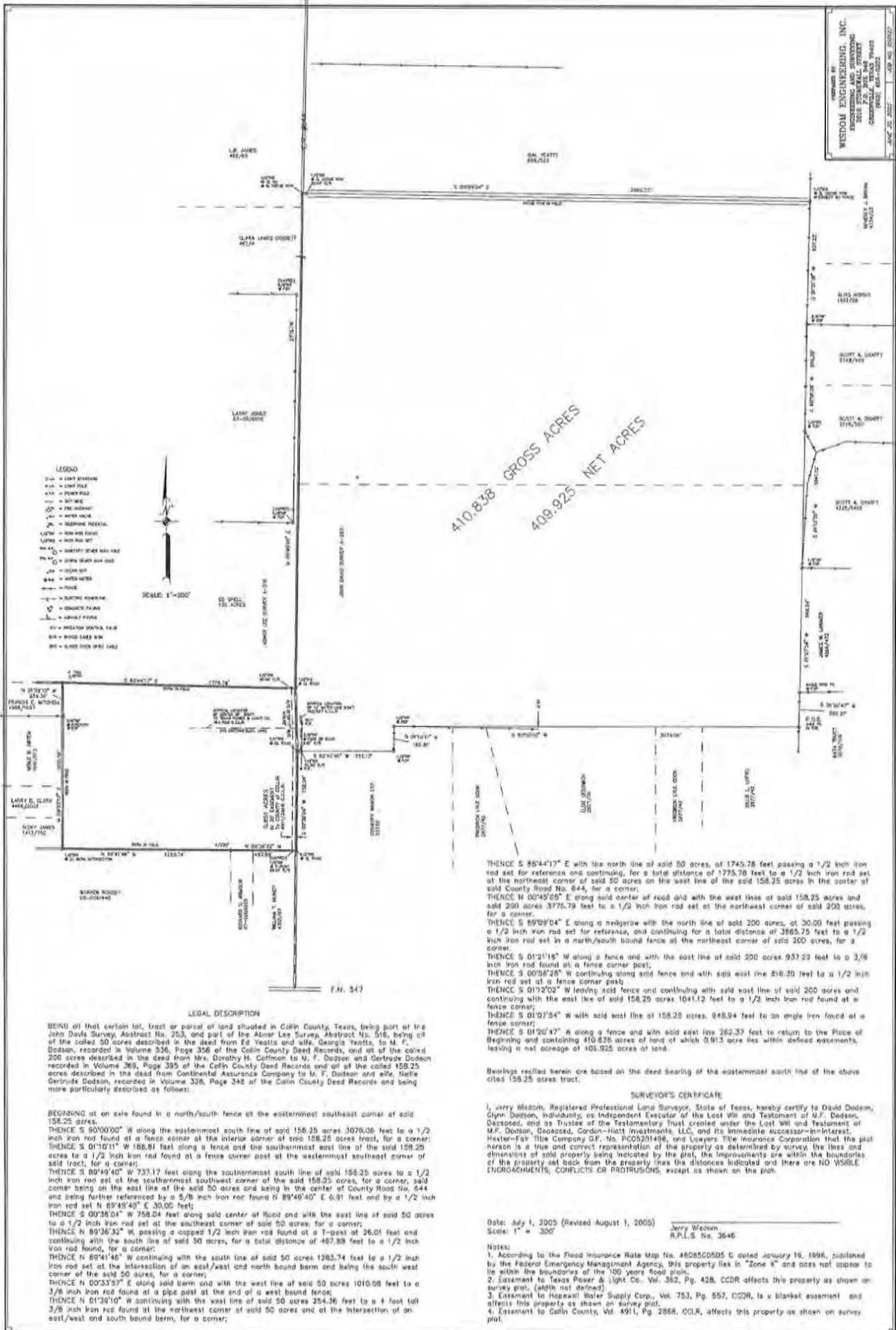
On 1996/06/07


At 9:02A

Number: 96- 0047331  
Type : LS 13.00

3

ATTACHMENT A



	<b>Environmental Lien Search</b>
	<b>April 6, 2011</b>

<b>CLIENT</b>
<p>Alan Plummer Associates, Inc. Attn: Tim Capps 1320 S. University Drive, Ste 300 Fort Worth, TX 76107-5764</p>

<b>SITE</b>
<p><b>Collin County Site</b> <b>North of Josephine, TX</b> <b>Collin County</b> <b>Client #: 326-079-02</b></p> <hr/> <p><b>Banks Project #: ES77341</b></p>

Banks Environmental Data, Inc.  
P.O. Box 12851, Capitol Station/Austin, Texas 78711  
1601 Rio Grande, suite 500/Austin, TX 78703 512-478-0059 FAX 512-478-1433  
E-Mail - [CustomerService@banksinfo.com](mailto:CustomerService@banksinfo.com) [www.banksinfo.com](http://www.banksinfo.com)



**LIEN SEARCH REPORT**

**PROPERTY DESCRIPTION**

**LEGAL DESCRIPTION:** See Attached  
**SUBJECT PARCEL NUMBER:** 1280517, 1280429 and 1284880  
**CURRENT OWNER(S):** Affare Limited Partnership and El Marel Limited Partnership

**Lien Search Result**

No environmental liens or activity/use limitations (AUL's) found for subject property from 1985 to current. Texas appears to be a Superlien State.

## LIEN SEARCH REPORT

### RESEARCH NOTES

Notes:

ASTM Notes:

ASTM E 1527-05, on Historical Use Information requires a review of "*Reasonably Ascertainable standard historical sources.*"

"Reasonably Ascertainable means information that is publicly available, obtainable from a source with reasonable time and cost constraints, and practically reviewable."

This task requires reviewing only as many of the standard historical sources as are necessary, and that are reasonably ascertainable and likely to be useful.

Banks Environmental Data, Inc. has determined that the ASTM E 1527-05, Section 8.3.4.4 requirements (as it pertains to methods and locations of research) have been met for the subject property searched in this report.

Environmental Liens: No environmental liens or activity/use limitations (AUL's) identified.

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### RESOURCES & LIMITATIONS

Banks Environmental Data, Inc. (Banks) has completed your request for an Environmental Lien Search for the above site. The information in this report has been produced from a limited search of the public land records and/or real property records of the county back to at least the mid 1980's up through the indicated date as shown on this report. This limited search includes only environmental liens and restrictions. This report is being provided for use only as a limited part of an overall Phase I Environmental Site Assessment as performed by a qualified Environmental Engineer/Consultant as specified in the ASTM Standard E 1527-05 and as specified in the Comprehensive Environmental Response, Compensation and Liabilities Act of 1980, as amended, and may not be relied upon for any other purpose.

This report is not to be considered an Abstract, a Title Commitment, Title Opinion, Title Guaranty, or a representation of the legal status of the property. The information presented is simply a report of instruments filed of record pertaining to the above property and was obtained from the county public records. No guaranty as to the integrity or correctness of said records is implied.

**LIEN SEARCH REPORT**

**GLOSSARY**

There are certain terms used in Chain of Title searches, which may require clarification. This glossary is designed to provide definitions for some of the most common terms.

<b>1. ENVIRONMENTAL LIEN:</b>	The Environmental Lien is a record of a document/instrument filed by the City, County, State or Federal Government that prevents the conveyance of a property because of severe environmental problems existing on the premises.
<b>2. BREAK IN CHAIN:</b>	<p>There may appear to be a break in the chain of title as indicated when the sequential tracing of ownership fails. An example of a break would be: <i>Smith to Jones. . . Jones to Wilson. . . White to Black</i>. The missing link is from Wilson to White. There are several possible reasons for this occurrence.</p> <ul style="list-style-type: none"> <li>• Due to the size or other physical characteristics of the property, there could be multiple owners at any time when tracing the history of the ownership of the property.</li> <li>• There could be an "easement title" over some portion of the property, allowing for use of that portion for a specific purpose.</li> <li>• There could be a "multi-percentage interest" in the property, with concurrent multiple owners making up 100% of the fee title. Then, a percentage owner deeds out his particular interest or a percentage of this interest to one or more parties. This causes a perceived break in the chain.</li> </ul>
<b>3. EASEMENT:</b>	An easement is the right to enter and use another person's property: a non-possessor right to use another person's real property. Traditionally easements are granted to utility companies and other service organizations or as a right of access to another property.
<b>4. MULTIPLE OWNERS:</b>	<p>When "others" or "et al" appears on the report in the owner category, it indicates multiple ownership of a single parcel, with too many names to record in summary. It is frequently used to denote more than a single owner. If the owners are a married couple, both names may appear on the report or may be denoted by "et ux".</p> <p>The term "owners" is usually used to indicate owners of multiple parcels, all recorded under a document that covers the multiple parcels.</p>
<b>5. MULTIPLE PARCELS:</b>	Some properties are created by combining several adjoining parcels into one large parcel. When this occurs; there might be several different owners until the time of unification of the property. Sometimes the ownership appears to be cloudy until each owner conveys his/her interest to the single owner of the new larger parcel.

**DISCLAIMER**  
 The information contained in this report has been obtained from publicly available sources and other secondary sources of information produced by entities other than Banks Environmental Data, Inc (Banks). Although great care has been taken by Banks in compiling and checking the information contained in this report to insure that it is current and accurate, Banks disclaims any and all liability for any errors, omissions, or inaccuracies in such information and data, whether attributable to inadvertence or otherwise, and for any consequences arising therefrom. The data provided hereunder neither purports to be nor constitutes legal or medical advice. It is further understood that Banks makes no representations or warranties of any kind. Including, but not limited to, the warranties of fitness for a particular purpose of merchantability, nor any such representations or warranties to be implied with respect to the data furnished, and banks assumes no responsibility with respect to our customer's, its employees', clients', or customers' use thereof. Banks shall not be liable for any special, consequential, or exemplary damages resulting in whole or in part, from customer's use of the data. Liability on the part of Banks Environmental Data, Inc (Banks) is limited to the monetary value paid for this report. The report is valid only for the geographical parameters specified on the cover page of this report, and any alteration or deviation from this description will require a new report. This report does not constitute a legal or licensed opinion.

7805201496(A02)

2005- 0109486

AFTER RECORDING RETURN TO:

Michael D. Hesse  
HESSE & HESSE, L.L.P.  
15303 Dallas Parkway  
Suite 1040  
Addison, Texas 75001

05978 02227

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED  
[WITH VENDOR'S LIEN]

STATE OF TEXAS

COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That DAVID DODSON; and GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased (hereinafter collectively referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by AFFARE LIMITED PARTNERSHIP, an Arizona limited partnership, and EL MAREL LIMITED PARTNERSHIP, an Arizona limited partnership, AS TENANTS IN COMMON (hereinafter collectively referred to as "Grantee"), whose address is 1223 S. Clearview Avenue, Suite 103 and Suite 105, respectively, Mesa, Arizona 85209, and further in consideration of a loan from Grantor, at the special insistence and request of Grantee as the funds advanced in execution of that one certain promissory note of even date herewith (hereinafter referred to as the "Note"), in the principal sum of One Million Five Hundred Forty Nine Thousand Six Hundred Twenty Five and No/100 Dollars (\$1,549,625.00), bearing interest and payable to the order of Grantor, as therein stipulated, which Note is secured by the Vendor's Lien hereinafter retained, and which the Note in its entirety is secured by a Deed of Trust even date herewith executed and delivered by Grantee to Glynn Dodson, Trustee, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of that certain real property located in Collin County, Texas, as more particularly described on Exhibit A attached hereto and incorporated herein by reference the same as if fully copied and set forth at length, together with all improvements located thereon, fixtures thereto, and any and all appurtenances belonging or appertaining thereto and any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way, strips or gores of real estate adjoining such real property (hereinafter collectively referred to as the "Property").

05978 02228


This conveyance is made and accepted subject to the matters described on Exhibit B attached hereto, and incorporated herein by reference the same as if fully copied and set forth at length, to the extent (but not further) the same are valid and subsisting and affect title to the property conveyed hereby (hereinafter collectively referred to as the "Permitted Exceptions").


TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind its successors and assigns, to WARRANT and FOREVER DEFEND, subject to the Permitted Exceptions, all and singular the Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Grantee assumes payment of all taxes for current and subsequent years.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the Property until the Note, and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

EXECUTED this 9th day of August, 2005.

GRANTOR:

  
\_\_\_\_\_  
DAVID DODSON

  
\_\_\_\_\_  
GLYNN DODSON, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased

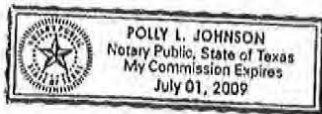
05978 02229

ACKNOWLEDGMENTS

STATE OF TEXAS §  
COUNTY OF Bollen §

BEFORE ME, the undersigned authority, on this day personally appeared David Dodson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9th day of August, 2005.

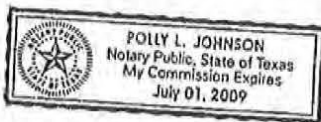


Polly L. Johnson  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Polly L. Johnson  
My Commission Expires: 7-01-2009

STATE OF TEXAS §  
COUNTY OF Belen §

BEFORE ME, the undersigned authority, on this day personally appeared Glynn Dodson, individually, and as independent executor of the Last Will and Testament of M.F. Dodson, Deceased, and as trustee of the Testamentary Trust created under the Last Will and Testament of M.F. Dodson, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 9th day of August, 2005.



Polly L. Johnson  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Polly L. Johnson  
My Commission Expires: 7-01-2009

05978 02230

EXHIBIT ALEGAL DESCRIPTION

BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being all of the called 50 acres described in the deed from Ed Yeatts and wife, Georgia Yeatts, to M.F. Dodson, recorded in Volume 536, Page 356 of the Collin County Deed Records, and all of the called 200 acres described in the deed from Mrs. Dorothy H. Coffman to M.F. Dodson and Gertrude Dodson recorded in Volume 369, Page 395 of the Collin County Deed Records and all of the called 158.25 acres described in the deed from Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, recorded in Volume 328, Page 348 of the Collin County Deed Records and being more particularly described as follows:

BEGINNING at an axle found in a north/south fence at the easternmost southeast corner of said 158.25 acres.

THENCE South 90 degrees 00 minutes 00 seconds West along the easternmost south line of said 158.25 acres 3079.06 feet to a 1/2 inch iron rod found at a fence corner at the interior corner of said 158.25 acres tract, for a corner;

THENCE South 01 degrees 10 minutes 11 seconds West 188.81 feet along a fence and the southernmost east line of the said 158.25 acres to a 1/2 inch iron rod found at a fence corner post at the westernmost southeast corner of said tract, for a corner;

THENCE South 89 degrees 49 minutes 40 seconds West 737.17 feet along the southernmost south line of said 158.25 acres to a 1/2 inch iron rod set at the southernmost southwest corner of the said 158.25 acres, for a corner, said corner being on the east line of the said 50 acres and being in the center of County Road No. 644 and being further referenced by a 5/8 inch iron rod found North 89 degrees 49 minutes 40 seconds East 6.91 feet and by a 1/2 inch iron rod set North 89 degrees 49 minutes 40 seconds East 30.00 feet;

THENCE South 00 degrees 38 minutes 04 seconds West 758.04 feet along said center of Road and with the east line of said 50 acres to a 1/2 inch iron rod set at the southeast corner of said 50 acres, for a corner;

THENCE North 89 degrees 36 minutes 32 seconds West, passing a capped 1/2 inch iron rod found at a T-post at 26.01 feet and continuing with the south line of said 50 acres, for a total distance of 497.88 feet to a 1/2 inch iron rod found, for a corner;

THENCE North 89 degrees 41 minutes 46 seconds West continuing with the south line of said 50 acres 1283.74 feet to 1/2 inch iron rod set at the intersection of an east/west and north bound berm and being the south west corner of the said 50 acres, for a corner;

ATTACHMENT A

05978 02231

THENCE North 00 degrees 33 minutes 57 seconds East along said berm and with the west line of said 50 acres 1010.56 feet to a 3/8 inch iron rod found at a pipe post at the end of a west bound fence;

THENCE North 01 degrees 39 minutes 10 seconds West continuing with the west line of said 50 acres 254.36 feet to a 4 foot tall 3/8 inch iron rod found at the northwest corner of said 50 acres and at the intersection of an east/west and south bound berm, for a corner;

THENCE South 88 degrees 44 minutes 17 seconds East with the north line of said 50 acres, at 1745.78 feet passing a 1/2 inch iron rod set for reference and continuing, for a total distance of 1775.78 feet to a 1/2 inch iron rod set at the northeast corner of said 50 acres on the west line of the said 158.25 acres in the center of said County Road No. 644, for a corner;

THENCE North 00 degrees 45 minutes 05 seconds East along said center of road and with the west lines of said 158.25 acres and said 200 acres 3775.79 feet to a 1/2 inch iron rod set at the northwest corner of said 200 acres, for a corner;

THENCE South 89 degrees 09 minutes 04 seconds East along a hedgerow with the north line of said 200 acres, at 30.00 feet passing a 1/2 inch iron rod set for reference, and continuing for a total distance of 3865.75 feet to a 1/2 inch iron rod set in a north/south bound fence at the northeast corner of said 200 acres, for a corner;

THENCE South 01 degrees 21 minutes 18 seconds West along a fence and with the east line of said 200 acres 937.22 feet to a 3/8 inch iron rod found at a fence corner post.

THENCE South 00 degrees 58 minutes 28 seconds West continuing along said fence and with said east line 816.30 feet to a 1/2 inch iron rod set at a fence corner post;

THENCE South 01 degrees 12 minutes 02 seconds West leaving said fence and continuing with said east line of said 200 acres and continuing with the east line of said 158.25 acres 1041.12 feet to a 1/2 inch iron rod found at a fence corner;

THENCE South 01 degrees 07 minutes 54 seconds West with said east line of 158.25 acres, 948.94 feet to an angle iron found at a fence corner;

THENCE South 01 degrees 20 minutes 47 seconds West along a fence and with said east line 262.37 feet to return to the Place of Beginning and containing 410.838 acres of land of which 0.913 acre lies within defined easements, leaving a net acreage of 409.925 acres of land, more or less.



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**EXHIBIT B****PERMITTED EXCEPTIONS**

1. Easement granted to Texas Power & Light Company by instrument dated September 27, 1945, executed by Ed Yeatts and recorded in Volume 362, Page 428, Deed Records of Collin County, Texas, and shown on survey dated July 1, 2005, last revised August 1, 2005, prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
2. Easement granted to Hopewell Water Supply Corporation by instrument dated January 26, 1970, executed by M.F. Dodson and wife, Gertrude Dodson and recorded in Volume 753, Page 557, Deed Records of Collin County, Texas, and noted on survey dated July 1, 2005, last revised August 1, 2005, prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
3. Easement granted to the County of Collin by instrument dated April 20, 2001, executed by Charles Dodson 1/3 Int., Glynn Dodson 1/3 Int., and David Dodson 1/3 Int. and recorded in Volume 4911, Page 2868, Deed Records of Collin County, Texas, and shown on survey dated July 1, 2005, last revised prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
4. Mineral and/or royalty interest as described in instrument executed by Continental Assurance Company to M.F. Dodson and wife, Nellie Gertrude Dodson, dated December 3, 1940 and recorded in Volume 328, Page 348, Deed Records of Collin County, Texas; referenced to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
5. Mineral and/or royalty interest as described in instrument executed by Mrs. Dorothy H. Coffman, et al to M.F. Dodson and Gertrude Dodson, dated May 15, 1946 and recorded in Volume 369, Page 395, Deed Records of Collin County, Texas; reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connect with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
6. Mineral and/or royalty interest as described in instrument executed by Eric Hammond Coffman, Independent Executor of the Estate of Dorothy H. Coffman, Deceased to David Hammond Coffman, et al, dated August 2, 1984, and recorded in Volume 1953, Page 532, Deed Records of Collin County, Texas; reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.

ATTACHMENT A

05978 02233

7. Mineral and/or royalty interest as described in instrument executed by Eric Hammond Coffman, Trustee of Trust for Anthony Wright Coffman to Anthony Wright Coffman, dated October 6, 1984, effective October 15, 1984 and recorded in Volume 1995, Page 336, Deed Records of Collin County, Texas; reference to which instrument is here made for all purposes, together with all rights, expressed or implied in and to the property covered by this policy arising out of or connected with said interest and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.
8. That portion of the property described herein within the limits or boundaries of County Road #644 as shown on survey dated July 1, 2005, last revised August 1, 2005, prepared by Jerry Wisdom, Registered Professional Land Surveyor No. 3646, of Wisdom Engineering, Inc.
9. Location of fence into or outside of the most eastern southern boundary line and the most eastern boundary line as shown on survey dated July 1, 2005, last revised August 1, 2005, by Jerry Wisdom, Registered Professional Land Surveyor Number 3646 of Wisdom Engineering, Inc.

ATTACHMENT A

05978 02234

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS HEREBY AND UNLAWFUL AND UNENFORCEABLE UNDER FEDERAL LAW (THE STATE OF TEXAS) (COUNTY OF COLLIN) I hereby certify that this instrument was FILED with the Public Records on this date and the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Collin County, Texas on

AUG 10 2005

Brenda Taylor



Filed for Record in:  
Collin County, McKinney TX  
Honorable Brenda Taylor  
Collin County Clerk

On Aug 10 2005  
At 1:27pm

Doc/Num : 2005- 0109486

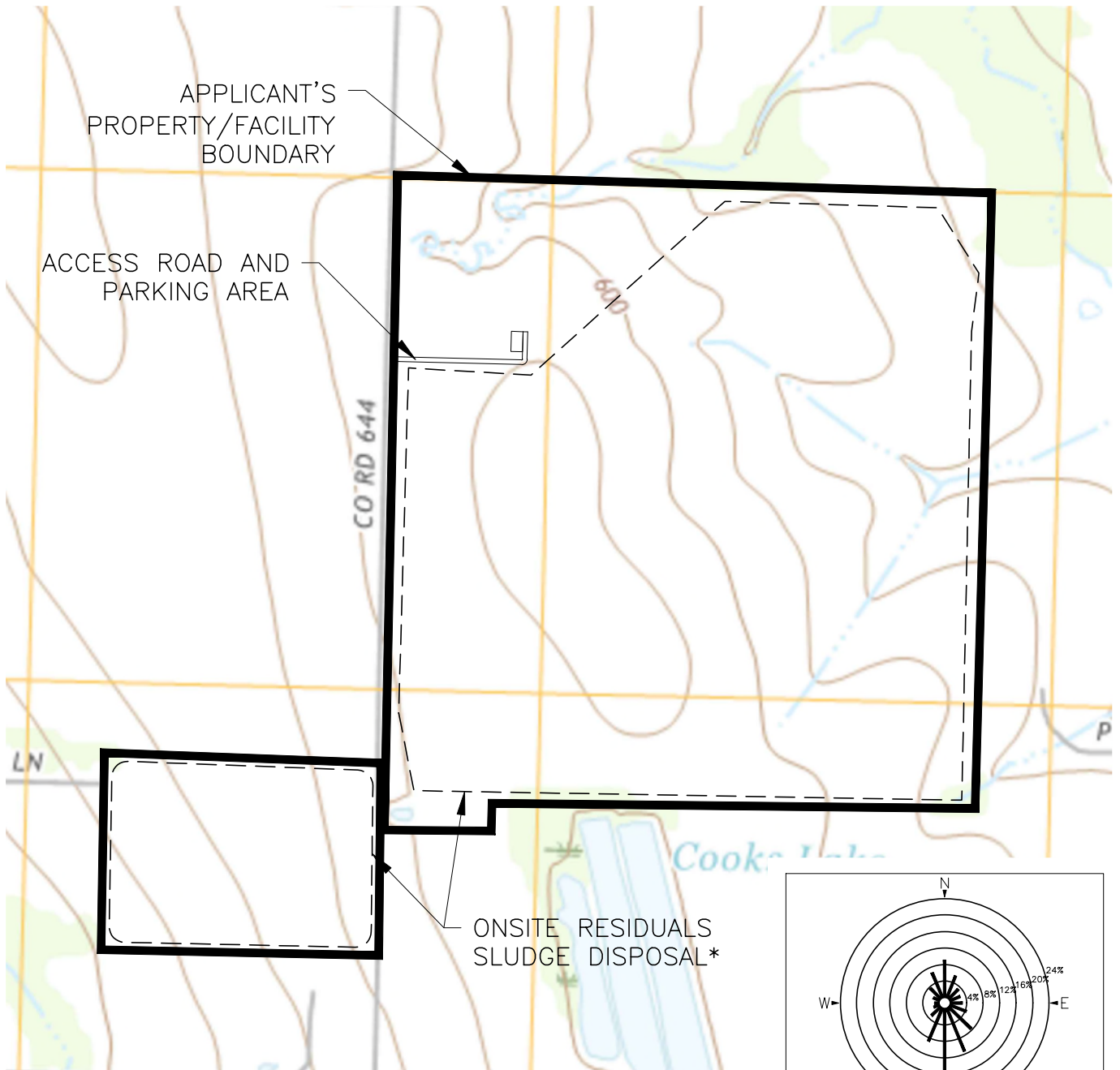
Recording/Type: D1 26.00  
Receipt #: 32145

**ATTACHMENT B**

**Site Drawing with Wind Rose  
Admin Rpt. 1.0 Section 6.q**



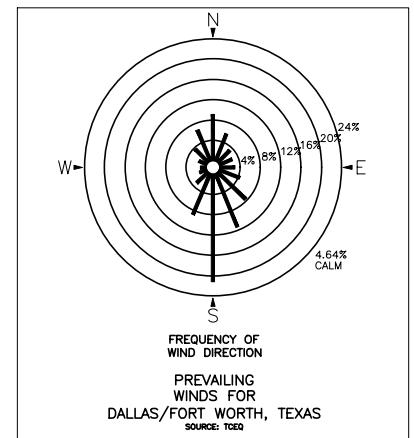
**PLUMMER**



**NOTES:**

1. PROPERTY AND FACILITY BOUNDARIES ARE CONTIGUOUS.
2. BUFFER ZONES SHOWN FOR INFORMATION PURPOSES ONLY. BUFFER ZONES ARE NOT REQUIRED FOR THIS RESIDUALS DISPOSAL FACILITY.

\*RESIDUAL DISPOSAL AREA IS AT LEAST 50 FT FROM PROPERTY BOUNDARY ON ALL SIDES



**ATTACHMENT B**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT**  
**RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**SITE DRAWING**

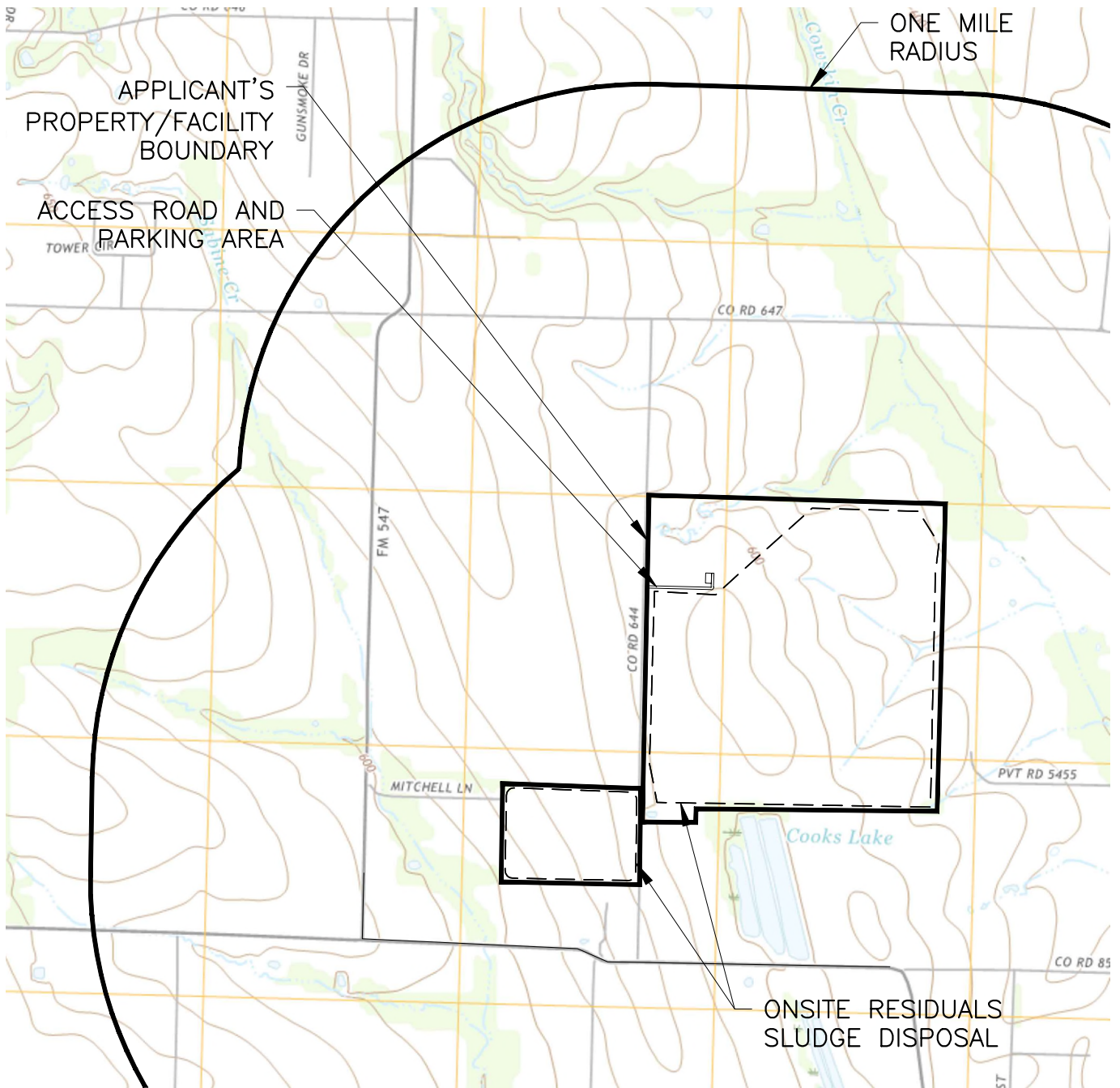
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3/12/2021 4:44 PM L:\Projects\0326\114-01\2-0 Wrk Prod\2-1 ACAD\FIGURES\FIG-SITE DRAWING.dwg Briand

**ATTACHMENT C**

**U.S. Geological Survey Map  
Admin Rpt. 1.0 Section 7**



**PLUMMER**



**NOTES:**

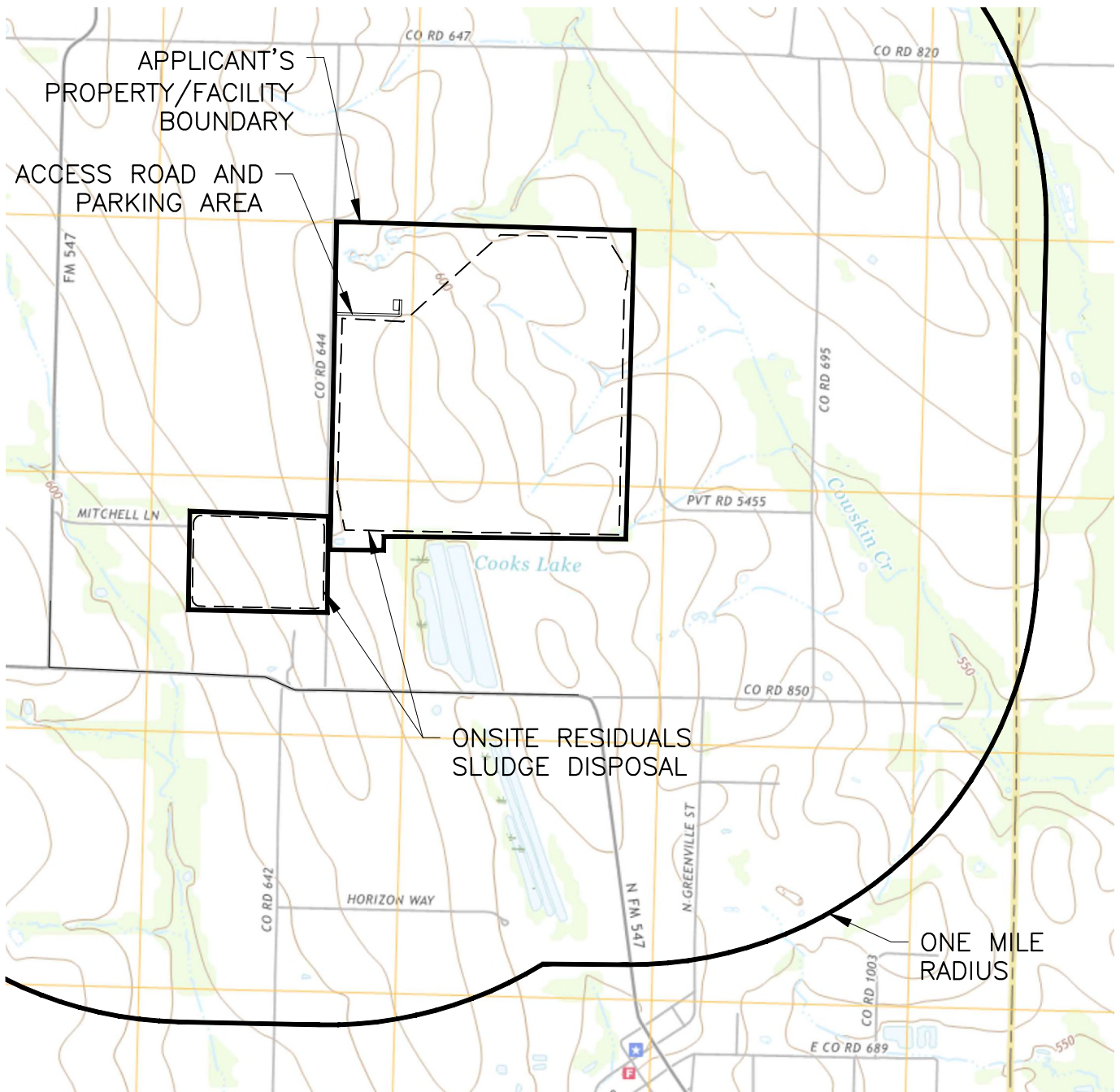
1. PROPERTY AND FACILITY BOUNDARIES ARE CONTIGUOUS.
2. NO NEW OR FUTURE COMMERCIAL DEVELOPMENTS, HOUSING DEVELOPMENTS, INDUSTRIAL SITES, PARKS, SCHOOLS, OR RECREATIONAL AREAS WITHIN 1 MILE OF THE FACILITY.

**ATTACHMENT C.1**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT**  
**RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**USGS MAP**

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**PLUMMER**



**NOTES:**

1. PROPERTY AND FACILITY BOUNDARIES ARE CONTIGUOUS.
2. NO NEW OR FUTURE COMMERCIAL DEVELOPMENTS, HOUSING DEVELOPMENTS, INDUSTRIAL SITES, PARKS, SCHOOLS, OR RECREATIONAL AREAS WITHIN 1 MILE OF THE FACILITY.

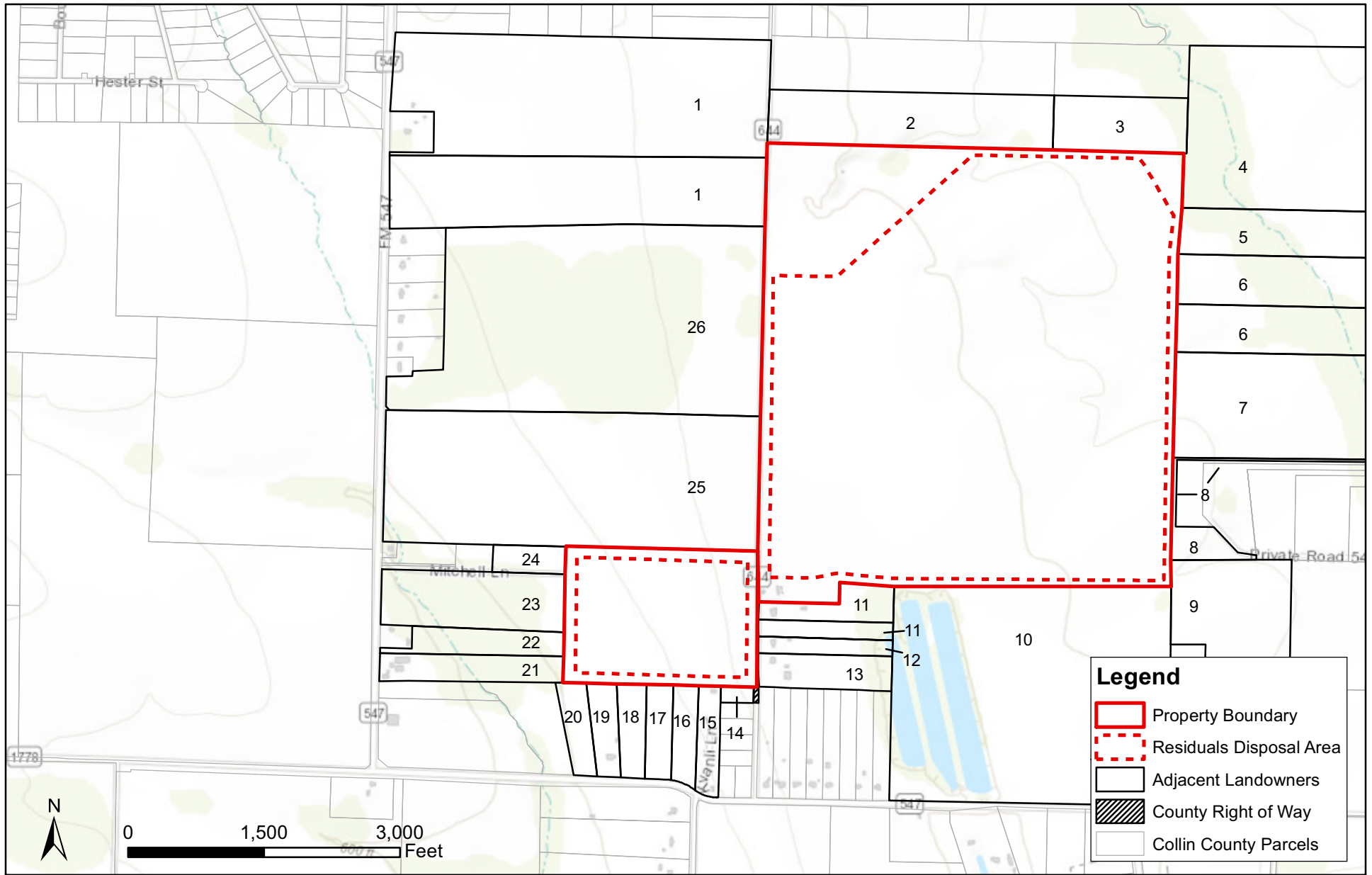
**ATTACHMENT C.2  
 NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
 RESIDUALS DISPOSAL MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
 USGS MAP**

TEXAS REGISTERED ENGINEERING FIRM F-13  
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**ATTACHMENT D**

**Affected Landowner Map and Information  
Admin Rpt. 1.1 Section 1**



**ATTACHMENT D.1**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**AFFECTED LANDOWNERS MAP**

See Attachment D.2 for cross-referenced list of landowners

**ATTACHMENT D.2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
AFFECTED LANDOWNER LIST**

<b>Map ID</b>	<b>Landowner</b>
1	BENNETT CARLOS L 1326 SWALLOW LN GARLAND, TX 75042-8035
2	SVREALTY LLC & SUNRISE GROUP ESTATES LLC 1167 FOSSIL LAKE DR FRISCO, TX 75036-3939
3	BAVIREDDY RAMESH 1146 BACKBAY DR IRVING, TX 75063-5413
4	SCHOTTLAENDER FAMILY LIVING TRUST COLIN J R & JANET L SCHOTTLAENDER TRUSTEES 6301 CARMEL FALLS CT MCKINNEY, TX 75072-8768
5	NORRIS RONALD GLENN 1922 ROLANDO DR GARLAND, TX 75040-8366
6	DAFFT SCOTT A PO BOX 538 PROSPER, TX 75078-0538
7	DAFFT SCOTT S & JENNIFER PO BOX 538 PROSPER, TX 75078-0538
8	LARIMER SEAN MICHAEL & FREDDY J DAVENPORT 2141 COUNTY ROAD 638 ROYSE CITY, TX 75189
9	BATA TRUST PO BOX 158 JOSEPHINE, TX 75164-0158
10	MOSLENER GEORGE FRANK III & ROSA ELENA 10984 STATE HIGHWAY 205 LAVON, TX 75166-1808
11	KOELSCH PETER WALTER & JENNA ALYSE DOSS 5003 COUNTY ROAD 644 FARMERSVILLE, TX 75442-6807
12	ODOM JEF L & TAMARA R ODOM 5057 COUNTY ROAD 644 FARMERSVILLE, TX 75442-6807
13	SCHWEPPE SCOTT 5087 COUNTY ROAD 644 FARMERSVILLE, TX 75442-6807
14	STUBBE MICHAEL E & MARY L 5144 COUNTY ROAD 644 FARMERSVILLE, TX 75442-6800

**ATTACHMENT D.2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
AFFECTED LANDOWNER LIST**

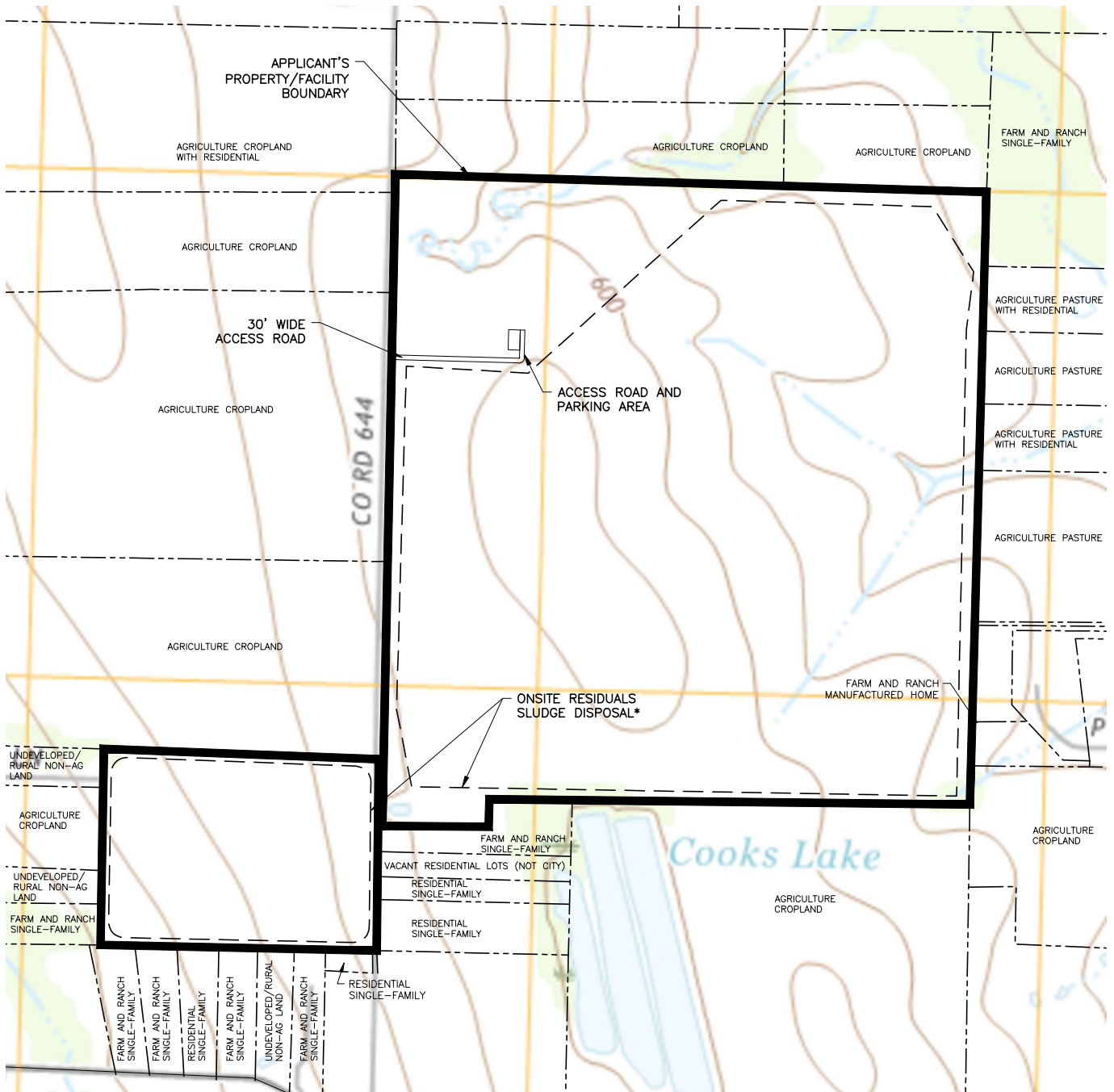
<b>Map ID</b>	<b>Landowner</b>
15	KVANLI JOEL D REVOCABLE TRUST 5387 COUNTY ROAD 4508 COMMERCE, TX 75428-5279
16	CERVANTES ERICK J 1408 PECAN CREEK DR FARMERSVILLE, TX 75442-2900
17	WALL JAMES & ELENA WALL 5612 SOMERVILLE DR FRISCO, TX 75036-1145
18	HOBBS BILLY & LEORA HOBBS 5715 FM 547 FARMERSVILLE, TX 75442-6921
19	JUDSON JOHN DAMON & KATHY 5697 FM 547 FARMERSVILLE, TX 75442-6994
20	JUSTISS RICK C/O KEITH E JONES & MARJORIE L JONES PO BOX 1928 WYLIE, TX 75098-1928
21	JAMES SHANE D & RAND ANTOINETTE L PO BOX 354 JOSEPHINE, TX 75164-0354
22	WALNUT PARK ASSEMBLY OF GOD 3818 LAWLER RD GARLAND, TX 75042-5339
23	ORTEN DIXIE A 728 COUNTY ROAD 1468 MOUNT PLEASANT, TX 75455-7238
24	JIMENEZ KELLY & LORETTA L 14923 COUNTY ROAD 489 NEVADA, TX 75173-6047
25	BECKER SANDRA L & AUBREY 1210 LAKE POINT CIR MCKINNEY, TX 75072-5166
26	VRL 547 LLC & LAKSHMI HM LLC & CSNS LLC 8209 SUTHERLAND LN PLANO, TX 75025-5547

**ATTACHMENT E**

**Buffer Zone Map  
Admin Rpt. 1.1 Section 2**



**PLUMMER**



**NOTES:**

1. PROPERTY AND FACILITY BOUNDARIES ARE CONTIGUOUS.
2. BUFFER ZONES SHOWN FOR INFORMATION PURPOSES ONLY. BUFFER ZONES ARE NOT REQUIRED FOR THIS RESIDUALS DISPOSAL FACILITY.

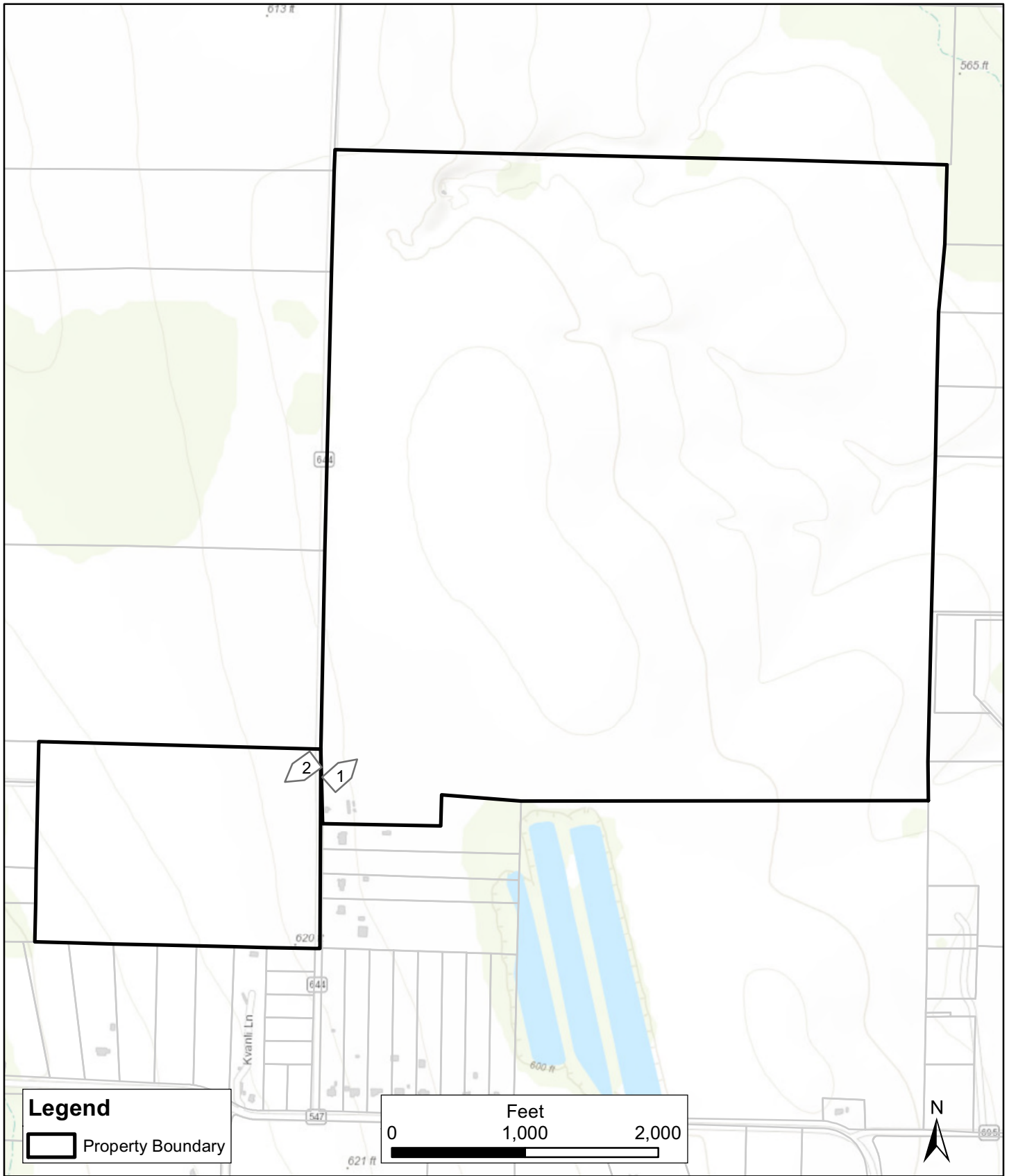
\*RESIDUAL DISPOSAL AREA IS AT LEAST 50 FT FROM PROPERTY BOUNDARY ON ALL SIDES

**ATTACHMENT E**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT**  
**RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**BUFFER ZONE MAP**

TEXAS REGISTERED ENGINEERING FIRM F-13  
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**ATTACHMENT F**

**Original Photographs  
Admin Rpt. 1.1 Section 3**



**ATTACHMENT F.1**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**ORIGINAL PHOTOGRAPH LOCATION MAP**

See Attachment F.2 for cross-referenced photographs



**ATTACHMENT F.2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

**ORIGINAL PHOTOGRAPHS**



Photo 1: Proposed Monofill Location, NE facing



Photo 2: Proposed Monofill Location, SW facing

ATT F.2-1

**ATTACHMENT G**

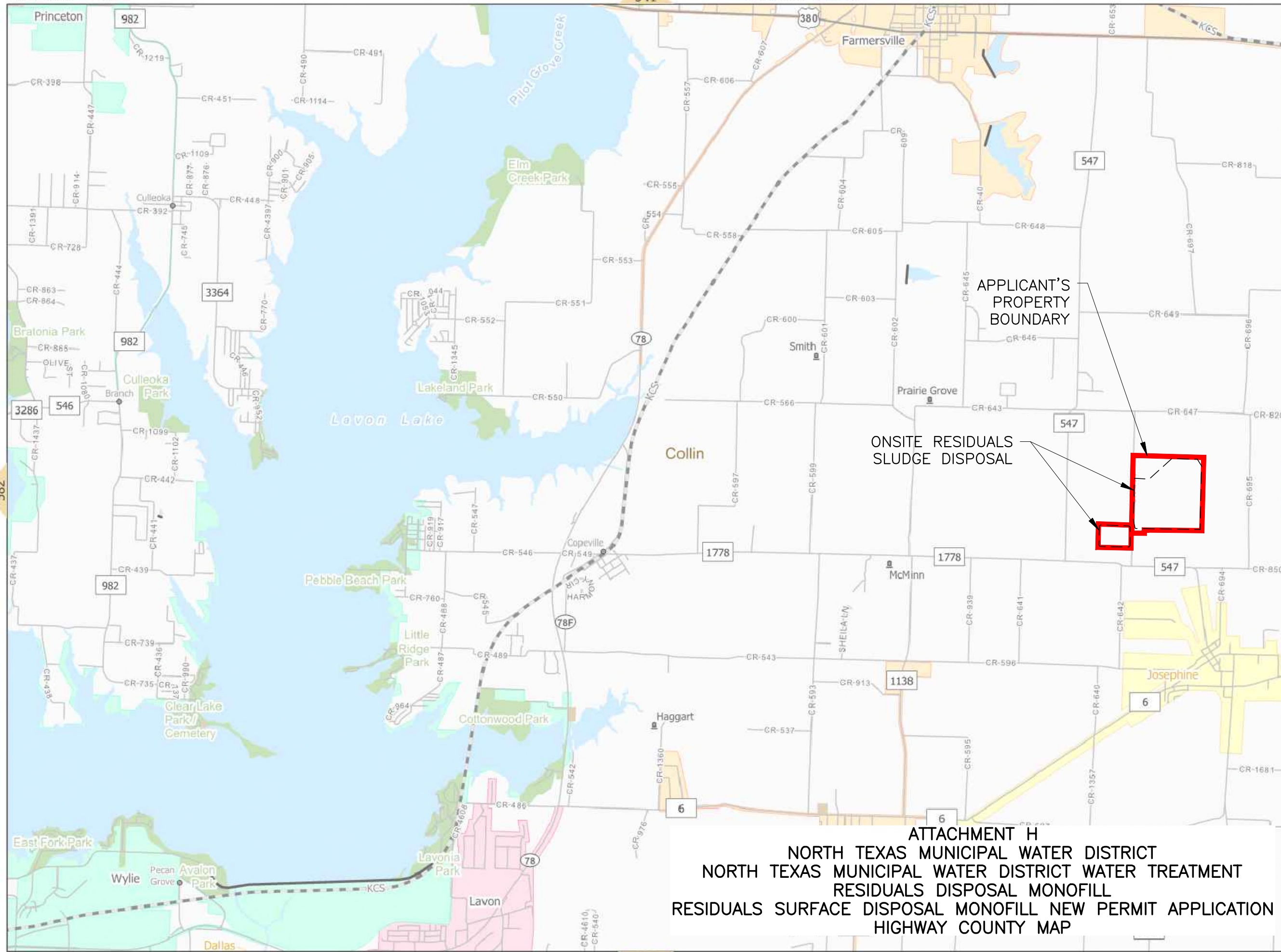
**Other Facilities Operated by North Texas Municipal Water District  
Admin Rpt. 1.1 Section 4**

**ATTACHMENT G**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL**  
**MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**OTHER FACILITIES OPERATED BY NORTH TEXAS MUNICIPAL WATER DISTRICT**

<b>REGULATED ENTITY NUMBER</b>	<b>FACILITY NAME</b>
RN101308781	121 REGIONAL DISPOSAL FACILITY
RN104491238	BEAR CREEK WWTP
RN106816838	BONHAM WATER TREATMENT PLANT
RN110474988	BUFFALO CREEK LIFT STATION
RN102095924	BUFFALO CREEK PLANT
RN102806080	CITY OF FARMERSVILLE PLANT 1 & 2
RN101491413	CUSTER SOLID WASTE TRANSFER STATION
RN110423811	DUBLIN RD LS
RN102097177	FLOYD BRANCH REGIONAL PLANT WWTP
RN102778438	LOOKOUT DRIVE TRANSFER STATION
RN100733773	MAXWELL CREEK LANDFILL
RN102289980	MCKINNEY LANDFILL
RN103190468	MUDDY CREEK REGIONAL WWTP
RN110423860	NORTH MCKINNEY LS
RN107142739	NORTH MCKINNEY PIPELINE PHASE I & II
RN102012119	NORTH TEXAS MUNICIPAL WATER DISTRICT
RN102342144	NORTH TEXAS MUNICIPAL WATER DISTRICT ROWLETT CREEK
RN102315579	NORTH TEXAS MWD
RN106080930	NORTH TEXAS MWD TAWAKONI WTP
RN102739430	PANTHER CREEK WASTEWATER TREATMENT PLANT
RN100535392	PARKWAY TRANSFER STATION
RN110423902	PLANO SPRING CREEK LS 2
RN110424090	PRESTON ROAD LS
RN110647336	PRINCETON LIFT STATION
RN104695440	ROCK CRUSHER 1 AT 121 REGIONAL DISPOSAL FACILITY
RN102940087	ROYCE CITY WWTP
RN103888020	SABINE CREEK REGIONAL WASTEWATER TREATMENT PLANT
RN102699410	SEAGOVILLE WWTP
RN102093879	SEIS LAGOS PLANT
RN101701332	SOUTH MESQUITE REGIONAL WASTEWATER TREATMENT PLANT
RN102097474	SQUABBLE CREEK NORTH ROCKWALL
RN101607265	STEWART CREEK WEST WASTEWATER TREATMENT PLANT
RN110424355	UPPER COTTONWOOD LS
RN110423779	UPPER ROWLETT LS
RN107155285	UPPER WHITE ROCK CREEK LIFT STATION
RN109454330	WILSON CREEK REGIONAL WWTP
RN102095585	WILSON CREEK WASTEWATER TREATMENT PLANT
RN106858020	WYLIE WTP
RN101998268	WYLIE WWTP

**ATTACHMENT H**

**General Highway County Map  
Tech Rpt. 2.0 Section 1.a**



- Unincorporated Community
- ★ County Seat
- ⊕ Border Crossing
- ⊠ Cemetery
- ⊠ Cemetery (Inside City)
- ⊠ Deep Draft Port
- ⊠ Shallow Draft Port
- Railroad
- Dam
- River or Stream
- TXDOT District
- Lakes
- Education
- Military
- Airport Runway
- Airport
- Prison
- Parks and Other Public Land



**ATTACHMENT H**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT**  
**RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**HIGHWAY COUNTY MAP**

Scale 1:72,224  
 Copyright © 2018 Texas Department of Transportation

**ATTACHMENT I**

**USDA Natural Resource Conservation Service Soil Map  
Tech Rpt. 2.0 Section 1.b**



A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

# Custom Soil Resource Report for Collin County, Texas



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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## Soil Map

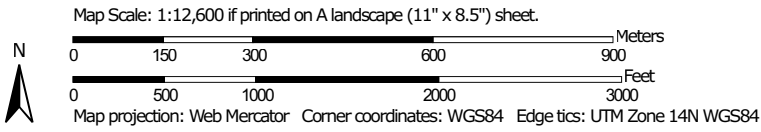
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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

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**Custom Soil Resource Report**  
**Soil Map**




Soil Map may not be valid at this scale.



**ATTACHMENT I**  
**Custom Soil Resource Report**


**MAP LEGEND**

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**







 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

**MAP INFORMATION**

The soil surveys that comprise your AOI were mapped at 1:20,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Collin County, Texas  
 Survey Area Data: Version 15, Sep 12, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 13, 2014—Dec 13, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BcA	Burleson clay, 0 to 1 percent slopes	24.7	6.4%
BcB	Burleson clay, 1 to 3 percent slopes	40.6	10.5%
HoA	Houston Black clay, 0 to 1 percent slopes	20.4	5.3%
HoB	Houston Black clay, 1 to 3 percent slopes	235.2	60.8%
HoB2	Houston Black clay, 2 to 4 percent slopes, eroded	65.8	17.0%
<b>Totals for Area of Interest</b>		<b>386.6</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

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### Custom Soil Resource Report

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

**Collin County, Texas****BcA—Burleson clay, 0 to 1 percent slopes****Map Unit Setting**

*National map unit symbol:* 2ssg6  
*Elevation:* 300 to 800 feet  
*Mean annual precipitation:* 32 to 45 inches  
*Mean annual air temperature:* 63 to 70 degrees F  
*Frost-free period:* 220 to 270 days  
*Farmland classification:* All areas are prime farmland

**Map Unit Composition**

*Burleson and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Burleson****Setting**

*Landform:* Stream terraces, stream terraces  
*Landform position (three-dimensional):* Tread  
*Microfeatures of landform position:* Circular gilgai, circular gilgai  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Calcareous clayey alluvium of pleistocene age derived from mixed sources

**Typical profile**

*A - 0 to 23 inches:* clay  
*Bss - 23 to 38 inches:* clay  
*Bkss - 38 to 69 inches:* clay  
*2Ck - 69 to 90 inches:* clay

**Properties and qualities**

*Slope:* 0 to 1 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Moderately well drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 15 percent  
*Salinity, maximum in profile:* Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 2.0  
*Available water storage in profile:* Moderate (about 8.3 inches)

**Interpretive groups**

*Land capability classification (irrigated):* 2s  
*Land capability classification (nonirrigated):* 2s  
*Hydrologic Soil Group:* D  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No



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### Custom Soil Resource Report

#### Minor Components

##### Wilson

*Percent of map unit:* 5 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave  
*Ecological site:* Claypan Prairie (R086BY002TX)  
*Hydric soil rating:* No

##### Branyon

*Percent of map unit:* 5 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Microfeatures of landform position:* Circular gilgai  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No

#### BcB—Burlson clay, 1 to 3 percent slopes

##### Map Unit Setting

*National map unit symbol:* 2tbtx  
*Elevation:* 120 to 970 feet  
*Mean annual precipitation:* 34 to 47 inches  
*Mean annual air temperature:* 62 to 69 degrees F  
*Frost-free period:* 228 to 239 days  
*Farmland classification:* All areas are prime farmland

##### Map Unit Composition

*Burlson and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

##### Description of Burlson

###### Setting

*Landform:* Stream terraces, stream terraces  
*Landform position (three-dimensional):* Tread  
*Microfeatures of landform position:* Circular gilgai, circular gilgai  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Calcareous clayey alluvium of pleistocene age derived from mudstone

###### Typical profile

*Ap - 0 to 5 inches:* clay  
*Bss - 5 to 20 inches:* clay

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### Custom Soil Resource Report

*Bkss - 20 to 43 inches: clay*

*2Ck - 43 to 60 inches: clay*

#### Properties and qualities

*Slope: 1 to 3 percent*

*Depth to restrictive feature: More than 80 inches*

*Natural drainage class: Moderately well drained*

*Runoff class: Very high*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Calcium carbonate, maximum in profile: 15 percent*

*Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)*

*Sodium adsorption ratio, maximum in profile: 2.0*

*Available water storage in profile: Moderate (about 9.0 inches)*

#### Interpretive groups

*Land capability classification (irrigated): 3e*

*Land capability classification (nonirrigated): 3e*

*Hydrologic Soil Group: D*

*Ecological site: Southern Blackland (R086AY011TX)*

*Hydric soil rating: No*

#### Minor Components

##### Wilson

*Percent of map unit: 8 percent*

*Landform: Stream terraces*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Linear*

*Across-slope shape: Concave*

*Ecological site: Southern Claypan Prairie (R086AY004TX)*

*Hydric soil rating: No*

##### Branyon

*Percent of map unit: 7 percent*

*Landform: Stream terraces*

*Landform position (three-dimensional): Tread*

*Microfeatures of landform position: Circular gilgai*

*Down-slope shape: Linear*

*Across-slope shape: Convex*

*Ecological site: Southern Blackland (R086AY011TX)*

*Hydric soil rating: No*

### HoA—Houston Black clay, 0 to 1 percent slopes

#### Map Unit Setting

*National map unit symbol: 2shgy*

*Elevation: 300 to 870 feet*

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*Mean annual precipitation:* 31 to 39 inches  
*Mean annual air temperature:* 65 to 70 degrees F  
*Frost-free period:* 238 to 288 days  
*Farmland classification:* All areas are prime farmland

#### Map Unit Composition

*Houston black and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Houston Black

##### Setting

*Landform:* Plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Interfluve  
*Microfeatures of landform position:* Linear gilgai  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex, linear  
*Parent material:* Clayey residuum weathered from calcareous mudstone of upper cretaceous age

##### Typical profile

*Ap - 0 to 6 inches:* clay  
*Bkss - 6 to 70 inches:* clay  
*BCKss - 70 to 80 inches:* clay

##### Properties and qualities

*Slope:* 0 to 1 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Moderately well drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 35 percent  
*Gypsum, maximum in profile:* 5 percent  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 2.0  
*Available water storage in profile:* High (about 9.5 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2w  
*Hydrologic Soil Group:* D  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No

#### Minor Components

##### Wilson

*Percent of map unit:* 8 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread

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### Custom Soil Resource Report

*Down-slope shape:* Linear  
*Across-slope shape:* Concave  
*Ecological site:* Southern Claypan Prairie (R086AY004TX)  
*Hydric soil rating:* No

#### Heiden

*Percent of map unit:* 7 percent  
*Landform:* Plains  
*Landform position (two-dimensional):* Shoulder  
*Landform position (three-dimensional):* Interfluve  
*Microfeatures of landform position:* Linear gilgai  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No

### HoB—Houston Black clay, 1 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2ssh0  
*Elevation:* 270 to 1,040 feet  
*Mean annual precipitation:* 33 to 43 inches  
*Mean annual air temperature:* 62 to 63 degrees F  
*Frost-free period:* 217 to 244 days  
*Farmland classification:* All areas are prime farmland

#### Map Unit Composition

*Houston black and similar soils:* 80 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Houston Black

##### Setting

*Landform:* Ridges  
*Landform position (two-dimensional):* Summit, shoulder  
*Landform position (three-dimensional):* Interfluve  
*Microfeatures of landform position:* Linear gilgai  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex, linear  
*Parent material:* Clayey residuum weathered from calcareous mudstone of upper cretaceous age

##### Typical profile

*Ap - 0 to 6 inches:* clay  
*Bkss - 6 to 70 inches:* clay  
*BCKss - 70 to 80 inches:* clay

##### Properties and qualities

*Slope:* 1 to 3 percent  
*Depth to restrictive feature:* More than 80 inches

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### Custom Soil Resource Report

*Natural drainage class:* Moderately well drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum in profile:* 35 percent  
*Gypsum, maximum in profile:* 5 percent  
*Salinity, maximum in profile:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Sodium adsorption ratio, maximum in profile:* 2.0  
*Available water storage in profile:* High (about 9.6 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* D  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No

#### **Minor Components**

##### **Heiden**

*Percent of map unit:* 15 percent  
*Landform:* Plains  
*Landform position (two-dimensional):* Shoulder  
*Landform position (three-dimensional):* Interfluve  
*Microfeatures of landform position:* Linear gilgai  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No

##### **Fairlie**

*Percent of map unit:* 5 percent  
*Landform:* Ridges  
*Landform position (two-dimensional):* Toeslope, footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Ecological site:* Southern Blackland (R086AY011TX)  
*Hydric soil rating:* No

#### **HoB2—Houston Black clay, 2 to 4 percent slopes, eroded**

##### **Map Unit Setting**

*National map unit symbol:* d6vf  
*Elevation:* 400 to 1,000 feet  
*Mean annual precipitation:* 28 to 42 inches

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*Mean annual air temperature:* 63 to 70 degrees F

*Frost-free period:* 220 to 250 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Houston black, eroded, and similar soils:* 100 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Houston Black, Eroded

##### Setting

*Landform:* Ridges

*Landform position (two-dimensional):* Shoulder, summit

*Landform position (three-dimensional):* Interfluve

*Microfeatures of landform position:* Circular gilgai

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Residuum weathered from calcareous shale of Taylor marl and Eagleford shale

##### Typical profile

*H1 - 0 to 5 inches:* clay

*H2 - 5 to 48 inches:* clay

*H3 - 48 to 80 inches:* clay

##### Properties and qualities

*Slope:* 2 to 4 percent

*Depth to restrictive feature:* More than 80 inches

*Natural drainage class:* Moderately well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum in profile:* 40 percent

*Salinity, maximum in profile:* Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

*Sodium adsorption ratio, maximum in profile:* 2.0

*Available water storage in profile:* Moderate (about 8.9 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3e

*Hydrologic Soil Group:* D

*Ecological site:* Northern Blackland (R086AY010TX)

*Hydric soil rating:* No

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## ATTACHMENT I

### Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2\\_054242](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242)

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053624](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624)

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs142p2\\_052290.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf)

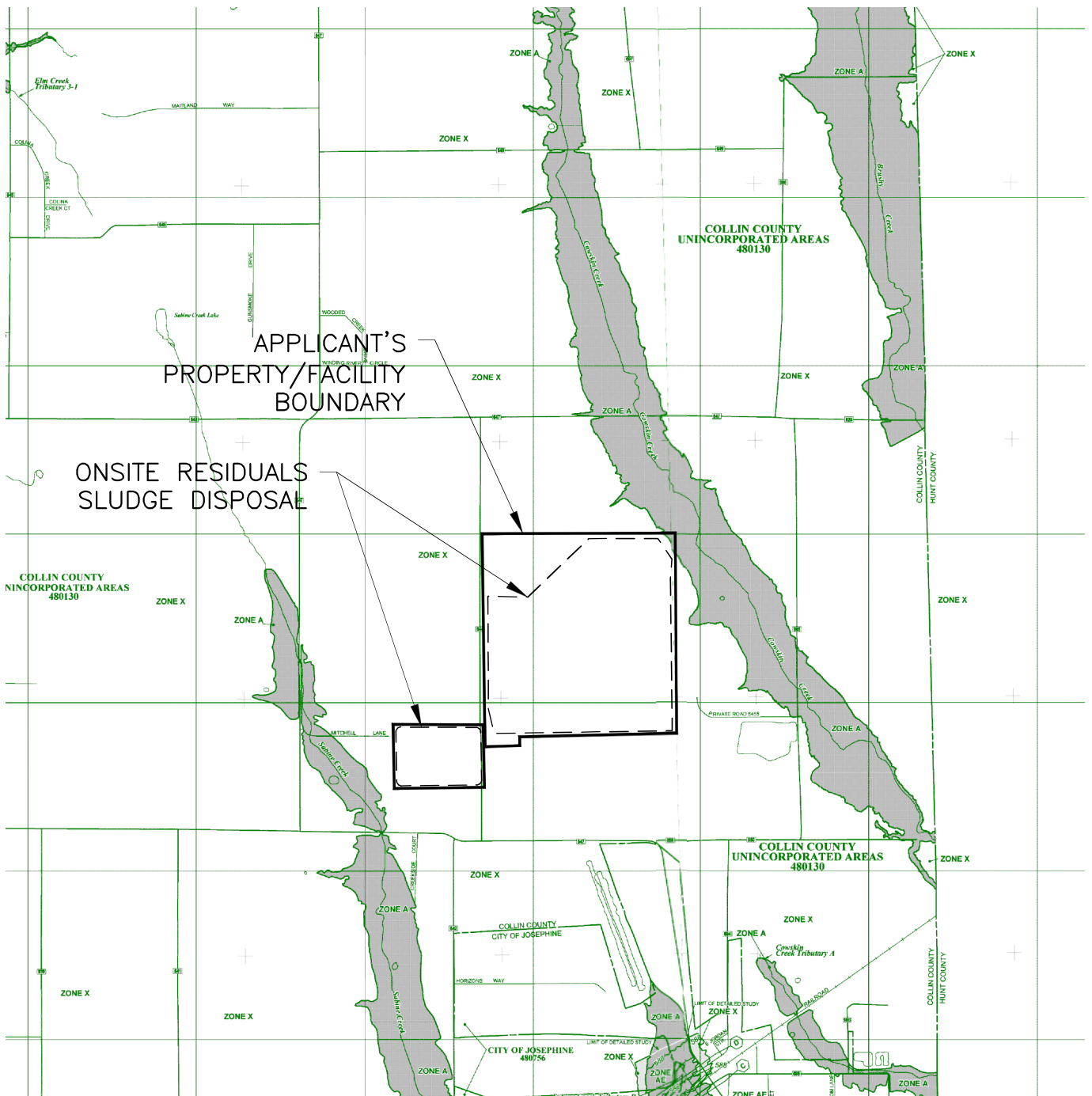


**ATTACHMENT J**

**Federal Emergency Management Agency Map  
Tech Rpt. 2.0 Section 1.c**



**PLUMMER**



**ATTACHMENT J  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
FEMA FLOOD MAP**

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**ATTACHMENT K**

**Site Development Plan  
Tech Rpt. 2.0 Section 5**

**ATTACHMENT K  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

**SITE DEVELOPMENT PLAN**

The monofill will comprise two areas: a 275-acre disposal site on a 360-acre property (East Monofill), and a 35-acre disposal site on a 50-acre property (West Monofill). Plan views and cross-sections are shown in Attachments K.1 and K.2.

The monofill will be designed with a perimeter berm to prevent runoff generated within the disposal area from exiting the fill area. A drainage corridor will extend around the outside of the perimeter berm where needed to shunt runoff from upgradient of the site around and away from the monofill. Attachment M to the application contains drainage calculations for the monofill.

The monofill disposal area is not within the 100-year flood zone. Therefore, flood protection measures are not required.

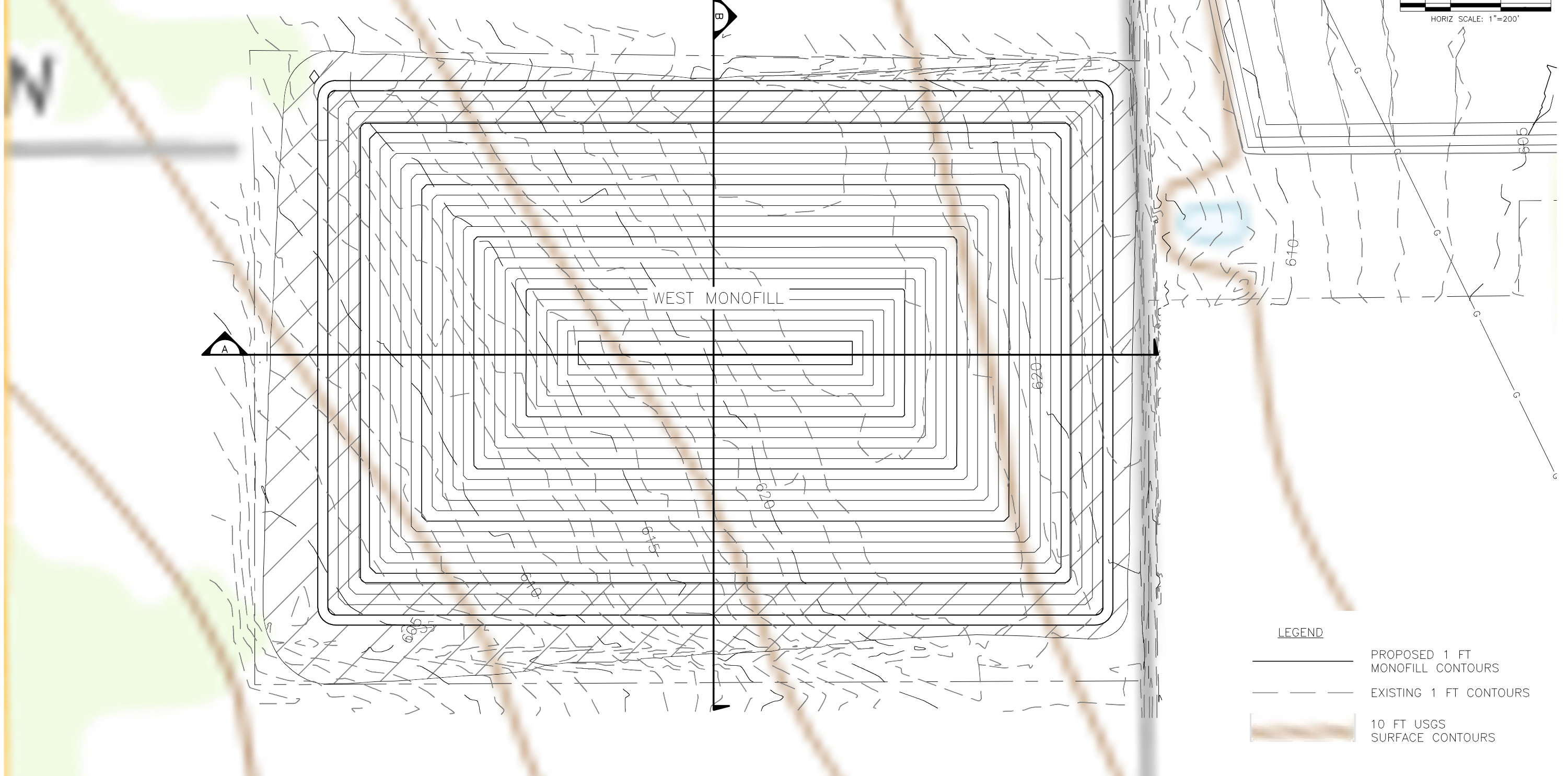
No use of sludge bulking materials, such as tree trimmings, etc., is planned. The WTP residuals are primarily solids sourced in the raw water for the water treatment plant and coagulants (primarily Ferric Sulfate) used in treatment for drinking water.

Cover will not be required for the residuals. Vegetative cover will not be planted on completed areas of the site, generally. However, the residuals are expected to have sufficient moisture and nutrients to grow a natural grass-type cover. NTMWD will seed or fertilize the fill area to promote vegetative cover only if necessary.

The permitted monofill does not overlap an unstable area and is not located near any known active fault. Therefore, seismic impact design for the site is not necessary. Residuals will be transported at a frequency according to need. The total volume of residuals disposed of at the monofill site will be up to 51,000 dry tons per year on average.

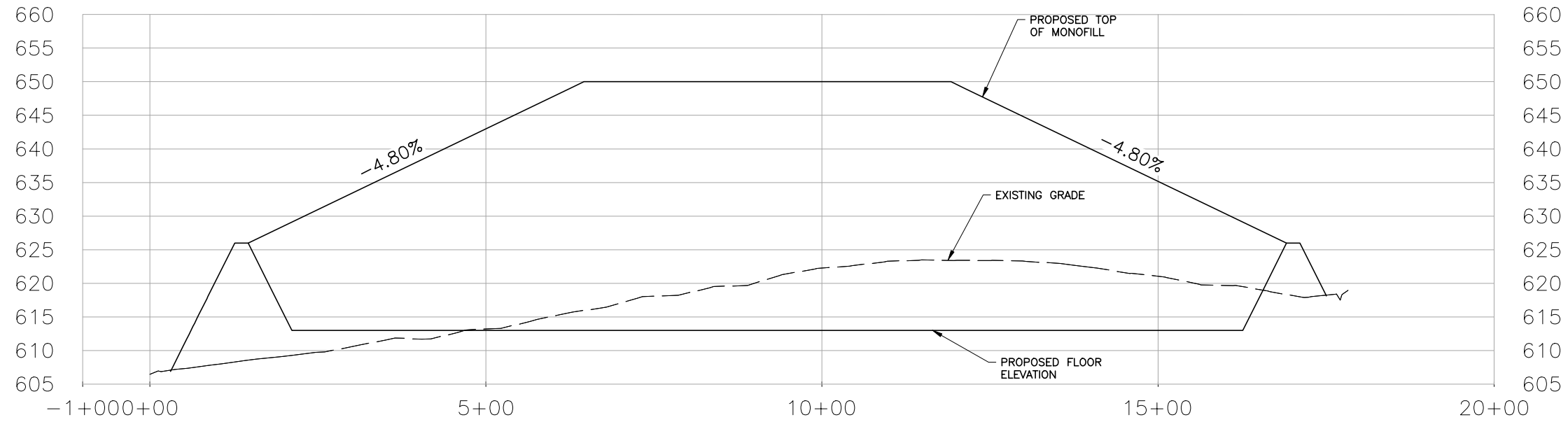
A closure plan is not required at this time. At least 180 days prior to the site closure, a closure plan will be prepared, in accordance with 30 TAC 312.62.

Public access to the site will be restricted by fence and locked gate, as well as sign postings.

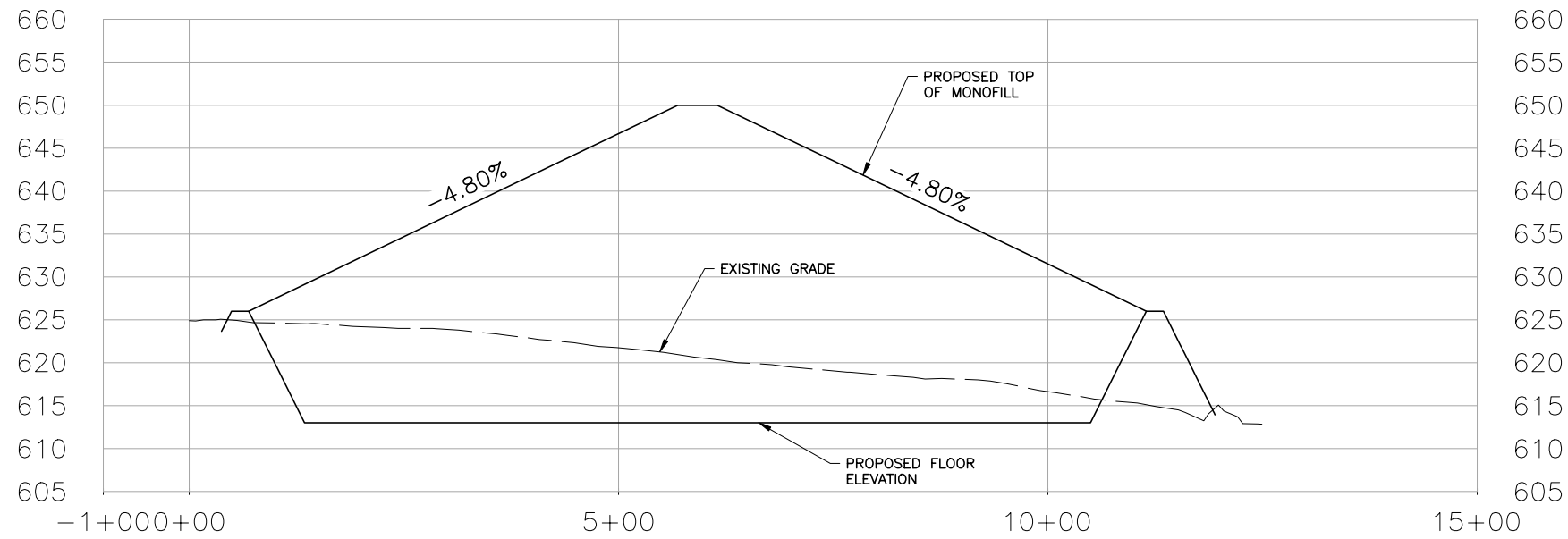


ATTACHMENT K.1-1  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
WEST MONOFILL PLAN VIEW

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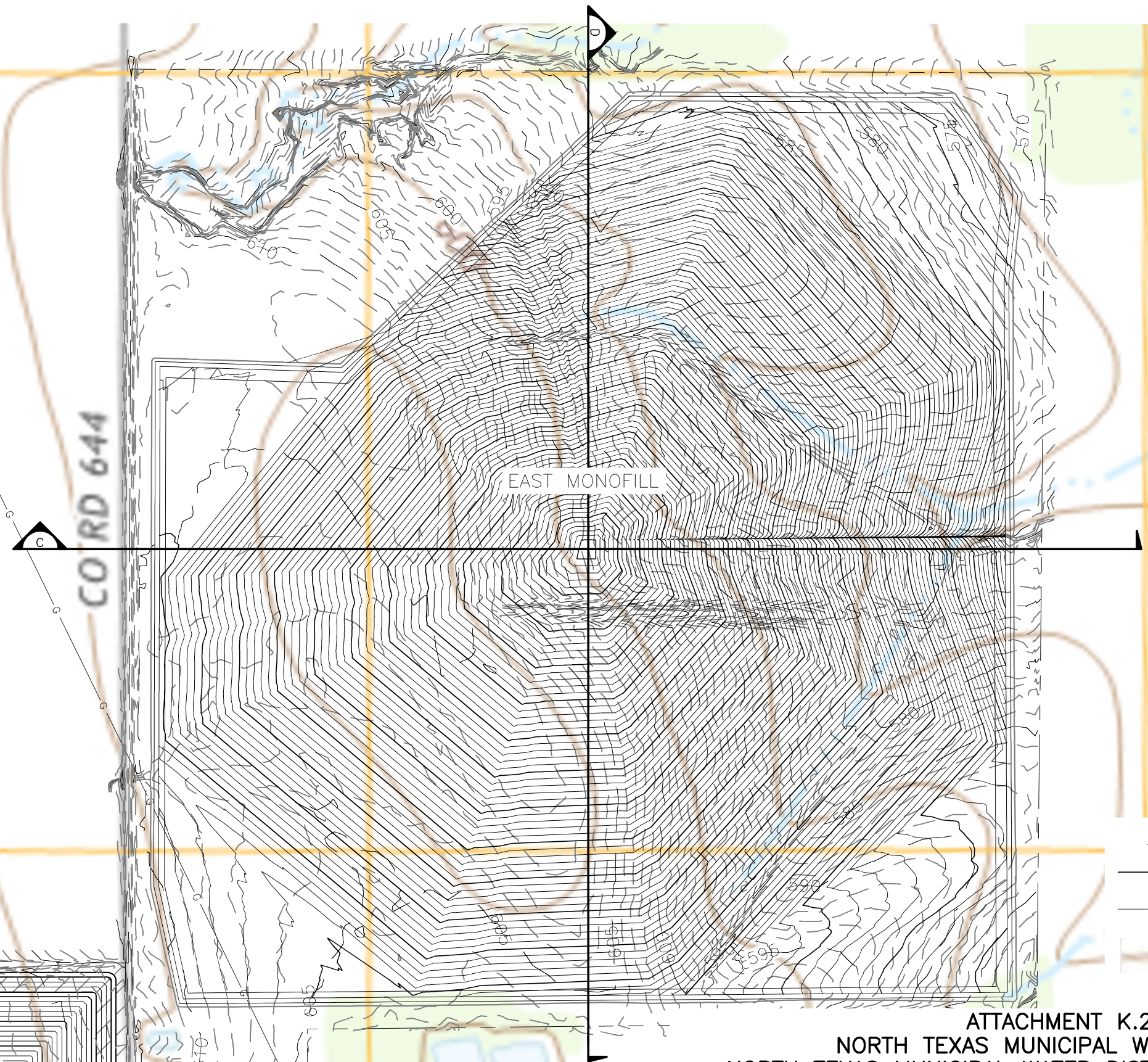
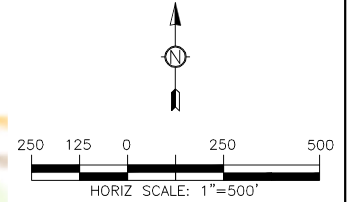
SECTION A  
SCALE: 1" = 200'



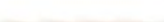


SECTION B  
SCALE: 1" = 200'

ATTACHMENT K.1-2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
WEST MONOFILL SECTIONS

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- LEGEND**
-  PROPOSED 1 FT MONOFILL CONTOURS
  -  EXISTING 1 FT CONTOURS
  -  10 FT USGS SURFACE CONTOURS

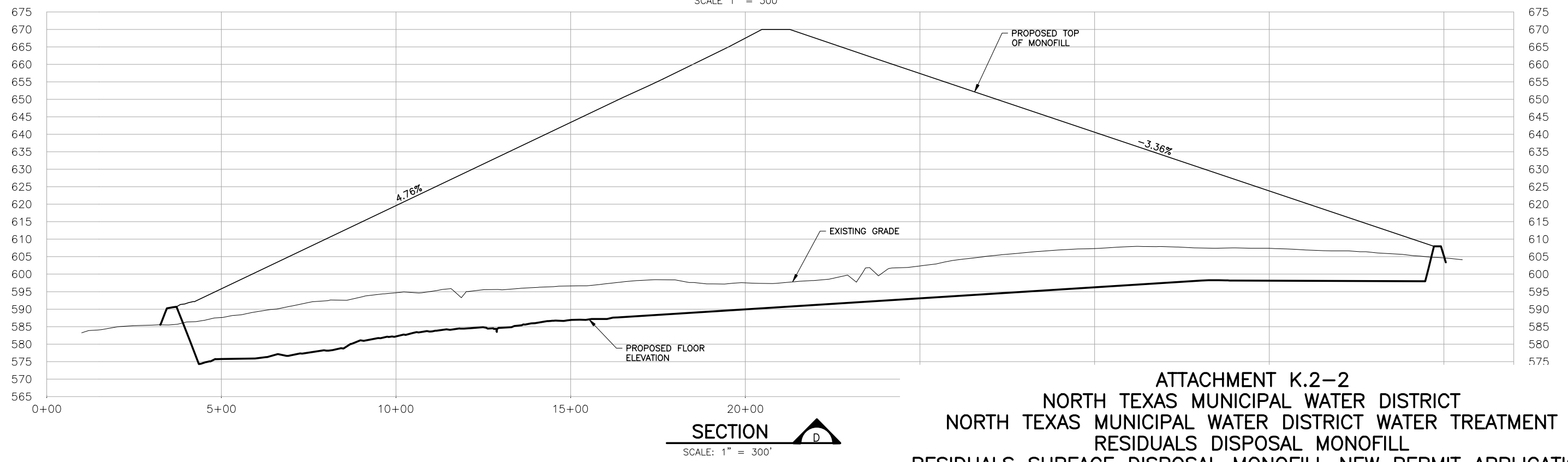
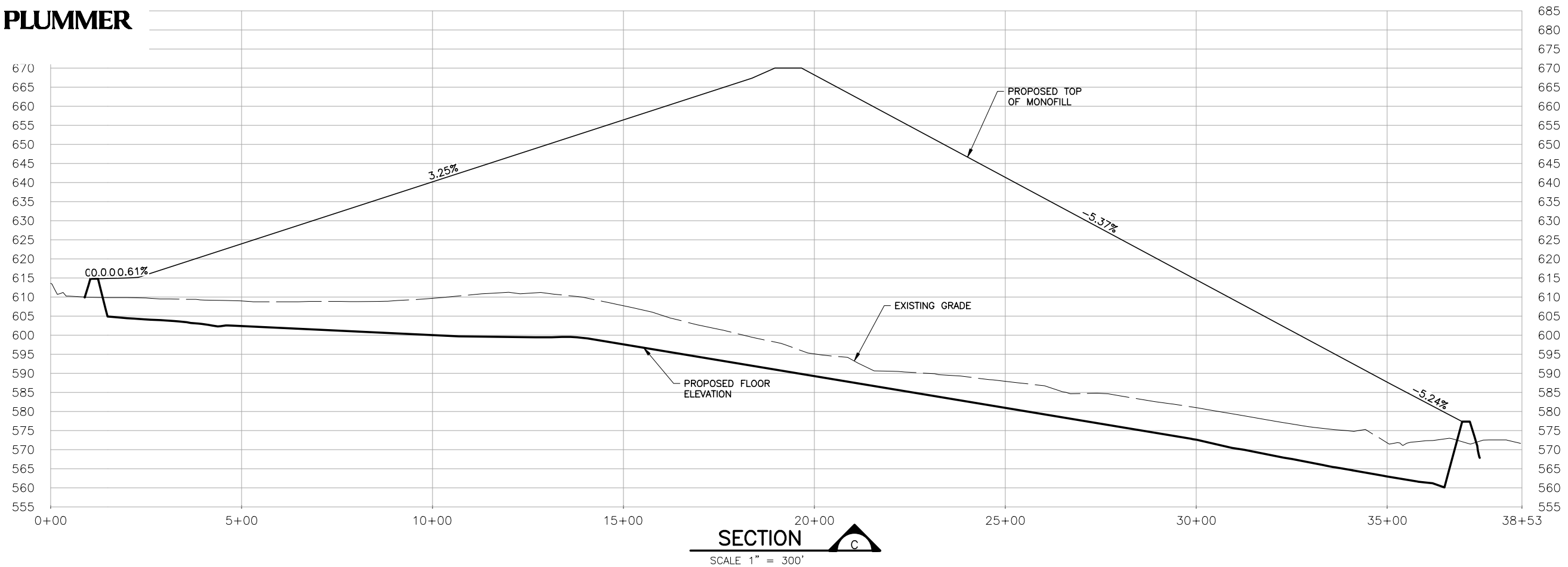
WEST MONOFILL

**ATTACHMENT K.2-1**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT**  
**RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**EAST MONOFILL PLAN VIEW**

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PLUMMER



ATTACHMENT K.2-2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
EAST MONOFILL SECTIONS

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**ATTACHMENT L**

**Technical Information for Application  
Tech Rpt. 2.0 Section 6, 17.b, and 17.c**

**ATTACHMENT L  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

**TECHNICAL INFORMATION FOR APPLICATION**

**SURFACE DISPOSAL APPLICATION, TECHNICAL REPORT 2, ITEM 6;**

**Financial Assurance – Provide financial assurance to properly operate this surface disposal unit and to provide final closure of this surface disposal unit and storage (if applicable) (30 TAC 312.62(g)).**

North Texas Municipal Water District is a government entity with sufficient assets and financial capability to operate, close, and maintain the monofill. Evidence of financial responsibility is not necessary.

**SURFACE DISPOSAL APPLICATION, TECHNICAL REPORT 2, ITEMS 17.b and 17.c - Soil sampling**

Item 17 of the Technical Report 2 requests soil sampling and analysis if a leachate collection system is not in place. Analysis is indicated for a variety of nutrients and metals characteristic of sewage sludge. The water treatment plant residuals are not sewage sludge; therefore, this analysis is not appropriate. Sampling and analysis as suggested in Item 17 is not included in this application.

**ATTACHMENT M**

**Design Features and Design Calculations  
Tech Rpt. 2.0 Section 14**

**ATTACHMENT M  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
STORMWATER MANAGEMENT PLAN**

**EXISTING SITE DRAINAGE DESCRIPTION**

The proposed residuals disposal site is located in Collin County, Texas on County Road (CR) 644 approximately 1.5 miles north of the City of Josephine. The disposal site contains two parcels bisected by CR 644. The larger of the two parcels is located on the east side of CR 644 and the smaller of the two parcels is located on the west side. The proposed site is currently farmland, growing a range of seasonal crops. The following two subsections describe the existing drainage patterns across both parcels.

**East Parcel**

The existing drainage patterns of the eastern parcel generally flow west to east and drain off-site via a series of drainage swales leading to a small creek at the eastern edge of the parcel. There are two exceptions to this drainage pattern: The northwest portion of the parcel drains into an existing creek at the northwest corner, and the southwest portion of the parcel drains into Cook's Lake via drainage swales leading to the south of the property. The existing slopes across the site range from approximately 0.1 to 2%.

The east parcel receives runoff from additional parcels to the west of CR 644 via two culverts crossing under the road. Some runoff is directed towards Cook's Lake, while the remaining runoff flows directly into the creek on the northwest side of the parcel.

**West Parcel**

The existing drainage patterns of the western parcel flow both towards the west and the east from a high point in the middle of the parcel. Runoff leaving the site to the west drains to an existing creek to the west of the parcel, while runoff leaving the site to the east enters a bar ditch on the west side of CR644 and then flows through a culvert to the east parcel. The existing slopes across the site also range from approximately 0.1 to 2%.

**PROPOSED MONOFILL SITE DRAINAGE DESCRIPTION**

The proposed residuals disposal site will include monofills on both the east and west parcels. The site life is anticipated to be over 100 years, so only a small fraction of the property will be open and active at any given time. Depending upon timing, the inactive portion of the property may either be in its existing, undisturbed state or be temporarily or permanently capped if it has previously been active.

The following subsections describe the drainage descriptions and stormwater management for the active and inactive monofill sites during operations.

**Active Monofill Site Drainage Description**

The design of the monofill is anticipated to include excavation of approximately 10-feet and involves an active monofill site of approximately 20 to 30 acres, with no more than approximately 75 acres open at any one time. The location of the active site will vary over the life of the monofill but it will always be surrounded by a perimeter berm to restrict runoff from entering the site. Rainfall falling on the active site will drain to a low point where it will accumulate in a stormwater detention pond sized for the 25-year, 24-

**ATTACHMENT M  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

**STORMWATER MANAGEMENT PLAN**

hour storm. The pond will likely be relocated periodically around the monofill as the active monofill site layout changes. As such, Attachments M.1 and M.2 do not reflect a stormwater detention pond. The stormwater will either be managed on-site or discharged from the site as authorized by a General Permit.

**Inactive Monofill Site Drainage Description**

Uncontaminated runoff from the inactive monofill site will continue to drain in the same general flow direction as the existing drainage patterns.

A stormwater channel will be constructed along the western and southern portions of the east parcel to reroute existing, uncontaminated runoff from the properties to the west of CR 644 and portions of the east parcel towards Cooks Lake.

**HYDROLOGIC / HYDRAULIC ANALYSIS**

This section provides sizing calculations for both the capacity of the stormwater detention pond within the active monofill site and the stormwater channel that will route the above-mentioned uncontaminated runoff towards Cooks Lake. The 2014 Integrated Stormwater Manual (iSWM) prepared by the North Central Texas Council of Governments and the 2019 TxDOT Hydraulic Design Manual were used for reference.

**Stormwater Detention Pond Sizing**

The stormwater detention pond will be of sufficient capacity to hold the stormwater volume produced by a 25-year, 24-hour storm event falling on the active monofill site.

The Modified Rational Method was used to calculate the required storage capacity. The equation is as follows:

*Equation 1.28a*       $V = 60 [CAa - (2CabAQa)^{0.5} + (Qa/2)(b - tc)]$

where V = required storage volume (ft<sup>3</sup>), C = developed condition Rational Method runoff coefficient, A = area (acres), a & b = rainfall factors from Table 1.18, Qa = allowable release rate (cfs), tc = time of concentration (minutes)

The following inputs were used:

C = 0.60 (for graded soils, clayey soils)

A = 75 acres

a = 250.52

The allowable release rate was assumed to be 0 ft<sup>3</sup>/s. The minimum required volume to be retained is 15.5 ac-ft.

**ATTACHMENT M  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
STORMWATER MANAGEMENT PLAN**

**Stormwater Channel Sizing**

Surface water runoff for the catchment areas upstream of the proposed residuals disposal site has been calculated using the Rational Formula.<sup>1</sup> Catchment area characteristics and base assumptions for this evaluation are discussed in the following sections as well as calculations for runoff coefficient values, time of concentration ( $T_c$ ) values, and other computations.

**Catchment Area Characteristics**

The catchment area for the proposed stormwater conveyance channel around the residuals disposal site is shown on Attachment M.1 for existing conditions and Attachment M.2 for ultimate conditions. Under the active site conditions, the channel will intercept and collect surface water runoff from a portion of the east parcel, a portion of the west parcel, and the property north of the west parcel. The drainage area is estimated to be approximately 115 acres. Once the residuals disposal site has been filled and capped, additional runoff from the cap will also need to be carried in the ditches. In the ultimate conditions the acreage collected by the ditch will increase to approximately 130 acres.

**Runoff Coefficient Determination**

Runoff coefficient (C) values for the catchment area have been selected from Table 1.6 of the iSWM. The runoff coefficient used for both the existing and ultimate site conditions for the inactive site, which is assumed to have grass cover, is 0.30.

**Time of Concentration**

In order to calculate rainfall intensity to be used in the Rational Formula, the  $T_c$  was first calculated. The  $T_c$  was determined for each of the three flow types within the catchment area (sheet flow, shallow concentrated flow, and channel flow) based on the longest flow path through the catchment area. The longest flow path originates off-site so does not change between the active site and ultimate site conditions. The  $T_c$  calculations are shown below:

*Sheet Flow*

Sheet flow  $T_c$  was calculated using Equation 1.10 from iSWM:

*Equation 1.10:* 
$$T_c = \frac{0.007(n * L)^{0.8}}{P^{0.5} * S^{0.4}}$$

where:

- n = Manning's roughness coefficient = 0.06 (assumed to be cultivated soils)
- L = sheet flow length = 100 ft (limited to 100 ft, per iSWM)
- P = 2-year, 24-hour rainfall = 3.60-in (calculated using Collin County intensity-duration-frequency [IDF] curves)

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<sup>1</sup> The TxDOT Hydraulic Design Manual (1-2019) authorizes the use of the Rational Method for drainage areas up to 200 acres in size.

**ATTACHMENT M  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**

**STORMWATER MANAGEMENT PLAN**

S = slope = 0.005 ([632.5 ft – 632 ft]/100 ft)  
T<sub>c</sub> = time of concentration = 8 minutes

*Shallow Concentrated Flow*

Shallow concentrated flow T<sub>c</sub> was calculated using Equation 1.11 and 1.09 from iSWM:

*Equation 1.11:*  $V = 16.13 * S^{0.5}$

where:

S = slope = 0.007 ([632 ft – 609 ft]/3,275 ft)  
V = velocity = 1.4 ft/s

*Equation 1.09:*  $T_c = \frac{L}{3600 * V}$

where:

L = length = 3,275 ft  
V = velocity = 1.4 ft/s  
T<sub>c</sub> = time of concentration = 40 min

*Channel Flow*

Channel flow T<sub>c</sub> was calculated using Equation 1.13 and Equation 1.09 from iSWM:

*Equation 1.13:*  $V = \frac{1.49 * \left(\frac{A}{P_w}\right)^{\frac{2}{3}} * S^{0.5}}{n}$

Where:

L = length = 3,150 ft  
n = Manning's roughness coefficient = 0.03 (assumed for an earthen, weedy channel)  
A = channel cross-sectional area (ft<sup>2</sup>) = 43.8 ft<sup>2</sup> (for active site conditions) & 54.2 ft<sup>2</sup> (for ultimate site conditions) (see later explanation)  
P<sub>w</sub> = wetted perimeter (ft) = 25.8 ft (for active site conditions) & 28.3 ft (for ultimate site conditions) (see later explanation)  
S = slope = ([609 ft – 600 ft]/3,150 ft)  
V = velocity = 4.1 ft/s  
T<sub>c</sub> (using Equation 1.09) = time of concentration = 13 min

Velocity was then converted to flow by multiplying by the cross-sectional area.

Q = flow = 165 ft<sup>3</sup>/s (for active site conditions) & 220 ft<sup>3</sup>/s (for ultimate site conditions)

**ATTACHMENT M  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL  
MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
STORMWATER MANAGEMENT PLAN**

The combined Tc was calculated to be 61 minutes (8 min + 40 min + 13 min).

Rainfall Intensity

The Tc of 61 minutes matches a 25-year rainfall intensity of 2.98 inches/hour using the Collin County IDF curves.

Peak Runoff Flow

Peak runoff was calculated using the Equation 1.3 for the Rational Formula.

Equation 1.3:  $Q = Cf * C * i * A$

where:

- Cf = frequency factor for 25-year storm = 1.1 (from Table 1.4)
- C = runoff coefficient = 0.30
- i = rainfall intensity = 2.98-in
- A = drainage area = 115 acres (existing) or 130 acres (ultimate)
- Q = peak runoff = 117 ft<sup>3</sup>/s (existing) & 128 ft<sup>3</sup>/s (ultimate)

Channel Sizing

Assumed channel cross sectional area and wetted perimeter was determined using an iterative process to match the peak flow calculated using Equation 1.3 for the Rational Formula and the channel flow calculated using Equation 1.13. The channel dimensions are as follows:

- Channel bottom width = 10 ft
- Channel side slope = 3:1
- Channel depth = 2.1 ft for existing conditions & 2.25 ft for ultimate conditions

**CONCLUSION**

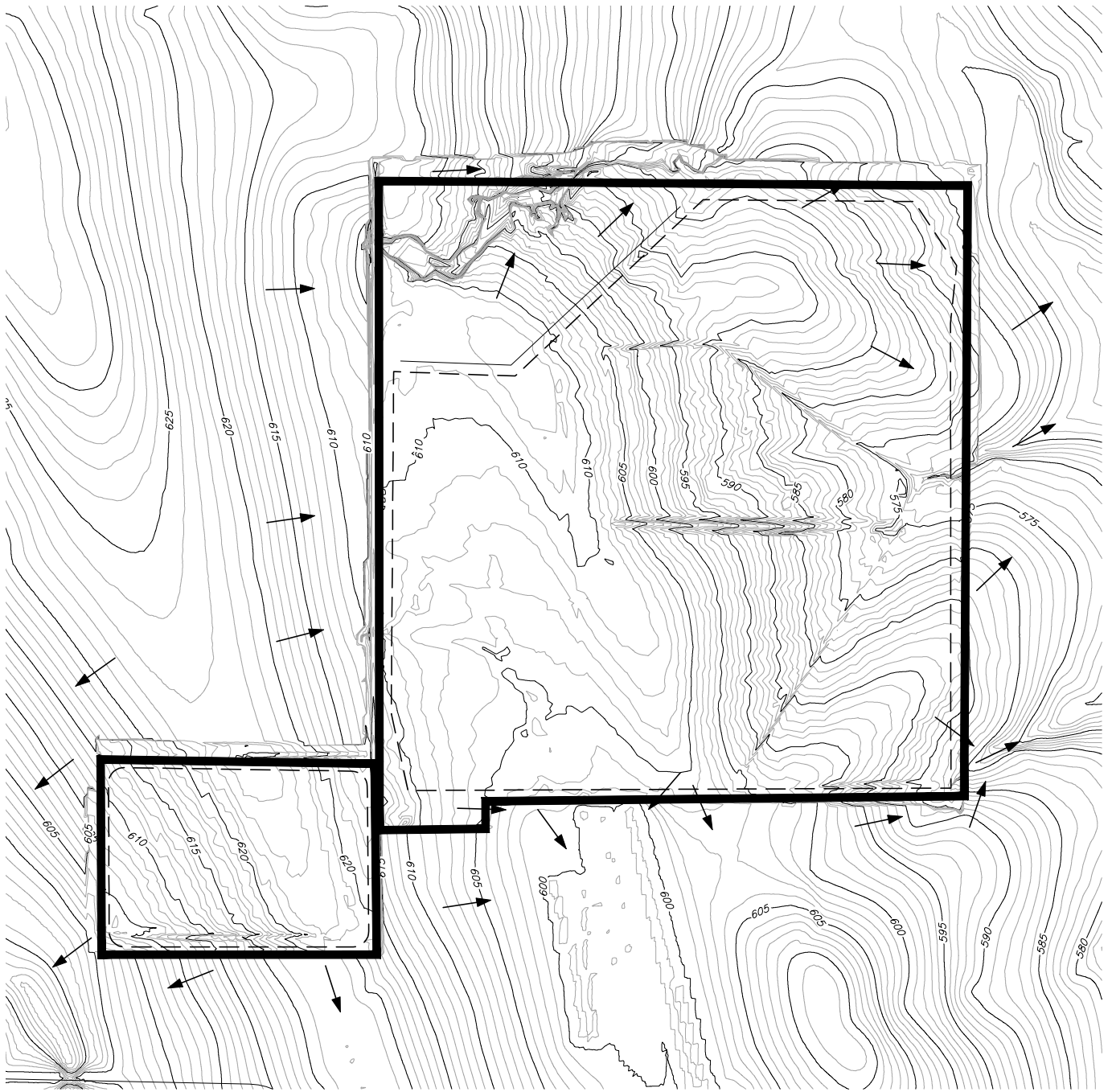
Stormwater falling on the active monofill site will drain into a stormwater retention pond. The size and location of the pond will vary across the life of the monofill and will depend upon the size of the active monofill site, but it will be sufficiently sized to contain the 25-year, 24-hour storm event.

Runoff will be prevented from entering the active monofill site by perimeter berms and by routing runoff generated outside the active monofill site elsewhere. The existing ditch will be sufficiently sized to convey runoff around the proposed residuals disposal site under both the active site and ultimate site conditions.





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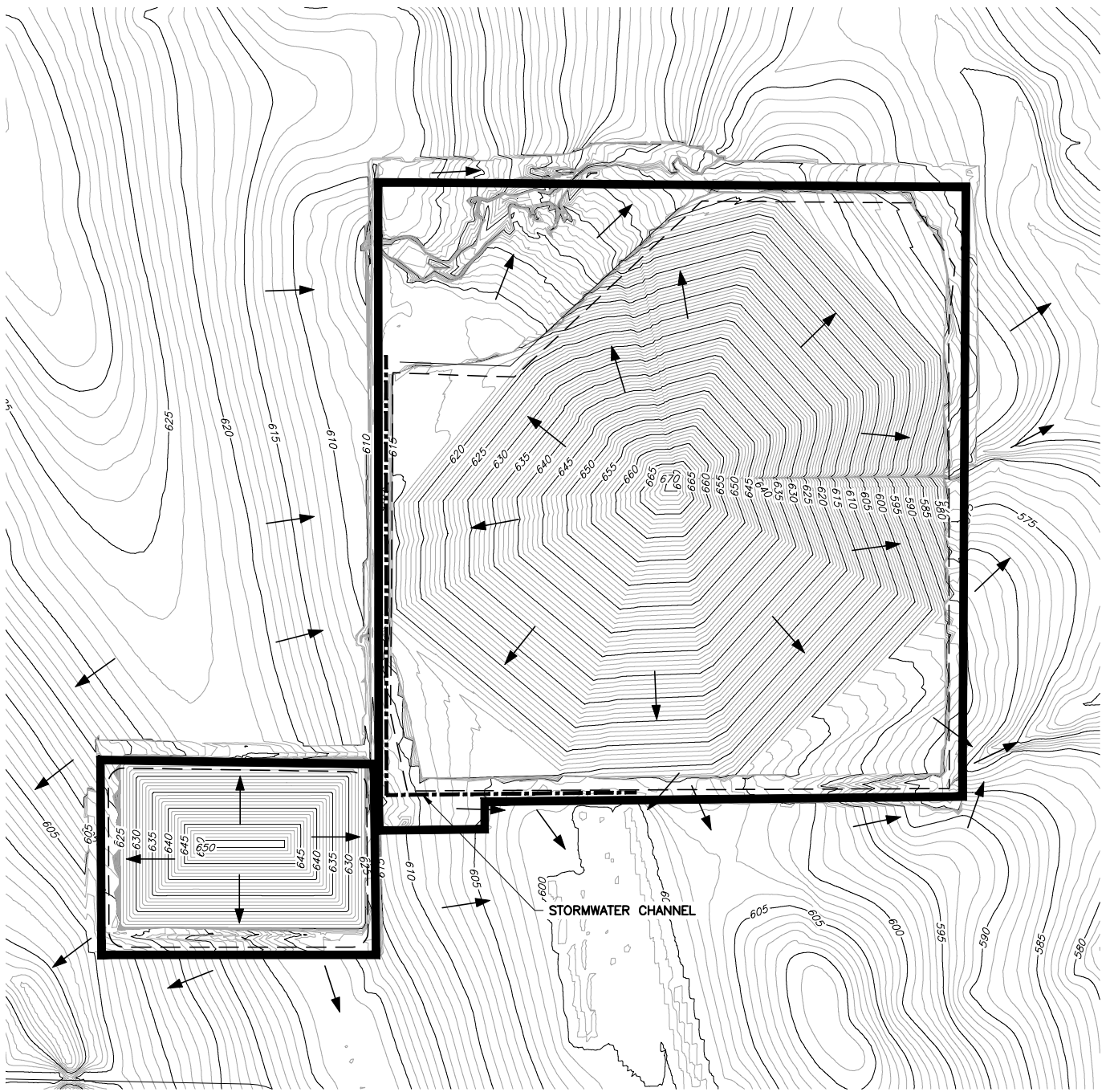


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**ATTACHMENT M.1  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
EXISTING CONTOUR MAP**



PLUMMER



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ATTACHMENT M.2  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
RESIDUALS DISPOSAL MONOFILL  
RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
ULTIMATE CONDITIONS CONTOUR MAP

**POST-APPLICATION CORRESPONDENCE**

# CORE DATA FORM

## Pierce, Ryan

---

**From:** English, Jenni  
**Sent:** Friday, July 2, 2021 9:54 AM  
**To:** Jerrod Mendoza  
**Cc:** Pierce, Ryan; Jerry Allen; Travis Markham; sthornton@lglawfirm.com; Adriene McClarron  
**Subject:** RE: New Permit Assignment - North Texas Municipal Water District  
**Attachments:** NTMWD WTPR - Core Data Form.pdf

Good morning Jerrod,

Attached is a copy of the signed Core Data Form that I delivered to the TCEQ mail room today. You should receive the original shortly. Please let me know if there's anything else I can provide to keep this application review moving forward.

Sincerely,

**Jenni English**  
*Engineer in Training*  
Plummer

**D:** 512.687.2193  
[www.plummer.com](http://www.plummer.com)

---

**From:** Adriene McClarron <adriene.mcclarron@tceq.texas.gov>  
**Sent:** Thursday, July 1, 2021 4:27 PM  
**To:** English, Jenni <jenglish@plummer.com>  
**Subject:** RE: New Permit Assignment - North Texas Municipal Water District

Change it to your name.

Thanks,  
*Adriene McClarron*

Water Quality Division  
ARP Team  
512-239-5137

---

**From:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Sent:** Thursday, July 1, 2021 3:11 PM  
**To:** Adriene McClarron <[adriene.mcclarron@tceq.texas.gov](mailto:adriene.mcclarron@tceq.texas.gov)>; Jerrod Mendoza <[Jerrod.Mendoza@tceq.texas.gov](mailto:Jerrod.Mendoza@tceq.texas.gov)>  
**Cc:** Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>  
**Subject:** RE: New Permit Assignment - North Texas Municipal Water District

Does it make a difference if I "sign for" the listed signatory, or should I change it to my name?

I'll be able to sign hand-sign and scan you a copy tomorrow if an electronic signature won't work.

Just want to make sure I get all my ducks in a row this time!

Thank you,

**Jenni English**

*Engineer in Training*

Plummer

**P:** 512.452.5905

**D:** 512.687.2193

**C:** 817.694.8386

[www.plummer.com](http://www.plummer.com)

---

**From:** Adriene McClarron <[adriene.mcclarron@tceq.texas.gov](mailto:adriene.mcclarron@tceq.texas.gov)>

**Sent:** Thursday, July 1, 2021 2:48 PM

**To:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>; Jerrod Mendoza <[Jerrod.Mendoza@tceq.texas.gov](mailto:Jerrod.Mendoza@tceq.texas.gov)>

**Cc:** Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>

**Subject:** RE: New Permit Assignment - North Texas Municipal Water District

Please sign and email it. It can be signed by you or Ryan since you're representing the applicant.

Thanks,

*Adriene McClarron*

Water Quality Division

ARP Team

512-239-5137

---

**From:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>

**Sent:** Thursday, July 1, 2021 2:42 PM

**To:** Jerrod Mendoza <[Jerrod.Mendoza@tceq.texas.gov](mailto:Jerrod.Mendoza@tceq.texas.gov)>; Adriene McClarron <[adriene.mcclarron@tceq.texas.gov](mailto:adriene.mcclarron@tceq.texas.gov)>

**Cc:** Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>

**Subject:** RE: New Permit Assignment - North Texas Municipal Water District

I sincerely apologize for the confusion. I had made a core data form, but I didn't see any requirement to attach one in the application instructions, so I set it aside.

Would you like me to mail a signed original as well? Please let me know if so.

Thank you both for your patience!

**Jenni English**

*Engineer in Training*

Plummer

**P:** 512.452.5905

**D:** 512.687.2193

**C:** 817.694.8386

[www.plummer.com](http://www.plummer.com)

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**From:** Adriene McClarron <[adriene.mcclarron@tceq.texas.gov](mailto:adriene.mcclarron@tceq.texas.gov)>  
**Sent:** Thursday, July 1, 2021 2:33 PM  
**To:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Cc:** Jerrod Mendoza <[Jerrod.Mendoza@tceq.texas.gov](mailto:Jerrod.Mendoza@tceq.texas.gov)>  
**Subject:** RE: New Permit Assignment - North Texas Municipal Water District

Hi Jenni,

The application was received on May 20, 2021; however, it was not processed because it did not have a Core Data Form (CDF). A CDF is required for all new applications. Jerrod said he emailed and called the application contacts and requested one be submitted, but he never received a reply. Regardless, enough of the core data is included in the application so we will be able to process it. However, for record purposes, please email a completed CDF to Jerrod.

Thanks,  
*Adriene McClarron*

Water Quality Division  
ARP Team  
512-239-5137

---

**From:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Sent:** Thursday, July 1, 2021 8:16 AM  
**To:** Adriene McClarron <[adriene.mcclarron@tceq.texas.gov](mailto:adriene.mcclarron@tceq.texas.gov)>  
**Subject:** New Permit Assignment

Good morning Ms. McClarron,

I'm inquiring about a new permit application that was submitted in May. The applicant is North Texas Municipal Water District (CN 601365448) for a new water treatment residuals monofill.

Would you be able to tell me whether this application has been assigned to a reviewer? I cannot find it in the application status tracker under the above CN. Please let me know if you can.

Thank you,



**PLUMMER**

**Jenni English**  
*Engineer in Training*

6300 La Calma Drive, Suite 400  
Austin, Texas 78752  
**P:** 512.452.5905  
**D:** 512.687.2193

C: 817.694.8386

[jenglish@plummer.com](mailto:jenglish@plummer.com)  
[www.plummer.com](http://www.plummer.com)

This message, and any attachments to it, may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any use, dissemination, distribution, copying, or communication of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by return e-mail and delete the message and any attachments.

Please consider the environment before printing this e-mail.





**PLUMMER**

RECEIVED  
JUL 02 2021  
TCEQ MAIL CENTER  
JR

0326-114-01

July 2, 2021

Jerrod Mendoza  
Texas Commission on Environmental Quality  
Applications Review and Processing Team (MC 148)  
Building F, Room 2101  
12100 Park 35 Circle  
Austin, Texas 78753

Re: North Texas Municipal Water District (CN 601365448)  
North Texas Municipal Water District Water Treatment Residuals Disposal Monofill  
(RN111289740)  
Residuals Surface Disposal Monofill New Permit Application (WQ0005323000)

Dear Mr. Mendoza,

On behalf of the North Texas Municipal Water District, Plummer submits one original Core Data Form for the above-referenced new permit application for residuals surface disposal.

Please feel free to contact me at (512) 687-2193 or [jenglish@plummer.com](mailto:jenglish@plummer.com), if you have any questions regarding this submittal.

Sincerely,

PLUMMER  
TBPE Firm Registration No. F-13

Jenni English  
Engineer in Training II

Enclosures: Core Data Form (1)

cc: Jerry Allen, North Texas Municipal Water District  
Travis Markham, North Texas Municipal Water District  
Sara Thornton, Lloyd Gosselink Rochelle & Townsend, P.C.



TCEQ Use Only

# TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other	
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 601365448		RN 111289740

## SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Change in Regulated Entity Ownership	
<b>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</b>			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		If new Customer, enter previous Customer below:	
North Texas Municipal Water District			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
N/A	N/A	N/A	N/A
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input checked="" type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner		<input type="checkbox"/> Operator	
<input checked="" type="checkbox"/> Owner & Operator		<input type="checkbox"/> Voluntary Cleanup Applicant	
<input type="checkbox"/> Occupational Licensee		<input type="checkbox"/> Responsible Party	
<input type="checkbox"/> Other:			
15. Mailing Address:	P.O. Box 2408		
	City	Wylie	State TX
	ZIP	75098	ZIP + 4 4406
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
N/A		rrhoades@ntmwd.com	
18. Telephone Number		19. Extension or Code	
( 972 ) 442-5405			
		20. Fax Number (if applicable)	
		( ) -	

## SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input checked="" type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
<b>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).</b>	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
North Texas Municipal Water District Water Treatment Residuals Disposal Monofill	

23. Street Address of the Regulated Entity: <i>(No PO Boxes)</i>	N/A						
	City	N/A	State		ZIP		ZIP + 4
24. County	Collin						

**Enter Physical Location Description if no street address is provided.**

25. Description to Physical Location:	1/4 Mile North of intersection of Co Rd 644 and FM 547. Just North of Cooks Lake. North of City of Josephine, Collin County, Texas.										
26. Nearest City	Josephine				State	TX		Nearest ZIP Code	75442		
27. Latitude (N) In Decimal:	33.0928° N			28. Longitude (W) In Decimal:	96.3231°						
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds						
33°	5'	34"	96°	19'	23"						
29. Primary SIC Code (4 digits)	4953		30. Secondary SIC Code (4 digits)			31. Primary NAICS Code (5 or 6 digits)	562219		32. Secondary NAICS Code (5 or 6 digits)		
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>											
Processing and Surface Disposal of Water Treatment Plant Residuals											
34. Mailing Address:	P.O. Box 2408										
	City	Wylie		State	TX		ZIP	75098		ZIP + 4	4406
35. E-Mail Address:			tmarkham@ntmwd.com								
36. Telephone Number				37. Extension or Code				38. Fax Number <i>(if applicable)</i>			
( 972 ) 442-5405								( ) -			

**39. TCEQ Programs and ID Numbers** Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

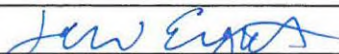
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input checked="" type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
WQ0005323000				
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

**SECTION IV: Preparer Information**

40. Name:	Jenni English		41. Title:	Engineer in Training II, Plummer	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
( 512 ) 687-2193		( 512 ) 452-2325	jenglish@plummer.com		

**SECTION V: Authorized Signature**

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Plummer		Job Title:	Engineer in Training II	
Name (In Print):	Jenni English			Phone:	( 512 ) 687- 2193
Signature:				Date:	July 2, 2021

# **NOTICE OF ADMINISTRATIVE DEFICIENCY**

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 26, 2021

**CERTIFIED MAIL**

9489 0090 0027 6009 7417 66

Mr. Travis Markham, P.E.  
Program Manager  
North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 78095

Re: Application for Proposed Permit No. WQ0005323000  
To be Issued to North Texas Municipal Water District  
CN601365448, RN111289740

Dear Mr. Markham:

We have received the application for the above referenced permit and it is currently under review. Your attention to the following items is requested before we can declare the application administratively complete. Please submit one original and two copies (including a cover letter) of the complete response.

1. Thank you for providing a copy of the deed of record; however, it is insufficient because it does not indicate the applicant's name. According to item 6.n on page 11, North Texas Municipal Water District owns the land where sludge disposal is located; therefore, their name should be on the deed. Please provide a new deed that indicates North Texas Municipal Water District as the landowner.
2. Thank you for providing a landowner's map; however, it is insufficient because all of the landowners within a ½ mile of the border of the land owned by the applicant have not been identified. The map shows adjacent landowners, but regardless of the type of sludge, all landowners with ½ mile of the border must be identified. Please provide a revised map that indicates the additional landowners. Also, submit a revised landowner cross-referenced list that includes the additional landowners.
3. The application indicates a CD was submitted; however, it cannot be located. Please provide a new CD or four sets of printed mailing labels. If more convenient, the typed mailing labels (Avery 5160) can be sent to me via email.

Mr. Travis Markham, P.E.  
Page 2  
July 26, 2021  
Permit No. WQ0005320000

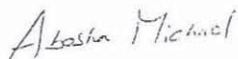
1. The following is a portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit which contains information relevant to your application. Please read it carefully and indicate if it contains any errors or omissions. The complete notice will be sent to you once the application is declared administratively complete.

North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Sludge Permit No. WQ0005323000 to authorize the surface disposal of water treatment residuals on 310 acres. The disposal site is located 0.24 mile north of the County Road 644 and Farm-to-Market 547, in Collin County, Texas 75442. TCEQ received this application on May 19, 2021. The permit application is available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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=db5bac44afbc468bbddd360f8168250f&marker=-96.3231%2C33.0928&level=12>

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Please submit the complete response, addressed to my attention by August 26, 2021. If the requested information is not received by the given deadline, pursuant to 30 TAC Chapter 281, the application may be removed from our list of pending applications. If you should have any questions, please do not hesitate to call me at (512) 239-4912.

Sincerely,



Abesha H. Michael  
Applications Review and Processing Team (MC 148)  
Water Quality Division  
Texas Commission of Environmental Quality

cc: Mr. Ryan Pierce, P.E., Project Manager, Plummer Associates Inc., 6300 La Calma Drive, Suite 400, Austin, Texas 78752



# PLUMMER

0326-114-01

August 10, 2021

Ms. Abesha Michael  
Applications Review and Processing Team (MC 148)  
Water Quality Division  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Response to Notice of Deficiency Letter – Application for Proposed Permit No. WQ0005323000  
North Texas Municipal Water District (CN601365448, RN111289740)

Dear Ms. Michael:

On behalf of North Texas Municipal Water District (NTMWD), Plummer Associates Inc., (Plummer), provides the following responses to your letter dated July 26, 2021, regarding the application for the above referenced Sludge Permit. The responses are provided in the order presented in your letter. A copy of the letter is provided as Enclosure A.

1. Administrative Report 1.0 Item 6.n & 6.o (Page 11). An unofficial copy of the deed of record for NTMWD's property is provided in Enclosure B.
2. Administrative Report 1.1 Item 1.a (Page 17). Please see Enclosure C for a revised land owner's map and cross-referenced list of landowners.
3. Administrative Report 1.1 Item 1.b (Page 17). Four sets of mailing labels are provided in Enclosure D. A print-ready file has also been transmitted by email with this response.
4. Please see below for revisions to the provided excerpt of the draft Notice of Receipt of Application and Intent to Obtain a Water Quality Permit (NORI). Revisions have been made in **red text**.

North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Sludge Permit No. WQ0005323000 to authorize the surface disposal of water treatment residuals on approximately 310 acres. The disposal site is located 0.24 mile north of the County Road 644 and Farm-to-Market 547, in Collin County, Texas 75442. TCEQ received this application on May 19, 2021. The permit application is available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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=db5bac44afbc468bbddd360f8168250f&marker=-96.3231%2C33.0928&level=12>

RECEIVED

AUG 12 2021

TCEQ MAIL CENTER  
CJ

6300 La Calma Drive, Suite 400  
Austin, Texas 78752  
Phone 512.452.5905  
Fax 512.452.2325  
plummer.com  
TBPE Firm No. 13

L:\Projects\0326\114-01\2-0 Wrk Prod\2-15 PERMIT PROCESSING\2021-08-10\_NOD Response to TCEQ.docx

APP 000159


Ms. Abesha Michael  
August 10, 2021  
Page 2

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

We appreciate you reviewing the pending application. If you have any additional questions or comments on the application or our responses provided above, please do not hesitate to contact me directly at [rpierce@plummer.com](mailto:rpierce@plummer.com) or 972-996-5730.

Respectfully yours,

PLUMMER

Ryan Pierce, PE  Digitally signed by Ryan Pierce, PE  
DN: C=US,  
E=rpierce@plummer.com,  
O=Plummer, CN="Ryan Pierce, PE"  
Date: 2021.08.10 10:02:08-05'00'

Ryan Pierce  
Project Manager II

Enclosures (4)

cc: Travis Markham, NTMWD  
Jerry Allen, NTMWD



**ENCLOSURE A  
NOTICE OF DEFICIENCY LETTER  
JULY 26, 2021**

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 26, 2021

**CERTIFIED MAIL**

9489 0090 0027 6009 7417 66

Mr. Travis Markham, P.E.  
Program Manager  
North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 78095

Re: Application for Proposed Permit No. WQ0005323000  
To be Issued to North Texas Municipal Water District  
CN601365448, RN111289740

Dear Mr. Markham:

We have received the application for the above referenced permit and it is currently under review. Your attention to the following items is requested before we can declare the application administratively complete. Please submit one original and two copies (including a cover letter) of the complete response.

1. Thank you for providing a copy of the deed of record; however, it is insufficient because it does not indicate the applicant's name. According to item 6.n on page 11, North Texas Municipal Water District owns the land where sludge disposal is located; therefore, their name should be on the deed. Please provide a new deed that indicates North Texas Municipal Water District as the landowner.
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Mr. Travis Markham, P.E.  
Page 2  
July 26, 2021  
Permit No. WQ0005320000

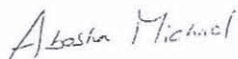
1. The following is a portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit which contains information relevant to your application. Please read it carefully and indicate if it contains any errors or omissions. The complete notice will be sent to you once the application is declared administratively complete.

North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Sludge Permit No. WQ0005323000 to authorize the surface disposal of water treatment residuals on 310 acres. The disposal site is located 0.24 mile north of the County Road 644 and Farm-to-Market 547, in Collin County, Texas 75442. TCEQ received this application on May 19, 2021. The permit application is available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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=db5bac44afbc468bbddd360f8168250f&marker=-96.3231%2C33.0928&level=12>

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Please submit the complete response, addressed to my attention by August 26, 2021. If the requested information is not received by the given deadline, pursuant to 30 TAC Chapter 281, the application may be removed from our list of pending applications. If you should have any questions, please do not hesitate to call me at (512) 239-4912.

Sincerely,



Abesha H. Michael  
Applications Review and Processing Team (MC 148)  
Water Quality Division  
Texas Commission of Environmental Quality

cc: Mr. Ryan Pierce, P.E., Project Manager, Plummer Associates Inc., 6300 La Calma Drive, Suite 400, Austin, Texas 78752

**ENCLOSURE B  
DEED OF RECORD  
NORTH TEXAS MUNICIPAL WATER DISTRICT**



02:21:46 PM D1 1/9

GF#11R05900

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SPECIAL WARRANTY DEED**

**Date:** June 10<sup>th</sup>, 2011

**Grantor:** VIEL GLUCK LIMITED PARTNERSHIP, an Arizona limited partnership,  
THE SPERANZA FOUNDATION and THE SHEDRY DAR FOUNDATION

**Grantor's Mailing Address:**

VIEL GLUCK LIMITED PARTNERSHIP  
1223 S. Clearview Ave., Suite 103  
Mesa, Arizona 85209-3306  
Maricopa County

THE SPERANZA FOUNDATION  
1223 S Clearview Avenue, Suite 103  
Mesa, AZ 85209  
Maricopa County

THE SHEDRY DAR FOUNDATION  
1223 S Clearview Avenue, Suite 105  
Mesa, AZ 85209  
Maricopa County

**Grantee:** NORTH TEXAS MUNICIPAL WATER DISTRICT

**Grantee's Mailing Address:**

NORTH TEXAS MUNICIPAL WATER DISTRICT  
505 E. Brown Street  
P. O. Box 2408  
Wylie, Texas 75098  
Collin County

**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being a 409.925 acre tract of land being more particularly described on Exhibit "A" attached hereto and being made a part hereof for all purposes.

**Reservations from and Exceptions to Conveyance and Warranty:**

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

VIEL GLUCK LIMITED PARTNERSHIP,  
an Arizona limited partnership,

By: Viel Gluck, LLC, an Arizona limited liability  
company

Its: General Partner

By: Elijah T. Cardon  
Elijah T. Cardon, Manager

THE SPERANZA FOUNDATION

By: Craig D. Cardon  
Craig D. Cardon, Trustee

THE SHEDRY DAR FOUNDATION

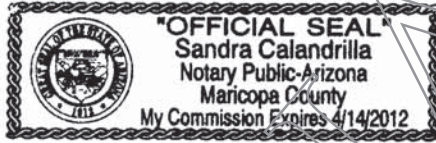
By: B. Bowden  
Brent A. Bowden, Trustee

STATE OF ARIZONA §

COUNTY OF MARICOPA §

This instrument was acknowledged before me on June 10, 2011, by **Elijah T. Cardon**, Manager Viel Gluck, LLC, an Arizona limited liability company, General Partner of VIEL GLUCK LIMITED PARTNERSHIP, an Arizona limited partnership, on behalf of said partnership.

Sandra Calandrilla  
Notary Public, State of Arizona

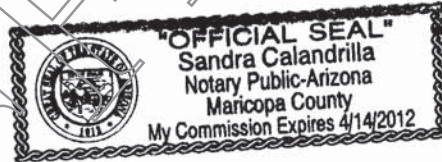


STATE OF ARIZONA §

COUNTY OF MARICOPA §

This instrument was acknowledged before me on June 10, 2011, by **Craig D. Cardon**, Trustee of THE SPERANZA FOUNDATION, on behalf of said foundation.

Sandra Calandrilla  
Notary Public, State of Arizona

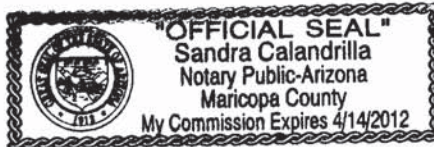


STATE OF ARIZONA §

COUNTY OF MARICOPA §

This instrument was acknowledged before me on June 10, 2011, by **Brent A. Bowden**, Trustee of THE SHEDRY DAR FOUNDATION, on behalf of said foundation.

Sandra Calandrilla  
Notary Public, State of Arizona



**PREPARED IN THE OFFICE OF:**

Gay, McCall, Isaacks, Gordon & Roberts, P.C.  
777 East 15th Street; Plano, Texas 75074  
Ph: (972) 424-8501; Fax: (972) 424-5619

**AFTER RECORDING RETURN TO:**

NORTH TEXAS MUNICIPAL WATER DISTRICT  
Attention: BENTLY POWELL  
P. O. Box 2408  
Wylie, Texas 75098

UNOFFICIAL



BEING all that certain lot, tract or parcel of land situated in Collin County, Texas, being part of the John Davis Survey, Abstract No. 253, and part of the Abner Lee Survey, Abstract No. 516, being all of the called 409.925 acre tract of land as described in the Special Warranty Deed from Ben Fatto Limited Partnership to Viel Gluck Limited Partnership as recorded in Collin County Clerk's File No. 20091119001405460 and being more particularly described as follows:

BEGINNING at an axle found in a fence at the easternmost southeast corner of said 409.925 acre tract, said Point of Beginning being the existing northeast corner to a 39.110 acre tract conveyed to Billie Loftis as recorded in Volume 2877 at Page 31 C.C.O.R.;

THENCE South 89 deg. 24 min. 43 sec. West a distance of 3079.06 feet to a 1/2 inch iron rod found for a corner;

THENCE South 00 deg. 34 min. 54 sec. West along a fence, a distance of 188.81 feet to a 1/2 inch iron rod found for a corner;

THENCE South 89 deg. 14 sec. 23 sec. West a distance of 737.17 feet to a 1/2 inch iron rod found for a corner in the center of Collin County Road No. 644, said corner being the westernmost northwest corner of Country Manor Estates as recorded in Cabinet I, Slide 462 of the Map and Plat Records of Collin County, Texas;

THENCE South 00 deg. 02 min. 47 sec. West along the center of Collin County Road No. 644, a distance of 758.04 feet to a 1/2 inch iron rod found for a corner, said corner being further marked by a capped 1/2 inch iron rod found on the west side of Collin County Road No. 644 bearing South 89 deg. 48 min. 10 sec. West at a distance of 26.01 feet;

THENCE South 89 deg. 48 min. 10 sec. West a distance of 497.88 feet to a 1/2 inch iron rod found for a corner;

THENCE South 89 deg. 42 min. 57 sec. West a distance of 1283.74 feet to a 1/2 inch iron rod found for a corner, said corner being at the existing southeast corner of an 8.000 acre tract as conveyed to Iglesia Cristiana Ebenezer Church, Inc. as recorded under Collin County Clerk's File No. 20090518000598780;

THENCE North 00 deg. 01 min. 20 sec. West a distance of 1010.56 feet to a 3/8 inch iron rod found for a corner, said corner being the existing southeast corner of a 4.000 acre tract as conveyed to Kelly and Loretta Jimenez as recorded in Volume 8978 at Page 2228 of the Official Records of Collin County, Texas;

THENCE North 02 deg. 14 min. 27 sec. West along the east line of said 4.000 acre tract, a distance of 254.36 feet to a 3/8 inch iron rod found for a corner at the northeast corner of said 4.000 acre tract;

THENCE South 89 deg. 19 min. 34 sec. East a distance of 1775.78 feet to a 1/2

inch iron rod found for a corner in the center of Collin County Road No. 644, said corner being further marked by a 1/2 inch iron rod found on the west side of Collin County Road No. 644 bearing North 89 deg. 19 min. 34 sec. West at a distance of 30.00 feet;

THENCE North 00 deg. 09 min. 47 sec. East along the center of Collin County Road No. 644, a distance of 3775.79 feet to a 1/2 inch iron rod found for a corner at the northern most northwest corner of said 409.925 acre tract, said corner being further marked by a 1/2 inch iron rod found on the east side of Collin County Road No. 644 bearing South 89 deg. 44 min. 22 sec. East at a distance of 30.00 feet;

THENCE South 89 deg. 44 min. 22 sec. East along the northern most line of said 409.925 acre tract, a distance of 3865.75 feet to a 1/2 inch iron rod found for a corner to the northeastern most corner of said 409.925 acre tract;

THENCE South 00 deg. 46 min. 01 sec. West along a fence, a distance of 937.22 feet to a 3/8 inch iron rod found for a corner;

THENCE South 00 deg. 23 min. 11 sec. West along a fence, a distance of 816.30 feet to a 1/2 inch iron rod found for a corner;

THENCE South 00 deg. 36 min. 45 sec. West a distance of 1041.12 feet to a 1/2 inch iron rod found for a corner;

THENCE South 00 deg. 32 min. 36 sec. West a distance of 948.94 feet to an angle iron found for a corner;

THENCE South 00 deg. 45 min. 30 sec. West along a fence, a distance of 262.37 feet returning to the Point of Beginning and containing 410.838 acres of land, of which 0.913 acre lies within defined easements, leaving a net acreage of 409.925 acres of land.

Subject to the following:

1. Easement granted to Texas Power & Light Company by instrument dated 09/27/1945, executed by Ed Yeatts, and recorded in Volume 362, Page 428, Real Property Records of Collin County, Texas and as shown on survey by Frank R. Owens, R.P.L.S. #5387, dated 03/31/2011. [9]
2. Easement granted to Hopewell Water Supply Corporation, by instrument dated 01/26/1970, executed by M.F. Dodson and wife, Gertrude Dodson, and recorded in Volume 753, Page 557, Real Property Records of Collin County, Texas and as shown on survey by Frank R. Owens, R.P.L.S. #5387, dated 03/31/2011. [10]
3. Easement granted to the County of Collin, by instrument dated 04/20/2001, executed by Charles Dodson 1/3 Int., Glynn Dodson 1/3 Int., and David Dodson 1/3 Int., and recorded in Volume 4911, Page 2868, Real Property Records of

Collin County, Texas and as shown on survey by Frank R. Owens, R.P.L.S. #5387, dated 03/31/2011. [11]

4. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. [1]
5. Mineral and/or royalty interest as described in instrument executed by Continental Assurance Company, to M.F. Dodson and wife, Nellie Gertrude Dodson, dated 12/03/1940 and recorded in Volume 328, Page 348, Real Property Records of Collin County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. [12]
6. Terms, conditions and stipulations of that certain Oil, Gas and Mineral Lease dated 08/10/1976, executed by M.F. Dodson and wife, Nellie Gertrude Dodson, to Texas Oil & Gas Corp., as recorded in Volume 1016, Page 475, Real Property Records of Collin County, Texas. As affected by instruments recorded in Volume 1427, Page 817; Volume 1570, Page 910 and Volume 2493, Page 419, Real Property Records, Collin County, Texas. As affected by Non-Production Affidavit filed 08/10/2005, recorded in Volume 5978, Page 2221, Real Property Records, Collin County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. [14]
7. Terms, conditions and stipulations of that certain Oil, Gas and Mineral Lease dated 02/21/1996, executed by Glynn Dodson and David Dodson, a married man dealing in his sole and separate property, to Genesis Producing Company, as recorded under cc# 96-0047331, Real Property Records of Collin County, Texas. As affected by instrument recorded under Clerk's File No. 96-0096554, Real Property Records, Collin County, Texas. As affected by Non-Production Affidavit filed 08/10/2005, recorded in Volume 5978, Page 2221, Real Property Records, Collin County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. [15]
8. Mineral and/or royalty interest as described in instrument executed by Mrs. Dorothy H. Coffman, et al, to M.F. Dodson and Gertrude Dodson, dated 05/15/1946 and recorded in Volume 369, Page 395, Real Property Records of Collin County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. [16]
9. Mineral and/or royalty interest as described in instrument executed by Eric Hammond Coffman, Independent Executor of the Estate of Dorothy H. Coffman, Deceased, to David Hammond Coffman, et al, dated 08/02/1984 and recorded in Volume 1953, Page 532, Real Property Records of Collin County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. [17]
10. Mineral and/or royalty interest as described in instrument executed by Eric Hammond Coffman, Trustee of Trust for Anthony Wright Coffman, to Anthony Wright Coffman, dated 10/06/1984, effective 10/15/1984, and recorded in Volume 1995, Page 336, Real Property Records of Collin County, Texas. Title

to said interest not checked subsequent to date of aforesaid instrument. [18]

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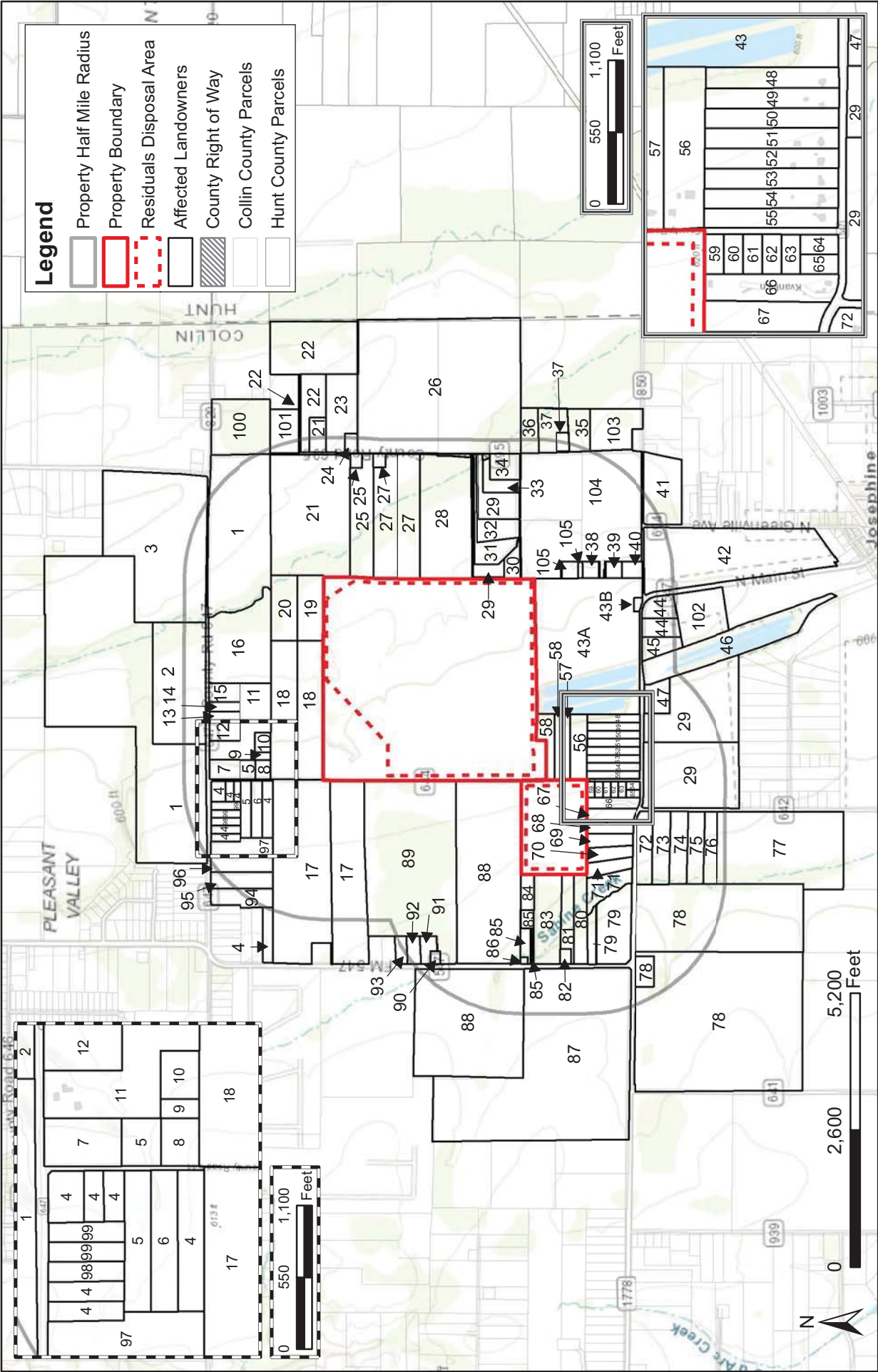
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Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
06/17/2011 02:21:46 PM  
\$48.00 CLUNA  
20110617000628520



*Stacey Kemp*

**ENCLOSURE C**  
**AFFECTED LANDOWNER MAP AND LIST**



See Attachment D.2 for cross-referenced list of landowners

**ATTACHMENT D.1**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**AFFECTED LANDOWNERS MAP**

**ATTACHMENT D.2**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**AFFECTED LANDOWNERS LIST**

<b>Map ID</b>	<b>Landowner Name</b>	<b>Mailing Address</b>
1	HAGER COLLEEN STEWART	5850 E LOVERS LN APT 474 DALLAS, TX 75206
2	SQUIRES LAURA LEA GASTON ET AL & ESTATE OF ROBERT W GASTON & L GASTON ERNST	3200 THORNBIRD ST BLUE SPRINGS, MO 64015
3	DOUBLE R LAND COMPANY LLC	1501 ALTA DR FORT WORTH, TX 76107
4	SHEMAR INVESTMENTS LLC	PO BOX 1928 WYLIE, TX 75098
5	GAMEZ VIRGILIO & MARICRUZ GAMEZ	3930 COUNTY RD 644 FARMERSVILLE, TX 75442
6	JACOBO JOSE ANTONIO MATA & MARGARITA VAZQUEZ MARTINEZ	2414 MEADOW LN GARLAND, TX 75040
7	ROBLES ANGEL & LUPE AMEZQUITA	1103 ROARING SPRINGS DR ALLEN, TX 75002
8	JOVENES PARA CRISTO	PO BOX 59386 NORWALK, CA 90652
9	TERROSO IDARELA	906 PRIVATE ROAD 5702 FARMERSVILLE, TX 75442
10	GONZALEZ ELIA	11453 COUNTY ROAD 737 PRINCETON, TX 75407
11	BAEZ PABLO T	20536 COUNTY ROAD 647 FARMERSVILLE, TX 75442
12	HORNA DAVID RICARDO & EVELIA	15908 AQUILLA WAY PROSPER, TX 75078
13	MEDINA CAMILO	3600 SHERRY PL PLANO, TX 75074
14	MEDINA MIGUEL	3341 N AVE PLANO, TX 75074
15	GARCIA AARON	20740 COUNTY ROAD 647 FARMERSVILLE, TX 75442
16	BAEZ OLIVIA	1930 S 3RD ST GARLAND, TX 75040
17	BENNETT CARLOS L	1326 SWALLOW LN GARLAND, TX 75042
18	JHN ESTATES LLC	2115 CHAFFEE RD FRISCO, TX 75036
19	BAVIREDDY RAMESH	1146 BACKBAY DR IRVING, TX 75063
20	SRK GROUP LLC	12699 PRESCOTT PL FARMERS BRANCH, TX 75234



**ATTACHMENT D.2**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
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**AFFECTED LANDOWNERS LIST**

<b>Map ID</b>	<b>Landowner Name</b>	<b>Mailing Address</b>
21	SCHOTTLAENDER COLIN & JANET SCHOTTLAENDER FAMILY LIVING TRUST	6301 CARMEL FALLS CT MCKINNEY, TX 75072
22	GRIMES KEVIN D & MACHELLE GRIMES	PO BOX 175 JOSEPHINE, TX 75164
23	SPINDLE JAMES A & VIVIAN A	4155 COUNTY ROAD 695 FARMERSVILLE, TX 75442
24	CULLOM CHRISTOPHER ROSS & SHANNA DAWN CULLOM	908 OAK GROVE LN ROYSE CITY, TX 75189
25	NORRIS RONALD GLENN	1922 ROLANDO DR GARLAND, TX 75040
26	WEAL INVESTMENT GROUP LLC	13543 HEMLOCK TRL FRISCO, TX 75035
27	DAFFT SCOTT A	PO BOX 538 PROSPER, TX 75078
28	DAFFT SCOTT S & JENNIFER	PO BOX 538 PROSPER, TX 75078
29	DAVENPORT FREDDY J	416 TEXAS HIGHWAY 338 NAPLES, TX 75568
30	LARIMER SEAN MICHAEL & FREDDY J DAVENPORT	2141 COUNTY ROAD 638 ROYSE CITY, TX 75189
31	OWNER CONFIDENTIAL	PRIVATE ROAD 5545 FARMERSVILLE, TX 75442
32	RAMSEY JASON	21711 PRIVATE ROAD 5455 FARMERSVILLE, TX 75442
33	ESPY VERONICA	PO BOX 71 JOSEPHINE, TX 75164
34	NUNEZ HUGO & SENDY	21917 PRIVATE ROAD 5455 FARMERSVILLE, TX 75442
35	BATA TRUST	PO BOX 158 JOSEPHINE, TX 75164
36	BEARD WALTER D & ERIKA A VAETH	1020 KNOXBRIDGE RD FORNEY, TX 75126
37	ABBOTT GREG & LORI ABBOTT	PO BOX 386 JOSEPHINE, TX 75164
38	YATES ADAM & KRISTI YATES	21639 COUNTY ROAD 850 FARMERSVILLE, TX 75442
39	DOUGLAS FLETCHER J & PENNY S	21625 COUNTY ROAD 850 FARMERSVILLE, TX 75442
40	FARR DARRELL	21577 COUNTY ROAD 850 FARMERSVILLE, TX 75442

**ATTACHMENT D.2**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**AFFECTED LANDOWNERS LIST**

<b>Map ID</b>	<b>Landowner Name</b>	<b>Mailing Address</b>
41	PEARSON MICHAEL J	22014 COUNTY ROAD 850 FARMERSVILLE, TX 75442
42	HUBBARD-SIKES FARM HOLDINGS LLC	2511 VALLEY PARK DR LITTLE ROCK, AR 72212
43A	MOSLENER GEORGE FRANK III & ROSA ELENA	10984 STATE HIGHWAY 205 LAVON, TX 75166
43B	MOSLENER GEORGE FRANK III & ROSA ELENA	10690 COUNTY RD 484 LAVON, TX 75166
44	MISHRA SHALINI & DHARMENDRA MISHRA	12765 TIMBER CROSSING DR FRISCO, TX 75033
45	LEE WILSON	PO BOX 851284 RICHARDSON, TX 75085
46	JAMES TAMARA	PO BOX 98 JOSEPHINE, TX 75164
47	MCKENZIE JIMMY REX & TAMMY KAY	1827 FM 1777 ROYSE CITY, TX 75189
48	SAWYER CHRISTOPHER W & APRIL	6135 FM 547 FARMERSVILLE, TX 75442
49	FRANKLIN JAMES ERIC & MACKENZIE WEAVER	6109 FM 547 FARMERSVILLE, TX 75442
50	PHELPS ROGER D	6085 FM 547 FARMERSVILLE, TX 75442
51	ROBINSON MICHAEL THOMAS	6051 FM 547 FARMERSVILLE, TX 75442
52	ORTEGA NARCISCO & FRANCES ORTEGA	6025 FM 547 FARMERSVILLE, TX 75442
53	HOFFMAN RENEE	PO BOX 513 ROYSE CITY, TX 75189
54	TREVINO FRANCISCO R & TREVINO MARIA GEMA	5979 FM 547 FARMERSVILLE, TX 75442
55	COONES TAMMY & RUSSELL COONES	5961 FM 547 FARMERSVILLE, TX 75442
56	SCHWEPPE SCOTT	5087 COUNTY ROAD 644 FARMERSVILLE, TX 75442
57	ODOM JEF L & TAMARA R ODOM	5057 COUNTY ROAD 644 FARMERSVILLE, TX 75442
58	KOELSCH PETER WALTER & JENNA ALYSE DOSS	5003 COUNTY ROAD 644 FARMERSVILLE, TX 75442
59	STUBBE MICHAEL E & MARY L	5144 COUNTY ROAD 644 FARMERSVILLE, TX 75442

**ATTACHMENT D.2**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
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**AFFECTED LANDOWNERS LIST**

<b>Map ID</b>	<b>Landowner Name</b>	<b>Mailing Address</b>
60	WESTFALL JAMES JR & PATRICIA	5170 COUNTY ROAD 644 FARMERSVILLE, TX 75442
61	GIPSON REBECCA DIANE & ANDREW COLE	5200 COUNTY ROAD 644 FARMERSVILLE, TX 75442
62	WILLIAMS ROBERT & JUDITH FAMILY TRUST	5226 COUNTY ROAD 644 FARMERSVILLE, TX 75442
63	MCCAY MARTIN NEWPORT & CYNTHIA ANNETTE MCCAY	5240 COUNTY ROAD 644 FARMERSVILLE, TX 75442
64	RUPLE LIVING TRUST	5909 FM 547 FARMERSVILLE, TX 75442
65	HARWELL JASON & MISTI HARWELL	5871 FM 547 FARMERSVILLE, TX 75442
66	KVANLI JOEL D REVOCABLE TRUST	5387 COUNTY ROAD 4508 COMMERCE, TX 75428
67	CERVANTES ERICK J	1408 PECAN CREEK DR FARMERSVILLE, TX 75442
68	WALL JAMES & ELENA WALL	5757 FM 547 FARMERSVILLE, TX 75442
69	HOBBS BILLY & LEORA HOBBS	5715 FM 547 FARMERSVILLE, TX 75442
70	JUDSON JOHN DAMON & KATHY	5697 FM 547 FARMERSVILLE, TX 75442
71	JUSTISS RICK C/O KEITH E JONES & MARJORIE L JONES	PO BOX 1928 WYLIE, TX 75098
72	LORRA MICHAEL	5706 E MOCKINGBIRD LN STE 115 DALLAS, TX 75206
73	RECTOR MICHAEL WAYNE & SANDRA LEE	1005 COUNTY ROAD 642 NEVADA, TX 75173
74	GARCIA OSCAR P	945 COUNTY ROAD 642 NEVADA, TX 75173
75	STEINBERGER JACOB L	871 COUNTY ROAD 642 NEVADA, TX 75173
76	GREER JACK L JR	815 COUNTY ROAD 642 NEVADA, TX 75173
77	LOKEY GEORGE H - ESTATE OF & RAYMOND TED SHELTON & MARIA DAMERON & JOHN S LOKEY	9255 E ASTER DR SCOTTSDALE, AZ 85260
78	JOSEPHINE CITY LLC	4575 CHEETAH TRL FRISCO, TX 75034
79	RAND ANTOINETTE	PO BOX 934 WHITESBORO, TX 76273

**ATTACHMENT D.2**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
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**AFFECTED LANDOWNERS LIST**

<b>Map ID</b>	<b>Landowner Name</b>	<b>Mailing Address</b>
80	JAMES SHANE D & RAND ANTOINETTE L	PO BOX 934 WHITESBORO, TX 76273
81	WALNUT PARK ASSEMBLY OF GOD	3818 LAWLER RD GARLAND, TX 75042
82	JONES DENNIS L & MARTHA	5063 FM 547 FARMERSVILLE, TX 75442
83	ORTEN DIXIE A	728 COUNTY ROAD 1468 MOUNT PLEASANT, TX 75455
84	JIMENEZ KELLY & LORETTA L	14923 COUNTY ROAD 489 NEVADA, TX 75173
85	PLUMLEE REAL ESTATE LIMITED	2808 CAPITAL ST WYLIE, TX 75098
86	PLUMLEE RANDY	2808 CAPITAL ST WYLIE, TX 75098
87	WINDING CREEK FARMS LLC	14259 RUSSELL RD FRISCO, TX 75035
88	BECKER SANDRA L & AUBREY	1210 LAKE POINT CIR MCKINNEY, TX 75072
89	VRL 547 LLC & LAKSHMI HM LLC & CSNS LLC	8209 SUTHERLAND LN PLANO, TX 75025
90	JONES WILLIAM B & MISAO	4577 FM 547 FARMERSVILLE, TX 75442
91	WHITTEN DOUGLAS M JR & TAMMY L	4543 FM 547 FARMERSVILLE, TX 75442
92	PENA DAVID O SR & PENNA ROSA NELLY	4491 FM 547 FARMERSVILLE, TX 75442
93	JONES LARRY & DONNA	PO BOX 153 COPEVILLE, TX 75121
94	SHEMAR INVESTMENTS LLC C/O WALTER A MORAN	312 FOXWOOD LN WYLIE, TX 75098
95	GALLEGOS MARIO BOLANOS & JOEL LONGORIA MONTIEL	2908 ROYAL OAKS DR PLANO, TX 75074
96	NOGUEZ ANTONIO ESTRADA	20140 COUNTY ROAD 647 FARMERSVILLE, TX 75442
97	SHEMAR INVESTMENTS LLC C/O JOSE JUAN SANCHEZ NUNEZ & ROSA SANTAMARIA BERNAL	1708 BUNKER HILL LN TRLR 85 LEWISVILLE, TX 75056
98	SAAVEDRA SANDRO & MARIA BARRERA	402 E STATE HIGHWAY 121 TRLR 593 LEWISVILLE, TX 75057
99	GONZALEZ JOSE ANTONIO	20320 COUNTY ROAD 647 FARMERSVILLE, TX 75442

**ATTACHMENT D.2**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT**  
**NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL**  
**RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION**  
**AFFECTED LANDOWNERS LIST**

<b>Map ID</b>	<b>Landowner Name</b>	<b>Mailing Address</b>
100	SLIGHTOM RON EDWARD & PRISCILLA ANNE SLIGHTOM	8834 TAYLOR AVE DURHAM, CA 95938
101	TRENTMAN DAVID	3977 COUNTY ROAD 695 FARMERSVILLE, TX 75442
102	MORGAN DAVID C	904 FOREST EDGE LN WYLIE, TX 75098
103	BARKLEY CLAY & BRIGITTE R BARKLEY	PO BOX 385 JOSEPHINE, TX 75164
104	LJ HOMES LLC	5610 WILLIAMS ST NEVADA, TX 75173
105	WALKER MADELINE	21651 COUNTY ROAD 850 FARMERSVILLE, TX 75442

**ENCLOSURE D**  
**AFFECTED LANDOWNER ADDRESS LABELS**

HAGER COLLEEN STEWART  
5850 E LOVERS LN APT 474  
DALLAS, TX 75206

SHEMAR INVESTMENTS LLC  
PO BOX 1928  
WYLIE, TX 75098

ROBLES ANGEL & LUPE AMEZQUITA  
1103 ROARING SPRINGS DR  
ALLEN, TX 75002

GONZALEZ ELIA  
11453 COUNTY ROAD 737  
PRINCETON, TX 75407

MEDINA CAMILO  
3600 SHERRY PL  
PLANO, TX 75074

BAEZ OLIVIA  
1930 S 3RD ST  
GARLAND, TX 75040

BAVIREDDY RAMESH  
1146 BACKBAY DR  
IRVING, TX 75063

GRIMES KEVIN D & MACHELLE GRIMES  
428 N WINDING OAKS DR  
WYLIE, TX 75098

NORRIS RONALD GLENN  
1922 ROLANDO DR  
GARLAND, TX 75040

DAFFT SCOTT S & JENNIFER  
PO BOX 538  
PROSPER, TX 75078

SQUIRES LAURA LEA GASTON ET AL &  
ESTATE OF ROBERT W GASTON & L  
GASTON ERNST  
3200 THORNBIRD ST  
BLUE SPRINGS, MO 64015

GAMEZ VIRGILIO & MARICRUZ GAMEZ  
117 KATHLYN LN  
ROWLETT, TX 75089

CRISTO JOVENES PARA  
814 N ARROWHEAD AVE  
SAN BERNARDINO, CA 92401

BAEZ PABLO T  
20536 COUNTY ROAD 647  
FARMERSVILLE, TX 75442

MEDINA MIGUEL  
3341 N AVE  
PLANO, TX 75074

BENNETT CARLOS L  
1326 SWALLOW LN  
GARLAND, TX 75042

SRK GROUP LLC  
1400 CORPORATE DR STE 111  
IRVING, TX 75038

SPINDLE JAMES A & VIVIAN A  
4155 COUNTY ROAD 695  
FARMERSVILLE, TX 75442

SHUANGCHENG ZHAO ENTERPRISE LLC  
5201 BERWICK LN  
PARKER, TX 75002

DAVENPORT FREDDY J  
416 TEXAS HIGHWAY 338  
NAPLES, TX 75568

DOUBLE R LAND COMPANY LLC  
1501 ALTA DR  
FORT WORTH, TX 76107

JACOBO JOSE ANTONIO MATA &  
MARGARITA VAZQUEZ MARTINEZ  
2414 MEADOW LN  
GARLAND, TX 75040

TERROSO IDARELA  
906 PRIVATE ROAD 5702  
FARMERSVILLE, TX 75442

HORNA DAVID RICARDO & EVELIA  
15908 AQUILLA WAY  
PROSPER, TX 75078

GARCIA AARON  
20740 COUNTY ROAD 647  
FARMERSVILLE, TX 75442

SVREALTY LLC & SUNRISE GROUP  
ESTATES LLC  
1167 FOSSIL LAKE DR  
FRISCO, TX 75036

SCHOTTLAENDER COLIN & JANET  
6301 CARMEL FALLS CT  
MCKINNEY, TX 75072

CULLOM CHRISTOPHER ROSS &  
SHANNA DAWN CULLOM  
908 OAK GROVE LN  
ROYSE CITY, TX 75189

DAFFT SCOTT A  
PO BOX 538  
PROSPER, TX 75078

LARIMER SEAN MICHAEL & FREDDY J  
DAVENPORT  
2141 COUNTY ROAD 638  
ROYSE CITY, TX 75189

OWNER CONFIDENTIAL  
PRIVATE ROAD 5545  
FARMERSVILLE, TX 75442

RAMSEY JASON  
21711 PRIVATE ROAD 5455  
FARMERSVILLE, TX 75442

ESPY VERONICA  
PO BOX 71  
JOSEPHINE, TX 75164

NUNEZ HUGO & SENDY  
21917 PRIVATE ROAD 5455  
FARMERSVILLE, TX 75442

BATA TRUST  
PO BOX 158  
JOSEPHINE, TX 75164

BEARD WALTER D & ERIKA A VAETH  
1020 KNOXBRIDGE RD  
FORNEY, TX 75126

ABBOTT GREG & LORI ABBOTT  
PO BOX 386  
JOSEPHINE, TX 75164

YATES ADAM & KRISTI YATES  
21639 COUNTY ROAD 850  
FARMERSVILLE, TX 75442

DOUGLAS FLETCHER J & PENNY S  
21625 COUNTY ROAD 850  
FARMERSVILLE, TX 75442

FARR DARRELL  
21577 COUNTY ROAD 850  
FARMERSVILLE, TX 75442

PEARSON MICHAEL J  
22014 COUNTY ROAD 850  
FARMERSVILLE, TX 75442

HUBBARD-SIKES FARM HOLDINGS LLC  
2511 VALLEY PARK DR  
LITTLE ROCK, AR 72212

MOSLENER GEORGE FRANK III & ROSA  
ELENA  
10984 STATE HIGHWAY 205  
LAVON, TX 75166

MISHRA SHALINI & DHARMENDRA  
MISHRA  
12765 TIMBER CROSSING DR  
FRISCO, TX 75033

LEE WILSON  
PO BOX 851284  
RICHARDSON, TX 75085

JAMES TAMARA  
PO BOX 98  
JOSEPHINE, TX 75164

MCKENZIE JIMMY REX & TAMMY KAY  
1827 FM 1777  
ROYSE CITY, TX 75189

SAWYER CHRISTOPHER W & APRIL  
6135 FM 547  
FARMERSVILLE, TX 75442

FRANKLIN JAMES ERIC & MACKENZIE  
WEAVER  
6109 FM 547  
FARMERSVILLE, TX 75442

PHELPS ROGER D  
6085 FM 547  
FARMERSVILLE, TX 75442

ROBINSON MICHAEL THOMAS  
6051 FM 547  
FARMERSVILLE, TX 75442

ORTEGA NARCISCO & FRANCES  
ORTEGA  
6025 FM 547  
FARMERSVILLE, TX 75442

HOFFMAN RENEE  
PO BOX 513  
ROYSE CITY, TX 75189

TREVINO FRANCISCO R & TREVINO  
MARIA GEMA  
5979 FM 547  
FARMERSVILLE, TX 75442

COONES TAMMY & RUSSELL COONES  
5961 FM 547  
FARMERSVILLE, TX 75442

SCHWEPPE SCOTT  
5087 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

ODOM JEF L & TAMARA R ODOM  
5057 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

KOELSCH PETER WALTER & JENNA  
ALYSE DOSS  
5003 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

STUBBE MICHAEL E & MARY L  
5144 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

WESTFALL JAMES JR & PATRICIA  
5170 COUNTY ROAD 644  
FARMERSVILLE, TX 75442



GIPSON REBECCA DIANE & ANDREW  
COLE  
5200 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

WILLIAMS ROBERT & JUDITH FAMILY  
TRUST  
5226 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

MCCAY MARTIN NEWPORT & CYNTHIA  
ANNETTE MCCAY  
5240 COUNTY ROAD 644  
FARMERSVILLE, TX 75442

RUPLE LIVING TRUST  
5909 FM 547  
FARMERSVILLE, TX 75442

HARWELL JASON & MISTI HARWELL  
5871 FM 547  
FARMERSVILLE, TX 75442

KVANLI JOEL D REVOCABLE TRUST  
5387 COUNTY ROAD 4508  
COMMERCE, TX 75428

CERVANTES ERICK J  
1408 PECAN CREEK DR  
FARMERSVILLE, TX 75442

WALL JAMES & ELENA WALL  
5612 SOMERVILLE DR  
FRISCO, TX 75036

HOBBS BILLY & LEORA HOBBS  
5715 FM 547  
FARMERSVILLE, TX 75442

JUDSON JOHN DAMON & KATHY  
5697 FM 547  
FARMERSVILLE, TX 75442

JUSTISS RICK C/O KEITH E JONES &  
MARJORIE L JONES  
PO BOX 1928  
WYLIE, TX 75098

LORRA MICHAEL  
5706 E MOCKINGBIRD LN STE 115  
DALLAS, TX 75206

RECTOR MICHAEL WAYNE & SANDRA  
LEE  
1005 COUNTY ROAD 642  
NEVADA, TX 75173

GARCIA OSCAR P  
945 COUNTY ROAD 642  
NEVADA, TX 75173

STEINBERGER JACOB L  
871 COUNTY ROAD 642  
NEVADA, TX 75173

GREER JACK L JR  
815 COUNTY ROAD 642  
NEVADA, TX 75173

LOKEY GEORGE H - ESTATE OF  
9255 E ASTER DR  
SCOTTSDALE, AZ 85260

JOSEPHINE CITY LLC  
4575 CHEETAH TRL  
FRISCO, TX 75034

RAND ANTOINETTE  
PO BOX 354  
JOSEPHINE, TX 75164

JAMES SHANE D & RAND ANTOINETTE L  
PO BOX 354  
JOSEPHINE, TX 75164

WALNUT PARK ASSEMBLY OF GOD  
3818 LAWLER RD  
GARLAND, TX 75042

JONES DENNIS L & MARTHA  
5063 FM 547  
FARMERSVILLE, TX 75442

ORTEN DIXIE A  
728 COUNTY ROAD 1468  
MOUNT PLEASANT, TX 75455

JIMENEZ KELLY & LORETTA L  
14923 COUNTY ROAD 489  
NEVADA, TX 75173

PLUMLEE REAL ESTATE LIMITED  
2808 CAPITAL ST  
WYLIE, TX 75098

PLUMLEE RANDY  
2808 CAPITAL ST  
WYLIE, TX 75098

WINDING CREEK FARMS LLC  
14259 RUSSELL RD  
FRISCO, TX 75035

BECKER SANDRA L & AUBREY  
1210 LAKE POINT CIR  
MCKINNEY, TX 75072

VRL 547 LLC & LAKSHMI HM LLC &  
CSNS LLC  
8209 SUTHERLAND LN  
PLANO, TX 75025

JONES WILLIAM B & MISAO  
4577 FM 547  
FARMERSVILLE, TX 75442

WHITTEN DOUGLAS M JR & TAMMY L  
4543 FM 547  
FARMERSVILLE, TX 75442

PENA DAVID O SR & PENA ROSA NELLY  
4491 FM 547  
FARMERSVILLE, TX 75442

JONES LARRY & DONNA  
PO BOX 153  
COPEVILLE, TX 75121

SHEMAR INVESTMENTS LLC C/O  
WALTER A MORAN  
312 FOXWOOD LN  
WYLIE, TX 75098

GALLEGOS MARIO BOLANOS & JOEL  
LONGORIA MONTIEL  
2908 ROYAL OAKS DR  
PLANO, TX 75074

NOGUEZ ANTONIO ESTRADA  
20140 COUNTY ROAD 647  
FARMERSVILLE, TX 75442

SHEMAR INVESTMENTS LLC C/O JOSE JUAN  
SANCHEZ NUNEZ & ROSA SANTAMARIA  
BERNAL  
1708 BUNKER HILL LN TRLR 85  
LEWISVILLE, TX 75056

SAAVEDRA SANDRO & MARIA BARRERA  
402 E STATE HIGHWAY 121 TRL R 593  
LEWISVILLE, TX 75057

GONZALEZ JOSE ANTONIO  
20320 COUNTY ROAD 647  
FARMERSVILLE, TX 75442

SLIGHTOM RON EDWARD & PRISCILLA  
ANNE SLIGHTOM  
8834 TAYLOR AVE  
DURHAM, CA 95938

TRENTMAN DAVID  
3977 COUNTY ROAD 695  
FARMERSVILLE, TX 75442

MORGAN DAVID C  
904 FOREST EDGE LN  
WYLIE, TX 75098

BARKLEY CLAY & BRIGITTE R BARKLEY  
PO BOX 385  
JOSEPHINE, TX 75164

LJ HOMES LLC  
5610 WILLIAMS ST  
NEVADA, TX 75173

WALKER MADELINE  
21651 COUNTY ROAD 850  
FARMERSVILLE, TX 75442

MOSLENER GEORGE FRANK III & ROSA  
ELENA  
10690 COUNTY RD 484  
LAVON, TX 75166

**NOTICE OF COMPLETION OF ADMINISTRATIVE  
REVIEW AND REQUEST FOR PUBLISHING THE NORI**

## Pierce, Ryan

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**From:** Abesha Michael <Abesha.Michael@tceq.texas.gov>  
**Sent:** Wednesday, September 15, 2021 12:13 PM  
**To:** Jerry Allen  
**Subject:** Permit No. WQ0005323000, North Texas Municipal Water District  
**Attachments:** 05323-000 NORI Letter.pdf; 20244-NORI INSTRUCTIONS3-2021.docx; WQ Sludge NORI 04232020-surface disposal.doc; Public Notice Verification Comp.docx; 05323-000 Affidavits.docx; Sludge Surface Disposal or Processing Spanish NORI.docx

Good Afternoon Mr. Allen,

The above referenced permit application has been declared administratively complete and will begin technical review. Applicants are required to publish the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit within 30 days of the application being declared administratively complete. Also, a copy of the application documents must be placed in the public viewing place that is listed in the application.

Attached is a courtesy copy of the public notice documents. Please review the notice and notify me immediately if it contains any errors or omissions.

- Letter of Declaration of Administrative completeness
- Instructions of Public Notice
- Notice of Receipt of Application and Intent to Obtain a Water Quality Permit
- Public Verification Form.
- Affidavits of Publication.
- Template for Notice of Receipt of Application and Intent to Obtain a Water Quality Permit in Spanish Language.

The original documents will be sent by our Chief Clerk's Office via regular mail within 8-10 business days.

Best regards,



Abesha H. Michael  
Applications Review & Processing Team  
Water Quality Division Support Section  
Water Quality Division, MC 148  
PO Box 13087  
Austin, Texas 78711  
Phone: o: 512-239-4912; c: 346-802-8446  
Email: [abesha.michael@tceq.texas.gov](mailto:abesha.michael@tceq.texas.gov)

How is our customer service? Fill out our online customer satisfaction survey at [www.tceq.texas.gov/customerurvey](http://www.tceq.texas.gov/customerurvey)

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 15, 2021

Mr. Jerry Allen  
Environmental Manager  
North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

RE: Declaration of Administrative Completeness  
Applicant Name: North Texas Municipal Water District (CN601365448)  
Permit No.: WQ0005323000  
Site Name: North Texas MWD Treatment Residuals Disposal Monofill  
(RN111289740)  
Type of Application: New

Dear Mr. Allen:

The executive director has declared the above referenced application, received on May 19, 2021 administratively complete on September 15, 2021.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

Instructions for Public Notice  
Notice for Newspaper Publication  
Public Notice Verification Form  
Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**

Declaration of Administrative Completeness

Page 2

September 15, 2021

2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.
3. For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of Legal Services at (512) 239-0600. If you have any questions regarding the content of the notice, please contact Abesha H. Michael at (512) 239-4912.

Sincerely,



Deirdre Shepphard, Manager  
Applications Review and Processing Team (MC-148)  
Water Quality Division

DS/ahm

Enclosures

**Texas Commission on Environmental Quality**  
**Instructions for Public Notice for a Water Quality Permit**  
**Notice of Receipt of Application and Intent to Obtain Permit (NORI)**

Your application has been declared administratively complete. You must comply with the following instructions. There are seven (7) steps involved in publishing notice. Complete each step.

**1. REVIEW THE NOTICE FOR ACCURACY**

**Read the enclosed notice carefully and notify the Application Review and Processing Team at 512-239-4671 immediately if it contains any errors or omissions.** You are responsible for ensuring the accuracy of all information published. Do not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ. Changing the text or formatting of the notice may require new publication at your expense and delay processing of your application.

**2. PUBLISH THE NOTICE IN THE NEWSPAPER**

**You must publish the enclosed notice within 30 days after the date of administrative completeness.** Refer to the cover letter for the date of administrative completeness.

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., bold, italics). Failure to do so may require re-notice.

**3. PUBLISH THE NOTICE IN AN ALTERNATIVE LANGUAGE**

**You must publish notice in an alternative language IF:** either the elementary or middle school nearest to the facility or proposed facility is required to provide a “bilingual education program” (BEP) as required by Texas Education Code (TEC), Chapter 29, Subchapter B, and 19 Tex. Admin. Code §89.1205(a) AND one of the following conditions is met:

- students are enrolled in a program at that school;
- students from that school attend a bilingual education program at another location; or
- the school that otherwise would be required to provide a bilingual education program has been granted an exception from the requirements to provide the program as provided for in 19 Tex. Admin. Code §89.1207(a).

A “bilingual education program” is different from an “English as a second language program” (ESL). An ESL program alone, will not require public notice in an alternative language.

If triggered, you must publish the notice in a newspaper or publication primarily published in the alternative language taught in the bilingual education program. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements. The newspaper or publication must be of general circulation in the county in which the facility and discharge point are located or proposed to be located. If the facility and discharge point are located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. You have the burden to demonstrate compliance with these requirements.

If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. The Spanish templates are available on the TCEQ website at [http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish\\_nori.html](http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish_nori.html). If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

#### **4. PUT THE APPLICATION IN A PUBLIC PLACE**

**You must put a copy of the administratively complete application in the public place identified in the enclosed notice.**

This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place for the publication's designated comment period.

During the technical review, you must update the publicly available application so that it includes all application revisions within 10 business days from the date the revision is transmitted to the TCEQ.

For confidential information contained in the application, you must indicate which specific portions of the application cannot be made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

#### **5. PROVIDE PROOF OF PUBLICATION**

**For each newspaper in which you published, you must submit proof of publication.** Proof of publication must include the following:

- a completed Publisher's Affidavit (enclosed); and
- a copy of the published notice which shows the notice, the date published, and the newspaper name. The copy must be on standard-size 8½ x 11" paper and must show the actual size of the published notice. Do not reduce the



image when making copies. Published notices longer than 11" must be copied onto multiple 8½ x 11" pages. Or you can submit the original newspaper clipping.

**If you are required to publish notice in an alternative language and are unable to do so, complete and submit the Alternative Language Exemption form (enclosed).**

**6. PROVIDE PROOF OF APPLICATION VIEWING LOCATION**

**You must submit a completed Public Notice Verification Form (enclosed) which certifies that the administratively complete application was placed at the public place identified in the enclosed notice.**

**7. SUBMIT PROOFS TO TCEQ**

**The proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) must be submitted to TCEQ within 30 days of publication.**

By email to: [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov)

OR by mail at:  
TCEQ  
Office of the Chief Clerk, MC 105  
Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

NOTE: If proofs are submitted by email, you do not have to mail in the original documents.

**Additional Information**

**If you fail to publish the notice or submit proofs within the timeframes noted above, the TCEQ may suspend further processing on your application or take other actions in accordance with 30 Tex. Admin. Code §39.405(a).**

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the Wastewater Permitting Section at 512-239-4671. When contacting TCEQ regarding this application, please refer to the permit number at the top of the enclosed notice.

If you wish to obtain an electronic copy of the notice, please visit our web site at [http://www.tceq.texas.gov/agency/cc/cc\\_db.html](http://www.tceq.texas.gov/agency/cc/cc_db.html) or <http://www.tceq.texas.gov/agency/cc/eda.html>. Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN A SEWAGE SLUDGE OR BIOSOLIDS SURFACE DISPOSAL PERMIT

### PROPOSED PERMIT NO. WQ0005323000

**APPLICATION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Sludge Permit No. WQ0005323000 to authorize the surface disposal of water treatment residuals on approximately 310 acres. The disposal site will be located approximately 0.25 miles north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. TCEQ received this application on May 19, 2021. The permit application is available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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=db5bac44afbc468bbddd360f8168250f&marker=-96.3231%2C33.0928&level=12>

**ADDITIONAL NOTICE.** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the application may request a hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.**

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.**

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** All public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date: September 15, 2021



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

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**All applicants must complete this page.**

Applicant Name: \_\_\_\_\_

Site or Facility Name: \_\_\_\_\_

Water Quality Permit Number: \_\_\_\_\_

Regulated Entity Number: RN \_\_\_\_\_ Customer Number: CN \_\_\_\_\_

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication of the NORI until the end of the designated comment period. I further understand that the copy will be updated with any revisions to the application.

Name of Public Place: \_\_\_\_\_

Address of Public Place: \_\_\_\_\_

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Receipt of Application and Intent to Obtain Permit**  
**(NORI)**  
**Water Quality Permit**

---

**Complete this page only if you are required to publish in an alternative language and are not able to do so.**

Applicant Name: \_\_\_\_\_

Site or Facility Name: \_\_\_\_\_

Water Quality Permit Number: \_\_\_\_\_

Regulated Entity Number: RN \_\_\_\_\_ Customer Number: CN \_\_\_\_\_

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**ALTERNATIVE LANGUAGE EXEMPTION**

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I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

Newspaper Name: \_\_\_\_\_

Language: \_\_\_\_\_

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

TCEQ-OFFICE OF THE CHIEF CLERK

Applicant Name: North Texas Municipal Water District

MC-105 Attn: Notice Team  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

Permit No.: WQ0005323000

**PUBLISHER'S AFFIDAVIT  
FOR WATER QUALITY PERMITS**

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_ who being by me duly sworn, deposes  
*(name of person representing newspaper)*

and says that (s)he is the \_\_\_\_\_  
*(title of person representing newspaper)*

of the \_\_\_\_\_; that this newspaper is a newspaper of  
*(name of newspaper)*

largest circulation in \_\_\_\_\_ County, Texas or is  
*(name of county)*

a newspaper of general circulation in \_\_\_\_\_,  
*(name of municipality)*

Texas; and that the enclosed notice was published in said newspaper on the following date(s):

\_\_\_\_\_

\_\_\_\_\_  
*(newspaper representative's signature)*

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

My Commission Expires \_\_\_\_\_

TCEQ-OFFICE OF THE CHIEF CLERK

Applicant Name: North Texas Municipal Water District

MC-105 Attn: Notice Team

Permit No.: WQ0005323000

P.O. BOX 13087

AUSTIN, TX 78711-3087

**ALTERNATIVE LANGUAGE  
PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

Before me, the undersigned notary public, on this day personally appeared

\_\_\_\_\_, who being by me duly sworn, deposes  
*(name of person representing newspaper)*

and says that (s)he is the \_\_\_\_\_ of the  
*(title of person representing newspaper)*

\_\_\_\_\_; that said newspaper is  
*(name of newspaper)*

generally circulated in \_\_\_\_\_ County, Texas and  
*(same county as proposed facility)*

is published primarily in \_\_\_\_\_ language; that the  
*(alternative language)*

enclosed notice was published in said newspaper on the following date(s):

\_\_\_\_\_.

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_, by \_\_\_\_\_  
*(newspaper representative's signature)*

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

My Commission Expires \_\_\_\_\_

## Pierce, Ryan

---

**From:** Jerry Allen <jallen@NTMWD.COM>  
**Sent:** Wednesday, October 6, 2021 10:54 AM  
**To:** Office of the Chief Clerk (PROOFS@tceq.texas.gov)  
**Subject:** WQ0005323000 Monofill NORI Newspaper Clippings, Affidavits and Public Verification Form  
**Attachments:** NTMWD Monofill NORI AL DIA (SPAN).pdf; Public Notice Verification Comp signed.pdf; NTMWD Monofill NORI Dallas Morning News (ENG).pdf; NTMWD Monofill Affidavits.pdf

Re: NORI Newspaper Clippings, Affidavits and Public Verification Form  
Applicant Name: North Texas Municipal Water District: (CN601365448)  
Proposed Permit No: WQ0005323000  
Site Name: Water Treatment Residuals Surface Disposal Monofill (RN111289740)  
Type of Application: New

To whom it may concern:

This email is submitted regarding the above-referenced *Notice of Receipt of Application and Intent to Obtain a Sewage Sludge or Biosolids Surface Disposal Permit* for TPDES proposed permit for Water Treatment Residuals Surface Disposal Monofill owned and operated by the North Texas Municipal Water District. Deirdre Sheppard, Manager (MC-148), Water Quality Division, notified Jerry Allen by email September 15, 2021 that the executive director has issued a preliminary decision. Enclosed for submission are:

- A Publisher's Affidavit and original newspaper clipping for the English notice that was published in the *Dallas Morning News* on September 29, 2021,
- A Publisher's Affidavit and original newspaper clipping for the Spanish notice that was published in *Al Dia* on September 29, 2021
- A Public Notice Verification Form

If you have any questions concerning this information, please contact my office at (469) 626-4634.

Sincerely,

**Jerry Allen**

Envir. Manager  
O: (469) 626-4634  
M: (214) 212-6153  
[jallen@ntmwd.com](mailto:jallen@ntmwd.com)



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TCEQ-OFFICE OF THE CHIEF CLERK

Applicant Name: North Texas Municipal Water District

MC-105 Attn: Notice Team  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

Permit No.: WQ0005323000

**PUBLISHER'S AFFIDAVIT  
FOR WATER QUALITY PERMITS**

STATE OF TEXAS §  
COUNTY OF COLLIN §

Before me, the undersigned authority, on this day personally appeared

MAX TERKOL who being by me duly sworn, deposes  
(name of person representing newspaper)

and says that (s)he is the LEGAL ACCOUNT  
(title of person representing newspaper)

of the THE DALLAS MORNING NEWS; that this newspaper is a newspaper of  
(name of newspaper)

largest circulation in COLLIN County, Texas or is  
(name of county)

a newspaper of general circulation in COLLIN,  
(name of municipality)

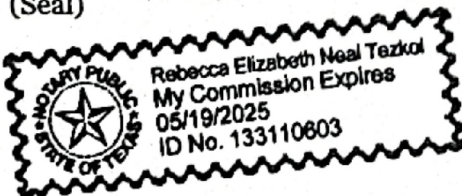
Texas; and that the enclosed notice was published in said newspaper on the following date(s):

09/29/2021

[Signature]  
(newspaper representative's signature)

Subscribed and sworn to before me this the 4<sup>th</sup> day of OCTOBER,  
2021.

(Seal)



Rebecca E Terkol  
Notary Public in and for the State of Texas

REBECCA ELIZABETH NEAL TERKOL  
Print or Type Name of Notary Public

My Commission Expires 05/19/2025

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## LEGAL BIDS & NOTICES

• Bankruptcy, Court Sales  
• Bids and Proposals  
• Legal Notices

### Bids & Proposals

**PO# 1265-9467/DO# 946178**  
**CITY OF DALLAS**  
**CONSTRUCTION**  
**ADVERTISEMENT**  
**REQUEST FOR BIDS**

Bids are required to be submitted electronically via the City of Dallas' solicitation website at <https://dallascityhall.com/bonfirehub> by 1:00 PM on Fridays. All bids will be publicly read at City of Dallas meetings on Fridays and can be viewed on the City of Dallas' website at <https://dallascityhall.com> (see City Meetings). Bid title, department, and date of public reading are listed below and on the City of Dallas' solicitation website at <https://dallascityhall.com/bonfirehub>. Unless otherwise noted in the description below the bid packet may be obtained from <https://dallascityhall.com>. Submittals will not be accepted after the due date and time and no late bids will be accepted. All other information is not permitted. Submittals are not permitted. Submittals are not permitted. Submittals are not permitted.

### Bids & Proposals

**ADVERTISEMENT FOR BIDS**  
**RFP #22-02**

The Town of Addison is accepting submittals HVAC and Gun Range Facility Upgrade, RFP #22-02. Bids will be accepted until 2:00 p.m. 10/18/21 at the Finance Building, 5350 Bell Line Rd., Dallas, Texas 75254 at which time they will be opened. Late bids will not be considered. Specifications and other information are available on [www.bidsync.com](http://www.bidsync.com). The Town reserves the right to waive any formalities and to reject any or all bids and to select the proposal deemed most advantageous to the Town.

Prebid: 10/4/21 at 9:00am local time, Addison Circle Park Pavilion, 4970 Addison Circle, Rowlett, TX 75086

### Legal Notices

**Public Notice**

Upper Trinity Regional Water District, a political subdivision of the State of Texas, is currently seeking sealed bids for the following item:

**1. LIQUID POLYDIALLYDIMETHYLAMMONIUM CHLORIDE**

Sealed bids will be received online by the Upper Trinity Regional Water District until 2:00 P.M. local time Wednesday, October 6, 2021. Specifications & bid packet may be obtained by going to <http://www.utrdw.com/business-opportunities>.

### Legal Notices

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**214.745.8123**

[dallasnews.com/classifieds](https://dallasnews.com/classifieds)

## Legal Notices

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

#### NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN A SEWAGE SLUDGE OR BIOSOLIDS SURFACE DISPOSAL PERMIT

**PROPOSED PERMIT NO. W0000532300**

**APPLICATION:** North Texas Municipal Water District, P.O. Box 2408, Dallas, Texas 75201, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Sludge Permit No. W0000532300 to authorize the surface disposal of water treatment residuals on approximately 310 acres. The disposal site will be located approximately 0.25 miles north of the intersection of County Road 444 (North Loop West) and Markham Road, in Collin County, Texas 75424. TCEQ received this application on May 19, 2021. The permit application is available for viewing and copying, Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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://www.tceq.texas.gov/otolpep>, S1 deses informacion en Español, puede llamor al 1-800-687-4040.

**ADDITIONAL NOTICE:** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

**PUBLIC COMMENT / PUBLIC MEETING:** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING:** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant comments and material. If a hearing is granted, the subject of a hearing is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing list will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "I/we request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.

**MAILING LIST:** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE:** For details about the status of the application, visit the Commissioners' Integrated Database at <https://www.tceq.texas.gov/otolpep>. Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION:** All public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/webopviewer/index.html?id=db5b0c446fbc468bddd360f8168250f8&marker=-96.3231%2C33.0928&level=12> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/otolpep](http://www.tceq.texas.gov/otolpep). Si desea informacion en Español, puede llamor al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date: September 15, 2021

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

#### NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN A WATER QUALITY PERMIT AMENDMENT

**PERMIT NO. W0000498400**

**APPLICATION:** City of Dallas, 1500 Marilla Street, Suite 6FN, Dallas, Texas 75201, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination Act (TPDE) Permit No. W0000498400 (EPA I.D. No. TX0123331) to authorize eliminating the sampling requirements for Outfall 003, reducing the sampling frequency from weekly to monthly for chemical oxygen demand and oil and grease, and for Outfalls 001, 002, and 004 from daily to weekly for E.coli and pH. The facility is located at 650 G.L. Thornton Freeway, Dallas, Texas 75205. The discharge route is from the plant site via Outfall 001 directly to Cedar Creek and via Outfalls 002, 003, and 004 to a drainage ditch, thence to Cedar Creek; thence to Upper Trinity River. TCEQ received this application on June 7, 2021. The permit application is available for viewing and copying at Charles J. Rike Memorial Library - Government Information Center, 1515 Young Street, Dallas, Texas. 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://www.tceq.texas.gov/otolpep>, S1 deses informacion en Español, puede llamor al 1-800-687-4040.

**ADDITIONAL NOTICE:** TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

**PUBLIC COMMENT / PUBLIC MEETING:** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING:** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant comments and material. If a hearing is granted, the subject of a hearing is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing list will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

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**AGENCY CONTACTS AND INFORMATION:** Public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/webopviewer/index.html?id=db5b0c446fbc468bddd360f8168250f8&marker=-96.3231%2C33.0928&level=12> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/otolpep](http://www.tceq.texas.gov/otolpep). Si desea informacion en Español, puede llamor al 1-800-687-4040.

Further information may also be obtained from City of Dallas at the address stated above or by calling Frances Ockels McGea, R.E.M. at 214-670-4474.

Issuance Date: September 3, 2021

### Bids & Proposals

**PO# 1265-9468/DO# 946185**  
**CITY OF DALLAS**  
**CONSTRUCTION**  
**ADVERTISEMENT**  
**REQUEST FOR BIDS**

Bids are required to be submitted electronically via the City of Dallas' solicitation website at <https://dallascityhall.com/bonfirehub> by 1:00 PM on Fridays. All bids will be publicly read at City of Dallas meetings on Fridays and can be viewed on the City of Dallas' website at <https://dallascityhall.com> (see City Meetings). Bid title, department, and date of public reading are listed below and on the City of Dallas' solicitation website at <https://dallascityhall.com/bonfirehub>. Unless otherwise noted in the description below the bid packet may be obtained from <https://dallascityhall.com>. Submittals will not be accepted after the due date and time and no late bids will be accepted. All other information is not permitted. Submittals are not permitted. Submittals are not permitted.

### Bids & Proposals

**ADVERTISEMENT FOR BIDS**  
**RFP #22-02**

The Town of Addison is accepting submittals HVAC and Gun Range Facility Upgrade, RFP #22-02. Bids will be accepted until 2:00 p.m. 10/18/21 at the Finance Building, 5350 Bell Line Rd., Dallas, Texas 75254 at which time they will be opened. Late bids will not be considered. Specifications and other information are available on [www.bidsync.com](http://www.bidsync.com). The Town reserves the right to waive any formalities and to reject any or all bids and to select the proposal deemed most advantageous to the Town.

Prebid: 10/4/21 at 9:00am local time, Addison Circle Park Pavilion, 4970 Addison Circle, Rowlett, TX 75086

### Legal Notices

**City of Rowlett Notice to Bidders**

Sealed bids will be received at the Purchasing Office, 4004 Main Street, Rowlett, Texas 75088, mailed to P.O. Box 99, Rowlett, TX 75089-0099, until 2:00 P.M. October 14, 2021 for Bid 2021-21 Annual Contract for Concrete Repair and Maintenance of Streets and Alleys. Bids will be opened and read aloud at the City Hall Annex Conference Room, 4004 Main Street, Rowlett, Texas 75088.

A non-mandatory pre-bid meeting will be held at 2:00 p.m., October 7, 2021 at the Public Works Conference Room, 4310 Industrial Street, Rowlett, TX 75086.

Bid documents may be obtained on the web at <http://www.rowlett.com/Bids.aspx>. Questions about the bid shall be directed to [purchasing@rowlett.com](mailto:purchasing@rowlett.com).

### Legal Notices

**EXHIBIT B CITY OF CELINA, TEXAS NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of Celina, Texas on October 12, 2021 at 5:00 p.m. at Celina City Council Chambers, 112 N. Colorado St., Celina, Texas 75009. In the event that the City Council is unable to meet at the City Council Chambers on October 12, 2021, the City will post on its website, [www.celina-tx.gov](http://www.celina-tx.gov), information for persons to attend the meeting by telephone, videoconference, or other electronic means. The public hearing will be held to consider proposed assessments to be levied on the assessed property in the Legacy Hills Resolution Determining Costs Improvement District (the "District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act").

The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space; (iii) construction of the design, construction and maintenance of ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and similar improvements; (iv) construction of sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (v) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (vi) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vii) special supplemental services for maintenance and operations of the District; (viii) services associated with operating and maintaining the public improvements listed in subparagraphs (i) - (iv) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (iv) above, and costs of establishing, maintaining and operating the District. The proposed improvements shall promote the interests of the City and confer a special benefit upon the property within the District.

The total costs of the Authorized Improvements that benefit Phase #1A and Phase #1B of the District (the "Authorized Improvements") including the costs of creating the District, is approximately \$17,694,509.

The boundaries of the District include approximately 331,531 acres of land generally located west of Celina Parkway and North of G.A. Moore Parkway, and is more particularly described by the plat created by a metes and bounds description available at Celina City Hall located 142 N. Churr Dr., Celina, Texas 75009 and available for public inspection.

All written or oral objections on the proposed assessment within the District will be considered at the public hearing.

A copy of the Phase #1A Assessment Roll and the Phase #1B Assessment Roll relating to the Phase #1A/B Improvements (the "Assessment Roll") which shall be Assessed for the District, and the proposed assessments levied against each parcel in the District for the Phase #1A-B Improvements, is available for public inspection at the office of the City Secretary, 142 N. Churr Dr., Celina, Texas 75009.

Legacy Hills Resolution Determining Costs

### Legal Notices

**NOTICE TO PROPOSERS**

**RFP No. 701-22— CONCESSIONAIRE SERVICES AT THE CHARLES W. EISEMANN CENTER**

The City of Richardson shall accept electronic proposals through Periscope 526 of periscopeholdings.com or sealed Proposals for RFP No. 701-22 Concessionaire Services at the Charles W. Eismann Center, until October 26, 2021 prior to 2:00 P.M. Central Time. Proposals shall be received in the Purchasing Department located at the City Hall/Civic Center Building at 411 West Arapahoe Road, Suite 101, Richardson, Texas 75080. Solicitation documents are available to be downloaded at no charge through Periscopeholdings.com. A voluntary pre-proposal meeting will be held on Tuesday, October 12, 2021 at 9:00 A.M. at the Charles W. Eismann Center, 2331 Performance Drive, Richardson, TX 75082.

### Legal Notices

**There will be an online Pre-Bid Conference held at 10:00 AM on Wednesday, October 6, 2021.** To receive a calendar invite to the meeting, please email [DWUCapitalServices@dallascityhall.com](mailto:DWUCapitalServices@dallascityhall.com). A calendar invite will be sent upon receipt of your request.

**Plans, Specifications and Bid Proposal will be available on Bonfire at <https://dallascityhall.com/bonfirehub.com/projects/598326>.** Friday, October 01, 2021. Project related questions shall be submitted in writing no later than 4:00 pm on October 20, 2021. Project Manager: Vesh Patokar, P.E.; 214-671-1764

**Questions Due Date/Time:** October 20, 2021 at 4:00 p.m.  
**Bid Due Date/Time:** November 5, 2021 at 1:00 p.m.

**Open/Reading Date/Time:** November 5, 2021 at 2:00 p.m.

### Legal Notices

**NOTICE TO BIDDERS**  
**REBID #105-22 - COPPER RIDGE REHABILITATION**

The City of Richardson shall accept electronic bids through Periscope 526 of periscopeholdings.com or sealed Bids for Invitation to Bid No. 05-22 - Copper Ridge Rebid. Bids shall be received in the Purchasing Department located at the City Hall/Civic Center Building at 411 West Arapahoe Road, Suite 101, Richardson, Texas 75080. Bids shall be opened and read aloud on October 20, 2021 at 9:00 P.M. ONLINE via Webex. Solicitation documents are available to be downloaded at no charge through Periscopeholdings.com. A voluntary pre-bid meeting will be held on Wednesday, October 13, 2021 at 10:00 A.M. ONLINE via Webex.

### Legal Notices

We represent D. Howard (age 78) and are looking for people who worked with him of the Southern Lead Smelting Plant in West Dallas. If you worked with David from 1960-1970 at that plant, please contact Nancy H. at 214-658-7496, ext 1050 or at [nhoisao@trowfirm.com](mailto:nhoisao@trowfirm.com).

### Legal Notices

**NOTICE OF PUBLIC HEARING**

Notice is hereby given of a public hearing to be held by the New Hope Cultural Education Facilities Financing (the "Issuer") on Monday, October 11, 2021 at 10:00 a.m. CT via teleconference. Among the topics discussed will be the proposed bonds or notes in one or more series (the "Bonds") in an aggregate principal amount not to exceed \$331,000,000, the proceeds of which will be loaned to Jack and Nancy Dwyer Development Center, Inc., a Delaware nonprofit corporation and an organization described in Internal Revenue Code Section 1361, as amended (the "Borrower"), or an affiliated entity.

The proceeds of the Bonds will be loaned to the Borrower or an affiliated entity for the following purposes (collectively, the "Project"):

- (1) To finance the cost of acquisition of certain skilled nursing facilities located at 2201 N. Waverly in Allen, Texas, known as Briarcliff Nursing and Rehabilitation Center, in a maximum amount of \$14,155,000.
- (2) To finance the cost of acquisition of certain skilled nursing facilities located at 2101 Frate Barkers Road in Austin, Texas, known as Brodie Ranch Nursing and Rehabilitation Center, in a maximum amount of \$14,435,000.
- (3) To finance the cost of acquisition of certain skilled nursing facilities located at 1219 E. Eastwood in Fort Worth, Texas, known as Fort Worth Transitional Care Center, in a maximum amount of \$10,875,000.
- (4) To finance the cost of acquisition of certain skilled nursing facilities located at 1210 E. Eastwood in Fort Worth, Texas, known as Guadalupe Valley Nursing and Rehabilitation Center, in a maximum amount of \$18,560,000.
- (5) To finance the cost of acquisition of certain skilled nursing facilities located at 825 W. Fairwinds Street in Hallettsville, Texas, known as Hallettsville Nursing and Rehabilitation Center, in a maximum amount of \$12,500,000.
- (6) To finance the cost of acquisition of certain skilled nursing facilities located at 3810 Hale Avenue in Hartlingen, Texas, known as Hartlingen Nursing and Rehabilitation Center, in a maximum amount of \$23,420,000.
- (7) To finance the cost of acquisition of certain skilled nursing facilities located at 2951 Highway 281 in George West, Texas, known as Lee Oak Nursing and Rehabilitation Center, in a maximum amount of \$11,465,000.
- (8) To finance the cost of acquisition of certain skilled nursing facilities located at 2201 N. 4th Street in Longview, Texas, known as Longview Hill Nursing and Rehabilitation Center, in a maximum amount of \$14,505,000.
- (9) To finance the cost of acquisition of certain skilled nursing facilities located at 3106 Bob Rogers Drive in Eagle Pass, Texas, known as Maverick Nursing and Rehabilitation Center, in a maximum amount of \$16,945,000.
- (10) To finance the cost of acquisition of certain skilled nursing facilities located at 1200 S. Bryan Road in Mission, Texas, known as Mission Valley Nursing and Transitional Care, in a maximum amount of \$41,340,000.
- (11) To finance the cost of acquisition of certain skilled nursing facilities located at 120 State Loop 97 in La Grange, Texas, known as Monument Hill Nursing and Rehabilitation Center, in a maximum amount of \$7,290,000.
- (12) To finance the cost of acquisition of certain skilled nursing facilities located at 104 Rex Kervort Court in Pharr, Texas, known as Mystic Park Nursing and Rehabilitation Center, in a maximum amount of \$18,100,000.
- (13) To finance the cost of acquisition of certain skilled nursing facilities located at 1700 East Loop East in Austin, Texas, known as Onton Creek Nursing and Rehabilitation Center, in a maximum amount of \$20,415,000.
- (14) To finance the cost of acquisition of certain skilled nursing facilities located at 804 Rex Kervort Court in Pharr, Texas, known as Pilgrimage Nursing and Rehabilitation Center, in a maximum amount of \$20,925,000.
- (15) To finance the cost of acquisition of certain skilled nursing facilities located at 1300 East Loop East in Richardson, Texas, known as Remington Transitional Care of Richardson, in a maximum amount of \$20,415,000.
- (16) To finance the cost of acquisition of certain skilled nursing facilities located at 6801 E. Eastwood in Austin, Texas, known as Riverside Nursing and Rehabilitation Center, in a maximum amount of \$18,000,000.
- (17) To finance the cost of acquisition of certain skilled nursing facilities located at 603 E. Ave J in Robstown, Texas, known as Robstown Nursing and Rehabilitation Center, in a maximum amount of \$13,420,000.
- (18) To finance the cost of acquisition of certain skilled nursing facilities located at 503 Old Austin Hwy. in Bastrop, Texas, known as Silver Pines Nursing and Rehabilitation Center, in a maximum amount of \$10,080,000.
- (19) To finance the cost of acquisition of certain skilled nursing facilities located at 9801 S. First Street in Austin, Texas, known as Soaring Eagles Nursing and Rehabilitation Center, in a maximum amount of \$22,465,000.
- (20) To finance the cost of acquisition of certain skilled nursing facilities located at 3260 Brand Street in Rio Grande City, Texas, known as Starr County Nursing and Transitional Care, in a maximum amount of \$30,885,000.
- (21) To finance the cost of acquisition of certain skilled nursing facilities located at 4650 S. Panther Creek Drive in Spring, Texas, known as The Woodlands Nursing and Rehabilitation Center, in a maximum amount of \$30,425,000.
- (22) To finance the cost of acquisition of certain skilled nursing facilities located at 625 N. Main Street in Boerne, Texas, known as Town and Court Nursing and Rehabilitation Center, in a maximum amount of \$14,505,000.
- (23) To finance the cost of acquisition of certain skilled nursing facilities located at 422 E. 18th Street in Westaco, Texas, known as Westaco Nursing and Rehabilitation Center, in a maximum amount of \$33,765,000.
- (24) To finance the cost of acquisition of certain skilled nursing facilities located at 3200 W. Sienna in Austin, Texas, known as West Oaks Nursing and Rehabilitation Center, in a maximum amount of \$17,715,000.
- (25) To finance the cost of acquisition of certain skilled nursing facilities located at 3200 W. Sienna in Austin, Texas, known as Windsor Nursing and Rehabilitation Center of Seguin, in a maximum amount of \$25,935,000.
- (26) To finance the cost of acquisition of certain skilled nursing facilities located at 1300 East Loop East in Austin, Texas, known as Yoakum Nursing and Rehabilitation Center, in a maximum amount of \$24,270,000.
- (27) To finance the cost of acquisition of a leasehold interest in certain skilled nursing facilities located at 372 Hill Road, Smyville, Texas, known as Towers Nursing Home, in a maximum amount of \$6,900,000.

All interested parties are invited to express their views with respect to the Project and the Bonds by attending the public hearing to be held via teleconference, by dialing the following toll-free number 1-888-557-8111 (Passcode: 3788599). Any interested persons unable to attend the hearing may submit their views in writing to the Issuer c/o Abraham "Abe" Benavides, c/o Calli, Parkhurst & Horton, L.L.P., 717 North Harwood, Suite 900, Dallas, Texas 75201, prior to the date scheduled for the hearing.

This notice is published and the above-described hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the exemption from federal income taxation of interest on the Bonds. The public hearing will be held via teleconference in accordance with Revenue Procedure 2021-39 issued by the Internal Revenue Service due to the COVID-19 pandemic.

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### Legal Notices

**NOTICE**

**THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT** is accepting separate sealed bids for the following items at the herein stated bid opening location until the bid due date and time stated below, when they will be publicly opened and read aloud.

**SOLICITATION: 7007149 – Proactive Cyber Scanner**  
**BID DUE DATE AND TIME:** Tuesday, October 12, 2021 @ 9:00 AM (Central Time)  
**MINORITY-WOMEN BUSINESS ENTERPRISE (MWBE) GOAL:** 0%

**BID OPENING LOCATION:** DFW Airport Headquarters, Procurement Department, 2400 Aviation Drive, DFW Airport, TX 75261. Specifications may be obtained at the herein stated bid opening location or viewed/downloaded from DFW International Airport website at [dfwairport.com](http://dfwairport.com) or by calling 972-973-5600.

### Legal Notices

**DFW**

**NOTICE**

**THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT** is accepting separate sealed bids for the following items at the herein stated bid opening location until the bid due date and time stated below, when they will be publicly opened and read aloud.

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TCEQ-OFFICE OF THE CHIEF CLERK

Applicant Name: North Texas Municipal Water District

MC-105 Attn: Notice Team  
P.O. BOX 13087  
AUSTIN, TX 78711-3087

Permit No.: WQ0005323000

**ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS §  
COUNTY OF Collin §

Before me, the undersigned notary public, on this day personally appeared

Max Tezkol, who being by me duly sworn, deposes  
(name of person representing newspaper)

and says that (s)he is the LEGAL ACCOUNT of the  
(title of person representing newspaper)

AL-DIA; that said newspaper is  
(name of newspaper)

generally circulated in Collin County, Texas and  
(same county as proposed facility)

is published primarily in SPANISH language; that the  
(alternative language)

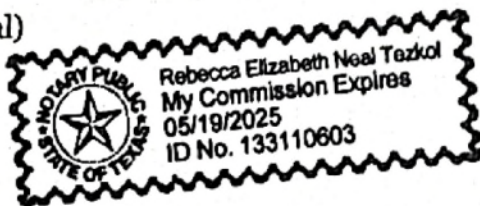
enclosed notice was published in said newspaper on the following date(s):

09/29/2021

Subscribed and sworn to before me this the 4th day of OCTOBER,

20 21, by [Signature]  
(newspaper representative's signature)

(Seal)



Rebecca E. Neal Tezkol  
Notary Public in and for the State of Texas

REBECCA ELIZABETH NEAL TEZKOL  
Print or Type Name of Notary Public

My Commission Expires 05/19/2025

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**REMOTE WORKERS NEEDED!!!**

The SBA Office of Disaster Assistance (ODA) is the Federal government's primary source of money to help businesses of all sizes, private non-profit organizations, homeowners and renters recover from disasters. ODA makes Federal low-interest disaster loans to cover losses not fully compensated by insurance or other sources. Because of the magnitude of the Novel Coronavirus, the Dallas/Fort Worth, Texas Office of Disaster Assistance, located in the CentrePort Business Park near DFW Airport and DART/TRE Station, has an ongoing need for multiple temporary full-time professionals in various occupations.

- All positions are temporary and subject to workload requirements
- All positions must be available for immediate, full-time work
- Weekend work required for all positions and mandatory overtime could be substantial
- Overtime will be paid for hours in excess of 40-hours per week
- All Positions require competency with Microsoft Office
- Must pass Credit, Fingerprint & Background Check
- Bilingual language skills a plus
- Must be a U S Citizen

**IMMEDIATE NEED FOR ATTORNEYS & PARALEGALS**

Attorneys will review loan authorizations, conduct loan closings, disburse funds and ensure appropriate disbursements are made according to loan authorization. Must be a current and active member in good standing of the bar of a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico, and eligible to practice law. Experience in a real estate or mortgage lending environment preferred.

**Education:** Recent graduates (JD, LLB, LL.M) are also encouraged to apply. Candidates awaiting results of the bar examination will be considered for Paralegal Specialist positions.

Paralegals will respond to a variety of customer inquiries by providing information to internal and external customers; perform legal research of regulations, laws, legal databases, etc. to obtain information or address issues / concerns; review loan or legal docs for compliance with applicable regulations and guidelines and assist borrowers with closing residential and/or business loans.

**Education:** Entry Level Paralegal: Bachelor's degree with GPA of 3.0 or better (Superior Academic Achievement) OR have at least one (1) year of graduate education.

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**IMMEDIATE NEED FOR CREDIT ANALYSIS / LOAN PROCESSING / MORTGAGE UNDERWRITING**

**Credit Analysts, Loan Officers, Mortgage Underwriters** are needed with experience evaluating financial information; determining creditworthiness and repayment ability; and making loan decisions (or recommendations) based on overall financial condition.

**Recent college graduates** with no prior lending or loan closing experience are encouraged to apply. Additionally, individuals who have prior lending experience should have experience determining repayment ability using income related documents (tax returns, W-2, paystubs, etc.) and experience analyzing consumer credit reports. Automotive lending (Underwriting) experience is a plus!

**Education:** A degree in Business Administration is qualifying provided the major was in accounting, finance, or similar area.

**Related / Relevant Undergraduate and Graduate Education:** Major study - finance, business administration, economics, accounting, insurance, engineering, mathematics, banking and credit, law, real estate operations, statistics, or other fields related to the position, such as agriculture, agricultural economics, farm, livestock or ranch management.

**These positions are available to work remotely and will pay a base hourly rate of \$18.21 - \$33.39; overtime rate of \$27.32 - \$45.49.**

Please submit resume via USAJOBS.GOV  
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Paralegals apply to Vacancy Number 598313700  
Entry Level Paralegals Vacancy Number 598313800  
Loan Assistants apply to Vacancy Number 598313600  
Loan Specialists apply to Vacancy Number 598313500  
EOE/Veterans must submit DD-214

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EOE

**TRANSPORTATION PLANNER I**  
The Alamo Area Metropolitan Planning Organization (AAMPO) San Antonio, TX  
The Alamo Area Metropolitan Planning Organization (AAMPO) is seeking an experienced **TRANSPORTATION PLANNER I** (Commute Solutions Planner) who will promote or educate on all strategies that reduce the demand for single-occupant vehicle travel. The position holder conducts presentations and provides commute options to employers and citizens to reduce roadway congestion.

We offer a comprehensive benefits package including medical benefits, retirement, and tuition reimbursement. Go to [www.alamoareaampo.org](http://www.alamoareaampo.org) or call 210-227-8651 for further details and directions on how to apply. EOE.

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**Comisión de Calidad Ambiental del Estado de Texas**

**AVISO DE RECIBO DE LA SOLICITUD E INTENCION DE OBTENER PERMISO PARA LODO DE LAS AGUAS RESIDUALES O ELIMINACION DE SUPERFICIES DE BARRIO DE VEVO**  
PERMISO NO. WQ0005323000

**SOLICITUD.** North Texas Municipal Water District 2408, Wylie, Texas 75098, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para una propuesta al Permiso No. WQ0005323000 del Sistema de Eliminación de Contaminantes de Texas (TPDES) para autorizar la disposición superficial de lodos del tratamiento de agua potable en aproximadamente 310 acres. El sitio de disposición de los lodos está ubicado 0.25 millas al norte de la intersección de County Road 64 y Farmway Market Road 547 en el Condado de Collin, Texas. La TCEQ recibió esta solicitud el día 19 de mayo de 2021. La solicitud pública está disponible para leer y copiar en la biblioteca Charles J. Rike Memorial, 203 Orange Street, Farmersville, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://tceq.texas.gov/apps/webapp/viewer/index.html?id=db5b0c44fbc468bb468bdd360f168250f&marker=-96.3231%2C32.0928&level=12>

**AVISO ADICIONAL.** El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas o a la largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

**COMENTARIO PUBLICO / REUNION PUBLICA.** Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una persona que puede ser afectada por la solicitud puede pedir un juicio administrativo. Una audiencia administrativa de lo contencioso es un procedimiento similar a un procedimiento legal civil en un tribunal de distrito del estado.

**PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS:** su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma como usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presenta durante el periodo de comentarios; y la declaración "Yo/nosotros" solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que represente al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que será afectado adversamente por la planta o la actividad propuesta; proveer la información anteriormente mencionada con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y por qué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los periodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión pública de la Comisión. La Comisión solo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el periodo de comentarios.

**LISTA DE CORREO.** Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correo siguientes: (1) la lista de correo permanente para recibir los avisos de esta solicitud indicada por nombre y número del permiso específico y (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cuál lista(s) y envíe por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

**CONTACTOS E INFORMACIÓN A LA AGENCIA.** Todos los comentarios públicos y solicitudes deben ser presentados electrónicamente vía <http://www.tceq.texas.gov/eic/Comment/> por escrito dirigidos a la Comisión de Calidad Ambiental, Oficina del Secretario (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional del North Texas Municipal Water District a la dirección indicada arriba o llamando a Mr. Jerry Allen al 469-626-4634.

Fecha de emisión: 15 de septiembre de 2021

Comisión de Calidad Ambiental del Estado de Texas

AVISO DE RECIBO DE LA SOLICITUD E INTENCION DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA MODIFICACION

**PERMISO NO. WQ0004984000**

**SOLICITUD.** La Ciudad de Dallas, 1500 Mar/Ha Street, Suite 6FN, Dallas, Texas 75203, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para modificar el Permiso No. WQ0004984000 del Sistema de Eliminación de Contaminantes de Texas (TPDES) (No. de Identificación con la EPA 1X0135351) para autorizar el eliminación de los requisitos de tomar muestras para el Desagüe 003, 002, 003 y 004 hasta una zona de drenaje; de allí a Cedar Creek; y de allí al Upper Trinity. La TCEQ recibió esta solicitud el día 7 de junio del 2021. La solicitud para el permiso está disponible para leer y copiar en la biblioteca central J. Erik Janson - Centro de Información Gubernamental, 1515 Young Street, Dallas, Texas. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://tceq.texas.gov/apps/webapp/viewer/index.html?id=db5b0c44fbc468bb468bdd360f168250f&marker=-96.813888%2C32.743888&level=12>

**AVISO ADICIONAL.** El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas o a la largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

**COMENTARIO PUBLICO / REUNION PUBLICA.** Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todos los comentarios públicos esenciales, pertinentes o significativos. A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

**PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS:** su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma como usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presenta durante el periodo de comentarios; y la declaración "Yo/nosotros" solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que represente al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que será afectado adversamente por la planta o la actividad propuesta; proveer la información anteriormente mencionada con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y por qué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los periodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión pública de la Comisión. La Comisión solo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el periodo de comentarios.

**LISTA DE CORREO.** Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correo siguientes: (1) la lista de correo permanente para recibir los avisos de esta solicitud indicada por nombre y número del permiso específico y (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cuál lista(s) y envíe por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

**CONTACTOS E INFORMACIÓN A LA AGENCIA.** Todos los comentarios públicos y solicitudes deben ser presentados electrónicamente vía <http://www.tceq.texas.gov/eic/Comment/> por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficina de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional de la Ciudad de Dallas a la dirección indicada arriba o llamando a Frances Ockels McGehee, REA al 214-670-4266.

Fecha de emisión: 3 de septiembre del 2021.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Notice of Receipt of Application and Intent to Obtain Permit  
(NORI)  
Water Quality Permit

---

All applicants must complete this page.

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT

Site or Facility Name: NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT RESIDUALS DISPOSAL MONOFILL

Water Quality Permit Number: WQ0005323000

Regulated Entity Number: RN 111289740 Customer Number: CN 601365448

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**PUBLIC VIEWING LOCATION**

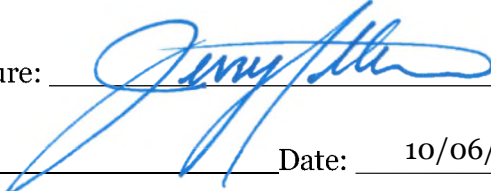
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I certify that a copy of the complete water quality application, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication of the NORI until the end of the designated comment period. I further understand that the copy will be updated with any revisions to the application.

Name of Public Place: CHARLES J. RIKE MEMORIAL LIBRARY

Address of Public Place: 203 ORANGE STREET, FARMERSVILLE, TEXAS

---

Applicant or Applicant Representative Signature: 

Title: ENVIRONMENTAL MANAGER Date: 10/06/2021

**DOCUMENTATION REQUESTED DURING  
TECHNICAL REVIEW**

## Pierce, Ryan

---

**From:** Hunt, Rex  
**Sent:** Monday, December 20, 2021 10:58 AM  
**To:** Pierce, Ryan; English, Jenni  
**Cc:** Pierce-Walsh, Meg  
**Subject:** FW: Site Development Plan/Plans and Specs for North Texas MWD Monofil  
**Attachments:** WQ0005323000 Site Plan\_Plans and Specs.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ryan

See Brian's request below. It is a curious request and I would like to know more about what he is planning to get out of this. Should we call him?

You are going to need to stamp this document, likely.

### Rex Hunt, PE

*Water Quality/Permitting Practice Leader*  
Plummer

**P:** 512.452.5905

**D:** 512.687.2155

**C:** 512.826.1568

[www.plummer.com](http://www.plummer.com)

---

**From:** Brian Sierant <brian.sierant@tceq.texas.gov>  
**Sent:** Monday, December 20, 2021 10:55 AM  
**To:** Hunt, Rex <rhunt@plummer.com>  
**Cc:** Louis Herrin <louis.herrin@tceq.texas.gov>  
**Subject:** Site Development Plan/Plans and Specs for North Texas MWD Monofil

Good morning Rex,

I am sending the Site Development Plan / Plans and Specs for the proposed North Texas MWD WTP monofil (WQ0005323000) over to Louis Herrin's Plans and Specs Team for review. I need his team to review and comment on the specs of the proposed disposal site due to its size and the fact that we have numerous opposition toward it.

I have attached the plans and specs but need to request a P.E. stamp (it can be on a separate page) before I send it to Louis. Can you please email me either a cover page or add a P.E. stamp for the plans and specs so that I can send it over to his team? Once I receive this, I'll send it along with a copy of the application, maps and the soil survey (I already have). Feel free to call or email me if you have any questions.

Thanks,

**Brian Sierant, Biosolids Work Leader**  
[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)

**Texas Commission on Environmental Quality  
Water Quality Division  
Land Application Team (MC 150)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Ph: 512-239-1375**





## Joe Jimenez

---

**From:** English, Jenni <jenglish@plummer.com>  
**Sent:** Tuesday, February 1, 2022 10:15 AM  
**To:** Brian Sierant  
**Cc:** Louis Herrin; Charles Schneider; Hunt, Rex; Pierce,Ryan; Jerry Allen  
**Subject:** Sealed drawings for NTMWD Monofill WQ0005323000  
**Attachments:** ATT K.2-1 EAST MONOFILL PLAN VIEW\_SEAL.pdf; ATT K.2-2 EAST MONOFILL SECTIONS\_SEAL.pdf; ATT K.1-1 WEST MONOFILL PLAN VIEW\_SEAL.pdf; ATT K.1-2 WEST MONOFILL SECTIONS\_SEAL.pdf

Good morning Brian,

Please see attached for the sealed preliminary drawings from Attachment K as we discussed in yesterday's meeting.

Please let me know if you need anything else.

Thank you,



# PLUMMER

**Jenni English**  
*Engineer in Training*  
(She/Her)

6300 La Calma Drive, Suite 400  
Austin, Texas 78752  
**P:** 512.452.5905  
**D:** 512.687.2193  
**C:** 817.694.8386

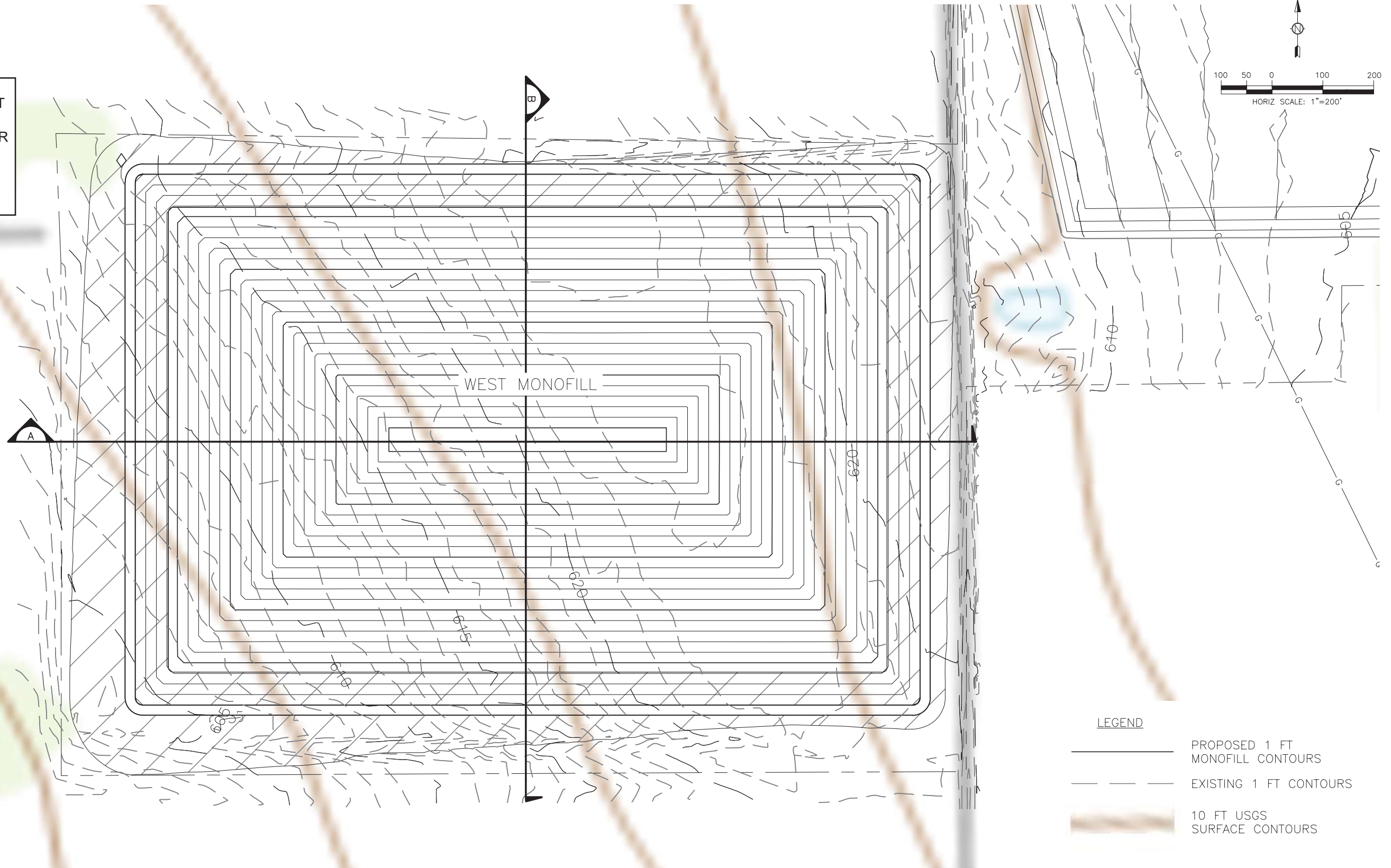
[jenglish@plummer.com](mailto:jenglish@plummer.com)  
[www.plummer.com](http://www.plummer.com)

This message, and any attachments to it, may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are notified that any use, dissemination, distribution, copying, or communication of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by return e-mail and delete the message and any attachments.

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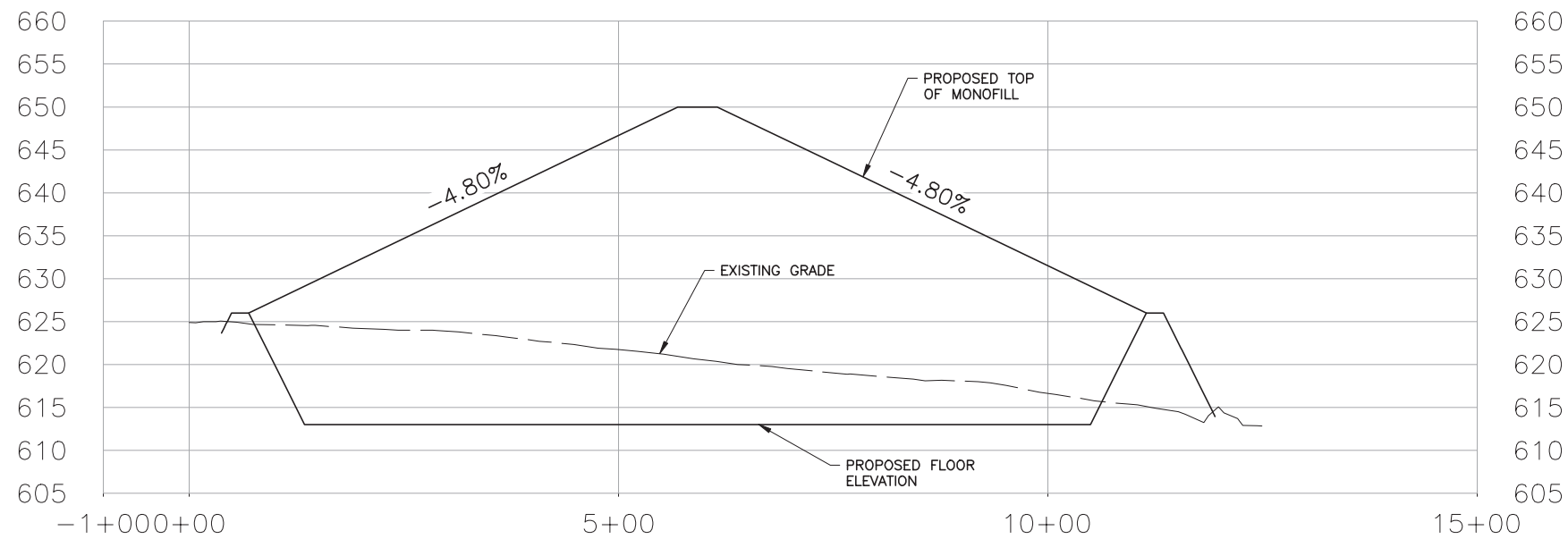
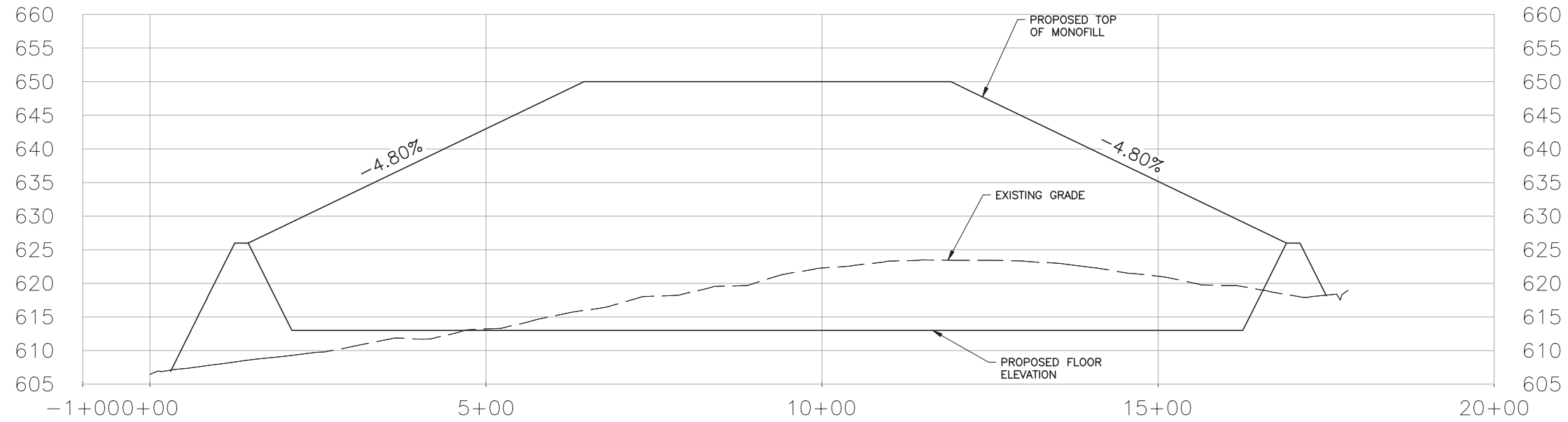
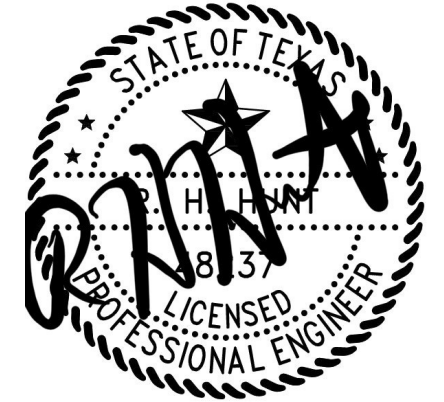
THIS DOCUMENT IS FOR  
 INTERIM REVIEW AND IS NOT  
 INTENDED FOR  
 CONSTRUCTION, BIDDING, OR  
 PERMIT PURPOSES.  
 REX H. HUNT  
 TEXAS P.E. NO. 48237  
 DATE: 02/01/2022



ATTACHMENT K.1-1  
 NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
 RESIDUALS DISPOSAL MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
 WEST MONOFILL PLAN VIEW



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 REX H. HUNT  
 TEXAS P.E. NO. 48237  
 DATE: 02/01/2022

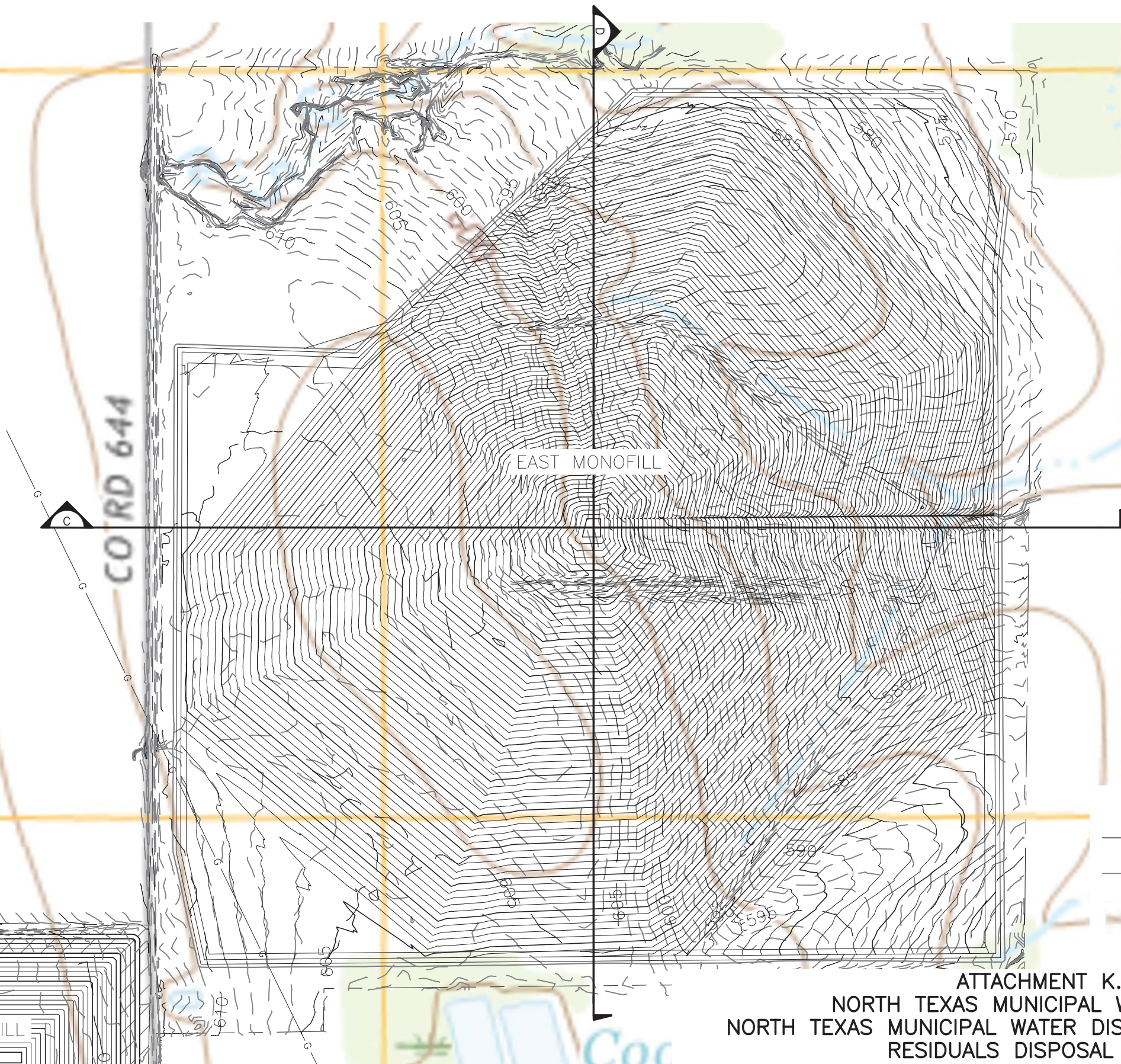
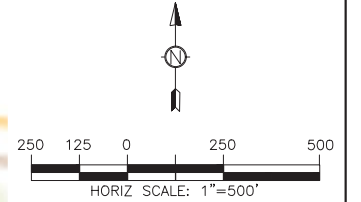
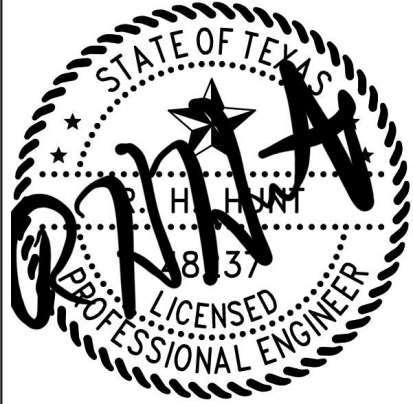


ATTACHMENT K.1-2  
 NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
 RESIDUALS DISPOSAL MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
 WEST MONOFILL SECTIONS

TEXAS REGISTERED ENGINEERING FIRM F-13  
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THIS DOCUMENT IS FOR  
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 PERMIT PURPOSES.  
 REX H. HUNT  
 TEXAS P.E. NO. 48237  
 DATE: 02/01/2022



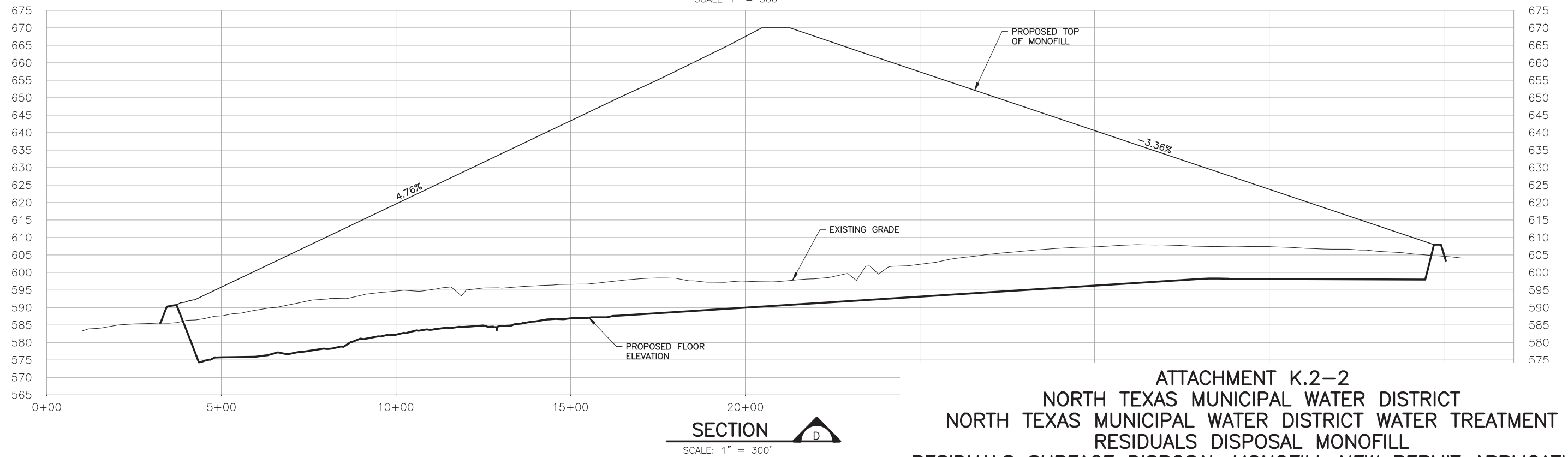
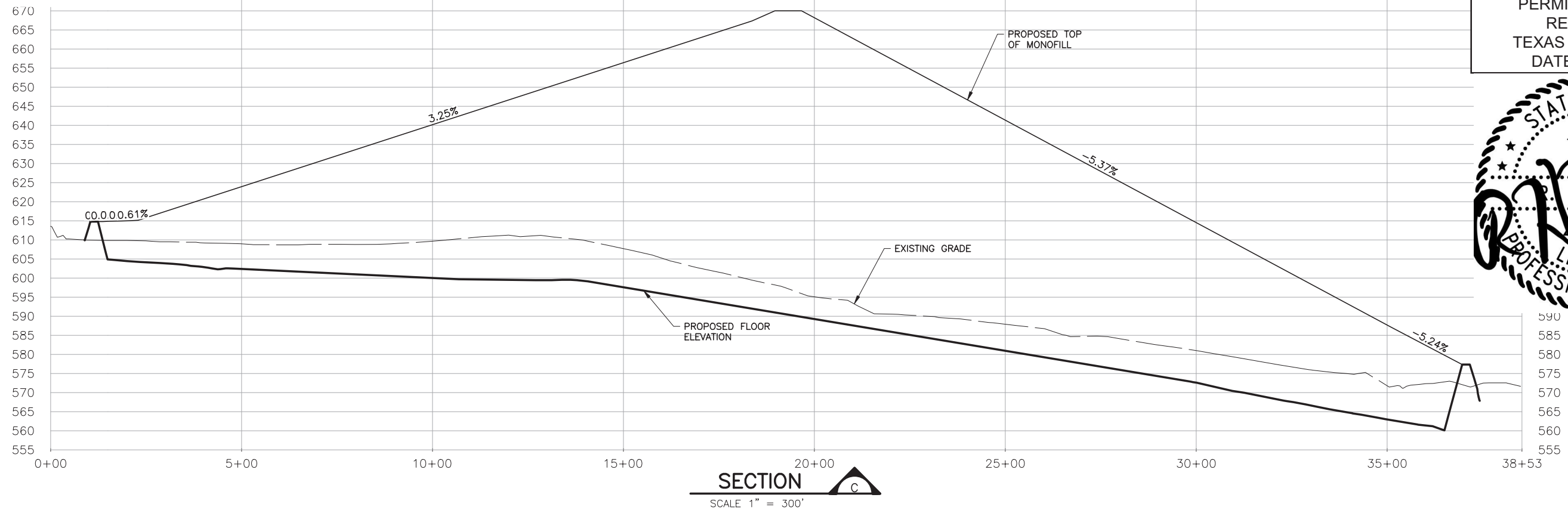
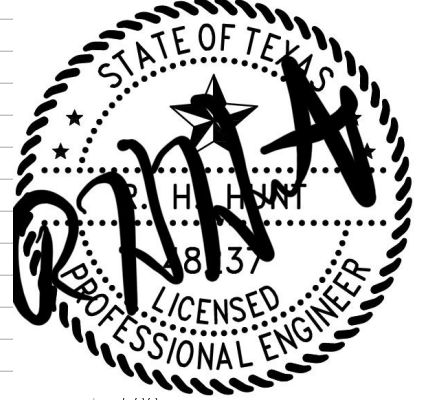
- LEGEND
- PROPOSED 1 FT MONOFILL CONTOURS
  - - - EXISTING 1 FT CONTOURS
  - 10 FT USGS SURFACE CONTOURS

ATTACHMENT K.2-1  
 NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
 RESIDUALS DISPOSAL MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
 EAST MONOFILL PLAN VIEW

TEXAS REGISTERED ENGINEERING FIRM F-13  
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THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.  
 REX H. HUNT  
 TEXAS P.E. NO. 48237  
 DATE: 02/01/2022



**ATTACHMENT K.2-2  
 NORTH TEXAS MUNICIPAL WATER DISTRICT  
 NORTH TEXAS MUNICIPAL WATER DISTRICT WATER TREATMENT  
 RESIDUALS DISPOSAL MONOFILL  
 RESIDUALS SURFACE DISPOSAL MONOFILL NEW PERMIT APPLICATION  
 EAST MONOFILL SECTIONS**

TEXAS REGISTERED ENGINEERING FIRM F-13  
 3/12/2021 4:12 PM L:\Projects\0326\114-01\2-0 Wrk Prod\2-1 ACAD\FIGURES\MONOFILL\_TOP\_7.dwg Briand

# **DRAFT PERMIT (VERSION 1) ISSUANCE**

## Pierce, Ryan

---

**From:** Shemica Wilford <Shemica.Wilford@tceq.texas.gov>  
**Sent:** Friday, March 4, 2022 4:23 PM  
**To:** Pierce, Ryan; tmarkham@ntmwd.com  
**Cc:** Brian Sierant  
**Subject:** WQ0005323000 North Texas Municipal Water District  
**Attachments:** WQ0005323000.pdf

To whom it may concern,

Attached for your review, is the letter, DRAFT permit, NAPD, and statement of basis/technical summary, for Permit WQ0005323000 North Texas Municipal Water District

Please submit any **comments and/or approval** no later than, **Friday, March 11, 2022**. If the comments and/ or approval are not received by the given deadline, it may cause significant delays in the permit process. Please contact Brian Sierant with your comments and/ or approval to: [Brian.Sierant@tceq.texas.gov](mailto:Brian.Sierant@tceq.texas.gov) .

Thank you,

Shemica Wilford  
Customer Information Assistance (CIA)  
Water Quality Division  
Texas Commission on Environmental Quality (TCEQ)  
[Shemica.Wilford@tceq.texas.gov](mailto:Shemica.Wilford@tceq.texas.gov)

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

Mr. Ryan Pierce, Program Manager  
Plummer Associates, Inc.  
6300 La Calma Drive, Suite 400  
Austin, Texas 78752

Re: North Texas Municipal Water District - Proposed TCEQ Permit No. WQ0005323000  
(CN601365448; RN111289740)

Dear Mr. Pierce:

Enclosed for your review and comment is a copy of a draft proposed permit and technical summary for the above-referenced operation. This draft permit is subject to further staff review and modification; however, we believe it generally includes the terms and conditions that are appropriate to your application. Please read the entire draft carefully and note the following:

The draft permit will be issued to expire five years from date of issuance in accordance with 30 Texas Administrative Code, Chapter 312.

Also enclosed for your review and comment is a copy of the draft combined Notice of Receipt and Intent to Obtain a Water Quality Permit and the Notice of Application and Preliminary Decision for Water Treatment Residuals Disposal Permit, that was prepared for your application. Please review this notice and provide comments if there are any inaccuracies or any information that is not consistent with your application. Please do not publish the notice at this time; after the draft permit is filed with the Office of Chief Clerk, you will receive instructions for publishing this notice in a newspaper from the Chief Clerk.

Please submit your comments prior to the deadline that is indicated on the form. If your comments are not received by the deadline, the draft permit will be transferred to the Office of Chief Clerk and comments received after this date will not be considered. Please see the enclosed form for further details.



If you have any comments or questions, please contact me at (512) 239-1375 or if by correspondence, include MC 150 in the letterhead address following my name.

Sincerely,

Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessment Section (MC 150)  
Water Quality Division  
Texas Commission on Environmental Quality

Enclosures

ccs: Mr. Travis Markham, Program Manager, North Texas Municipal Water District, P.O. Box 2408,  
Wylie, Texas 75098  
TCEQ Region 4

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **COMBINED NOTICE OF RECEIPT OF APPLICATION AND INTENT (NORI) TO OBTAIN A WATER QUALITY PERMIT AND NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR WATER TREATMENT RESIDUALS DISPOSAL PERMIT** **NEW**

**PERMIT NO. WQ0005323000**

**APPLICATION AND PRELIMINARY DECISION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0005323000, to authorize the disposal of water treatment plant residuals on an approximately 310 acre monofill. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on May 19, 2021.

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

**The applicant is publishing a combined NORI and NAPD because the NORI published on September 29, 2021 in the *Dallas Morning News* newspaper contained the incorrect title. The applicant has applied for a Water Treatment Residuals Disposal Permit and not for a Sewage Sludge or Biosolids Surface Disposal Permit. Water Treatment Residuals are defined as material generated during the treatment of either surface water or groundwater for potable use, which is not an industrial solid waste.**

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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 exact location, refer to application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f816825of&marker=-96.3231%2C33.0928&level=12>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date \_\_\_\_\_

## **TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION**

### DESCRIPTION OF APPLICATION

Applicant: North Texas Municipal Water District

TCEQ Permit No.: WQ0005323000

Regulated Activity: Water Treatment Plant (WTP) Residuals Disposal via Monofill

Type of Application: Permit

Request: New

Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

### EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC Chapter 312, and THSC section 361.121.

### REASON FOR PROJECT PROPOSED

North Texas Municipal Water District has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Permit No. WQ0005323000 to authorize the disposal of water treatment plant residuals on an approximately 310-acre monofill.

### PROJECT DESCRIPTION AND LOCATION

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

### PROPOSED PERMIT CONDITIONS

Provisions are included in the draft permit according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The draft permit will authorize the disposal of WTP residuals at a maximum rate of 51,000 dry tons per year on 310 acres of land used as a monofill.

### SUMMARY OF CHANGES FROM APPLICATION

None.

### SUMMARY OF CHANGES FROM EXISTING PERMIT

None. This is a new permit.

### BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

Application submitted on May 19, 2021 and additional information submitted on August 12, 2021 and February 1, 2022.

### 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, 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 proceeding.

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 Brian Sierant at (512) 239-1375.

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Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

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Date



PERMIT NO. WQ0005323000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISPOSE OF WATER TREATMENT PLANT RESIDUALS

under provisions of Chapter 26 of the Texas Water Code and under provision of Texas Health & Safety Code Ann. Chapter 361 (Vernon) and Chapter 312 of the Texas Administrative Code.

**I. PERMITTEE**

North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

**II. AUTHORIZATION**

Disposal via Monofill of Water Treatment Plant (WTP) Residuals. (SIC Code 4941).

**III. GENERAL DESCRIPTION AND LOCATION OF SITE**

**Description:** The North Texas Municipal Water District WTP Residuals Disposal Site consists of a 310 acre monofill that is authorized for the disposal of WTP residuals at a maximum rate of 51,000 dry tons per year.

**Location:** The residuals disposal site is located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. (See Attachment A).

**Drainage Basin:** The residuals disposal site is located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

The permittee is authorized to dispose of WTP residuals in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with applicable rules and regulations of the TCEQ. The permittee must handle and dispose of the residuals in accordance with all applicable state and federal regulations to protect public health and the environment. This permit does not authorize any invasion of personal rights nor any violation of federal, state or local laws or regulations.

This permit and the authorization contained herein shall expire at midnight five years from the date issued.

ISSUED DATE:

---

For the Commission

APP 000224



#### IV. GENERAL PROVISIONS

The permittee is authorized to dispose of WTP residuals in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations to protect public health and the environment from any reasonable anticipated adverse effects due to any toxic pollutants which may be present.

##### A. General Requirements

1. No hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste, will be accepted, stored, processed, or disposed of at this site.
2. The permittee shall give 180 days prior notice to the Executive Director of the TCEQ of any change planned in the residuals disposal practice or prior to start of any construction which would decrease or increase the disposal capacity of the solid waste disposal facility.
3. Residuals placed on an active residuals unit shall not contaminate an aquifer. Results of a groundwater monitoring program developed by a qualified groundwater scientist or a certification by a qualified groundwater scientist shall be used to demonstrate that the residuals placed on an active residuals disposal unit do not contaminate an aquifer. All necessary steps to protect groundwater from contamination by residuals or liquids from the confinement facility shall be taken.
4. Equipment capable of managing storm water runoff on the monofill site following a 25-year, 24-hour rainfall event shall be available for use at the site at all times.
5. Waste control facilities shall be isolated from storm water run-on by berms or diversion terraces. The permittee shall not take any action which will divert rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
6. All WTP residuals shall be disposed of in a manner such that contamination of surface and ground waters is prevented and such that nuisance conditions (such as insect infestations or objectionable odors) are controlled. Any areas on which WTP residuals are stockpiled shall be isolated by dikes, terraces, and terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
7. Off-site discharge of recovered liquids from the disposal area is prohibited. The facility shall be managed so as to prevent ponding of process generated liquids on the ground, prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions.
8. All facilities including ponds, pipes, ditches, and pumps shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to waters in the State.
9. Water retention facilities for storage of runoff that has not come into contact with waste do not require lining to control seepage. Water retention facilities for storage of water that have come into contact with WTP residuals shall be lined to control seepage in one of the following manners:
  - a. In-situ or placed and compacted clay soils meeting the following requirements:
    - i. more than or equal to 30% passing a No. 200 mesh sieve;
    - ii. liquid limit greater than 30%;

- iii. plasticity index greater than 15;
  - iv. a minimum thickness of 12 inches;
  - v. permeability equal to or less than  $1 \times 10^{-7}$  cm/sec; and
  - vi. soil compaction will be 95% standard proctor at optimum moisture content.
- b. Membrane lining with a minimum thickness of 20 mils, and an underdrain leak detection system.
  - c. An alternate method of pond lining may be utilized with prior approval from the Executive Director.

The permittee shall furnish certification by a Professional Engineer licensed in Texas that any pond lining for ponds constructed after the issuance date of this permit meets the appropriate criteria prior to utilization. The certification shall be sent to the TCEQ Land Application Team (MC 150) and the TCEQ Regional Office (MC Region 4).

#### B. Management Practices

1. No residuals failing the Toxicity Characteristic Leaching Procedure (TCLP) test shall be transported to this site.
2. All residuals disposal operations shall be operated so as to minimize odor and nuisance conditions and prevent contamination of ground or surface waters.
3. The permittee shall maintain a minimum of a 150-foot buffer zone from all private drinking water wells, and a minimum buffer distance of 500 feet shall be maintained from public water supply wells and the residuals disposal areas.
4. Residuals shall not be placed on an active residuals disposal unit if it is likely to adversely affect a threatened or endangered species of plant, fish or wildlife listed under the Endangered Species Act, §4, or its designated critical habitat.
5. An active residuals disposal unit shall not restrict the flow of the 100-year flood.
6. An active residuals disposal unit shall not be located in an unstable area.
7. An active residuals disposal unit shall not be located in a wetland except as provided in permit issued pursuant to the federal Clean Water Act §402 or §404.
8. Runoff from an active residuals disposal unit shall be collected and disposed in accordance with the applicable requirements. The runoff collection system for an active residuals disposal unit shall have the capacity to handle runoff from a 25-year, 24-hour rainfall event.
9. A food crop, feed crop, or a fiber crop shall not be grown on an active residuals disposal unit.
10. Animals shall not graze on the active residuals disposal unit.
11. Public access to a disposal unit shall be restricted during the period that the disposal site contains an active residuals disposal unit and for a period of three years after the last active residuals disposal unit in the disposal site closes. The facility entrances will be closed and locked outside of normal operating hours. The perimeter fence shall be monitored and

repaired as needed to maintain site security. Waste transporters will be restricted to the designated unloading areas only.

12. Residuals placed on an active residuals disposal unit shall not contaminate an aquifer.
13. No residuals with a polychlorinated biphenyl (PCB) concentration of greater than or equal to 50 mg/kg (dry weight basis) shall be transported to this facility.

#### C. Testing Requirements

TCLP Test - Once during the term of the permit

WTP residuals shall be tested in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix TCLP or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1.

PCBs - Once during the term of the permit

WTP residuals shall be tested in accordance with the method specified in 40 CFR Part 136, pertaining to PCBs or other method that receives the prior approval of the TCEQ.

#### D. Record Keeping Requirements

The permittee shall develop and keep records of all residuals disposal activities and shall be made available to TCEQ upon request. Such records will include the following information:

1. the results of TCLP and PCB testing performed in accordance with Provision IV.C;
2. a description of how the management practices listed above in IV.B. are being met;
3. dates of disposal and quantities (in dry tons) of residuals from each source.

The above records shall be maintained on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for 5 years or for the duration of the permit, whichever is longer.

#### E. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (Region 4) and to the Water Quality Land Application Team (MC 150) of the Water Quality Division, by September 30<sup>th</sup> (report period September 1<sup>st</sup> of previous year through August 31<sup>st</sup> of current year) of each year the "Annual Disposal Summary Report Form" (Attachment C) and the following information:

1. the frequency of monitoring listed in Provision IV.C which applies to the permittee;
2. results of tests performed for TCLP and PCBs in accordance with Provision IV.C;
3. dates of disposal and quantities (dry tons) of residuals from each source;
4. verification statement listed in 30 TAC §312.67(a)(2)(B) shall be attached to the annual reporting form; and

5. continuing evidence of financial responsibility to assure the commission that the responsible owner or operator has sufficient assets to properly operate the site and to provide proper closure and post-closure. This assurance for the proper operation of the site may be in the form of performance bonds, letters of credit from recognized financial institutions, trust funds, or insurance. Unless otherwise notified by the TCEQ of the need for additional documentation, the permittee is not required to provide further evidence of financial responsibility pertaining to this permit.

F. Closure Requirements

The permittee shall submit a written "closure and post closure plan" to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the date that the active residuals disposal unit closes. Closure is the act of the permanent removal from service of the disposal unit regulated by this permit.

**V. FACILITY DESIGN, CONSTRUCTION, AND OPERATION**

A. General Design and Construction

1. Facility design, construction, and operation must comply with this permit, the TCEQ rules, and be in accordance with the site development plan for the construction and the operation approved herein.
2. The entire waste control facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste or contamination, and to prevent inundation of and discharge from the areas surrounding the facility components. Each receiving and disposal area shall be provided with a containment system which will collect spills and incident precipitation in such a manner as to:
  - a. preclude the release of any contaminated runoff, spills, or precipitation;
  - b. prevent washout of any waste by a 100-year storm; and
  - c. prevent run-on into the disposal area.
3. All recovered water shall be managed as specified in General Provision IV.A.4.
4. Final Cover: At a minimum, final cover shall consist of two feet of soil/clay. The coefficient of permeability of the final cover shall not exceed that of the liner.

B. General Operational Requirements

The site and monofill shall be managed and operated in accordance with the most recent and applicable rules adopted by the Commission relating to WTP residuals monofills.

**VI. STANDARD PROVISIONS**

- A. This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.
- B. Unless specified otherwise, any noncompliance which may endanger human health or safety, or the environment must be reported to the TCEQ. Report of such information must be provided orally or by facsimile transmission (FAX) to the TCEQ Regional Office (MC Region 4) within 24 hours of becoming aware of the noncompliance. A written submission of such information must also be provided to the TCEQ Regional Office (MC Region 4) and to the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission must 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 anticipated 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.
- C. Acceptance of this permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions, limitations and restrictions embodied in this permit and with the rules and other Orders of the Commission and the laws of the State of Texas. Agreement is a condition precedent to the granting of this permit.
- D. Prior to any transfer of this permit, Commission approval must be obtained. The Commission should be notified, in writing, of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Water Quality Land Application Team (MC 150).
- E. 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 must control.
- F. The permittee is subject to the provisions of 30 TAC Section 305.125.
- G. Any proposed site changes, addition of land area, or expansion in the capacity which have not been addressed by the terms of this permit must be authorized in accordance with the TCEQ permit amendment or modification rules 30 TAC Chapter 305.
- H. According to 30 TAC §305.125(10) inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28 and the Texas Solid Waste Disposal Act.

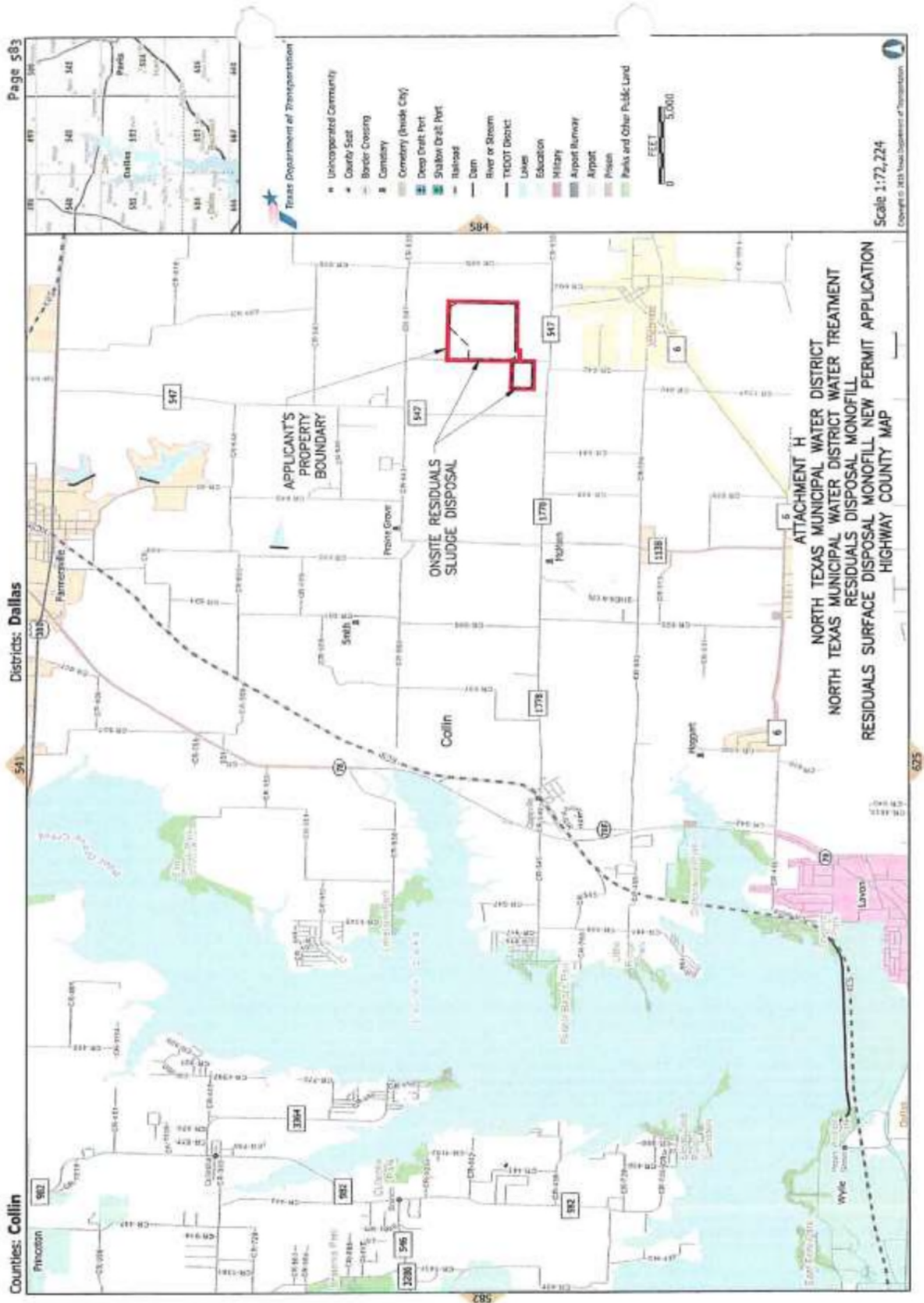
**VII. SPECIAL PROVISIONS**

- A. The permittee is authorized to dispose of WTP residuals at a maximum rate of 51,000 dry tons per year within the 310 acre monofill indicated on Attachment B. No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste will be accepted, stored, processed, or disposed of within the disposal unit.
- B. Prior to the commencement of the disposal of the WTP residuals, the permittee shall complete the installation of the monofill liner which meets the definition and requirements of 30 TAC §312.8(61). The installation process must use industry-standard quality assurance and quality control methods. The soil or synthetic material must have a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/sec) or less. Soil liners must consist of suitable material along the sides and bottom of the disposal areas, with more than 30% passing a number 200 mesh sieve, a liquid limit greater than 30%; a plasticity index greater than 15, compaction greater than 95% Standard Proctor at optimum moisture content, and will be at least two feet thick placed in six-inch lifts.

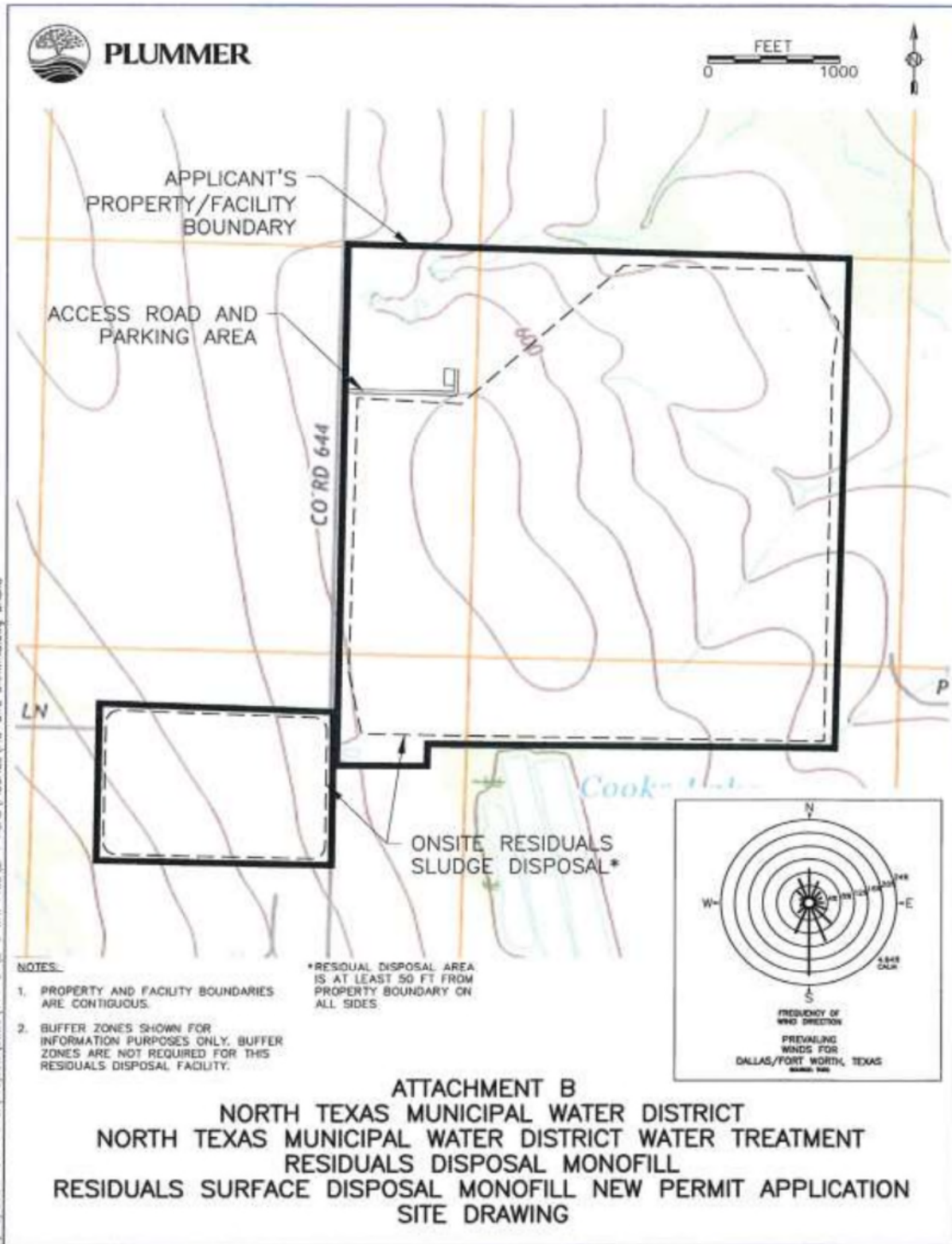
The permittee shall furnish certification by a Texas Licensed Professional Engineer that the completed lining meets these requirements prior to use of the WTP residuals monofill. The certification shall be submitted to the TCEQ Regional Office (MC Region 4), Water Quality Assessment Team (MC 150) and Plans and Specifications Review Team (MC 148) of the Water Quality Division. A copy of the liner certification shall be available at the monofill site for inspection by authorized representatives of the TCEQ.

- C. Containment structures shall be isolated from stormwater run-on by berms or diversion terraces. The permittee shall not take any action which will divert rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
- D. WTP residuals deposited in the waste control facilities shall be disposed of so that no contamination of surface waters can occur. The WTP residuals shall be disposed of in a manner to prevent any possible nuisance conditions and to prevent the contamination of surface and ground waters. Any areas on which the WTP residuals is stockpiled shall be isolated by dikes, terraces, or terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
- E. To prevent erosion conditions from occurring, native vegetative cover shall be maintained on disposal areas that have reached capacity year-round.
- F. The permittee shall give 180 days prior notice to the Executive Director of any change planned in the disposal practice.
- G. All facilities including ponds, pipes, ditches, pumps, and disposal equipment shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to water in the State.

Attachment A



Attachment B



TEXAS REGISTERED ENGINEERING FIRM F-13  
3/12/2021 4:44 PM L:\Projects\0328\114-01\2-D Wk Fm\A-2-1 ACH\FIGURES\114-SITE DRAWING.dwg Brond



Attachment C

# Annual Disposal Summary Report Form

(Water Treatment Plant Residuals Only)

Note 1: Please place this form at the top of your Annual Disposal Report.

Note 2: If you operate other registered/permittted site, then fill-out this form for each one of those sites.

Note 3: Also send one complete copy of your report and this form to local TCEQ regional office.

For TCEQ Fiscal Year _____	Reporting period: From September 1, _____	to August 31, _____
Permit No: _____	Date _____	
Name of Permittee: _____		
Mailing Address: _____		
Contact Person _____	Name _____	Telephone No: _____

a. Amount of Water Treatment Plant Residuals Disposed: \_\_\_\_\_ dry tons

b. Acreage used for disposal at this site: \_\_\_\_\_ acres

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**PLEASE MAIL THE COMPLETED ANNUAL REPORT TO:**

Texas Commission on Environmental Quality  
Land Application Team (MC 150)  
Water Quality Assessment Section  
P.O. Box 13087  
Austin, TX 78711-3087

## Pierce, Ryan

---

**From:** Pierce, Ryan  
**Sent:** Wednesday, April 20, 2022 4:33 PM  
**To:** Brian Sierant  
**Cc:** Jerry Allen; Travis Markham; Davis, Alan; Hunt, Rex; English, Jenni  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District  
**Attachments:** 20220420\_DraftPermitCommentLetter\_final\_signed.pdf; 20220420\_WQ0005323000\_Comments for TCEQ.pdf

Hi Brian,

Thank you again for working with us and providing us with the draft copy of the monofill permit and permit package, and thank you for being patient as we worked through our comments. I've attached a permit comment letter with our proposed edits as well as the draft permit. I left a voicemail with you earlier this afternoon to discuss but wasn't able to reach you. I'll follow up back up tomorrow morning to discuss our proposed edits. Thanks again -

Respectfully,

**Ryan Pierce, PE**

*Project Manager II*

Plummer

**P:** 512.452.5905

**D:** 972.996.5730

[www.plummer.com](http://www.plummer.com)

---

**From:** Brian Sierant <brian.sierant@tceq.texas.gov>  
**Sent:** Friday, April 8, 2022 4:16 PM  
**To:** Pierce, Ryan <rpierce@plummer.com>  
**Cc:** Jerry Allen <jallen@NTMWD.COM>; Travis Markham <tmarkham@NTMWD.COM>; Davis, Alan <adavis@plummer.com>; Hunt, Rex <rhunt@plummer.com>; English, Jenni <jenglish@plummer.com>  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

Good afternoon Ryan,

Yes. We can allow additional time for you to get comments back to the TCEQ. After speaking with my management on this, we would like to at the latest, get a response by April 20<sup>th</sup>.

Thanks,

**Brian Sierant, Biosolids Work Leader**

[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)

Texas Commission on Environmental Quality

Water Quality Division

Land Application Team (MC 150)

P.O. Box 13087

Austin, Texas 78711-3087

Ph: 512-239-1375



---

**From:** Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>  
**Sent:** Friday, March 18, 2022 8:38 AM  
**To:** Brian Sierant <[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)>  
**Cc:** Shemica Wilford <[Shemica.Wilford@tceq.texas.gov](mailto:Shemica.Wilford@tceq.texas.gov)>; Jerry Allen <[jallen@NTMWD.COM](mailto:jallen@NTMWD.COM)>; Travis Markham <[tmarkham@NTMWD.COM](mailto:tmarkham@NTMWD.COM)>; Davis, Alan <[adavis@plummer.com](mailto:adavis@plummer.com)>; Hunt, Rex <[rhunt@plummer.com](mailto:rhunt@plummer.com)>; English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

Hi Brian,  
Just wanted to follow back up with you after our discussion yesterday afternoon. To confirm, we would like some additional time to provide comments back on the draft permit, which you indicated yesterday would not be a problem. Could you confirm we can have some additional time to get comments back to the TCEQ on the draft monofill permit and permit package? I would anticipate needing a couple additional weeks but during our call yesterday it sounded like the timing on a response was not urgent on your end.  
Thanks for working with us on this -

**Ryan Pierce, PE**  
*Project Manager II*  
Plummer

**P:** 512.452.5905  
**D:** 972.996.5730  
[www.plummer.com](http://www.plummer.com)

---

**From:** Jerry Allen <[jallen@NTMWD.COM](mailto:jallen@NTMWD.COM)>  
**Sent:** Thursday, March 10, 2022 1:59 PM  
**To:** Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>; Travis Markham <[tmarkham@NTMWD.COM](mailto:tmarkham@NTMWD.COM)>  
**Cc:** Davis, Alan <[adavis@plummer.com](mailto:adavis@plummer.com)>; Hunt, Rex <[rhunt@plummer.com](mailto:rhunt@plummer.com)>; English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

We received an extension from Brian Sierant until 3/18/2022 to provide comments.

Thank you,

**Jerry Allen**  
Permitting Manager  
North Texas Municipal Water District  
P.O. Box 2408  
Wylie, TX 75098-2408  
O: (469) 626-4634  
M: (214) 212-6153  
[jallen@ntmwd.com](mailto:jallen@ntmwd.com)

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**From:** Shemica Wilford <[Shemica.Wilford@tceq.texas.gov](mailto:Shemica.Wilford@tceq.texas.gov)>  
**Sent:** Friday, March 4, 2022 4:23 PM  
**To:** Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>; [tmarkham@ntmwd.com](mailto:tmarkham@ntmwd.com)  
**Cc:** Brian Sierant <[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)>  
**Subject:** WQ0005323000 North Texas Municipal Water District

To whom it may concern,

Attached for your review, is the letter, DRAFT permit, NAPD, and statement of basis/technical summary, for Permit WQ0005323000 North Texas Municipal Water District

Please submit any **comments and/or approval** no later than, **Friday, March 11, 2022**. If the comments and/ or approval are not received by the given deadline, it may cause significant delays in the permit process. Please contact Brian Sierant with your comments and/ or approval to: [Brian.Sierant@tceq.texas.gov](mailto:Brian.Sierant@tceq.texas.gov) .

Thank you,

Shemica Wilford  
Customer Information Assistance (CIA)  
Water Quality Division  
Texas Commission on Environmental Quality (TCEQ)  
[Shemica.Wilford@tceq.texas.gov](mailto:Shemica.Wilford@tceq.texas.gov)



# PLUMMER

0326-114-01

April 20, 2022

Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessment Section (MC 150)  
Water Quality Division  
Texas Commission on Environmental Quality

Re: North Texas Municipal Water District (CN601365448)  
North Texas Municipal Water District Water Treatment Residuals Disposal Monofill  
(RN111289740)  
Application for New Water Treatment Residuals Disposal Monofill Permit No. WQ0005323000

Dear Mr. Sierant,

On behalf of the North Texas Municipal Water District (NTMWD), Plummer reviewed your letter sent via email on March 4, 2022, which transmitted the draft Water Treatment Residuals Disposal Monofill permit (Draft Permit), Technical Summary and Executive Director's Preliminary Decision (Technical Summary), and the combined Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) and Notice of Application and Preliminary Decision for Water Treatment Residuals Disposal Permit (NAPD) for the above referenced permit. This letter provides comments and requests revisions to the Draft Permit, NORI, NAPD, and Technical Summary. Please also review the enclosed pdf containing each of the following comments.

1. **NORI and NAPD, Technical Summary and Draft Permit, Throughout.** NTMWD requests that all references of "WTP residuals" be changed to "[water treatment residuals](#)" throughout the document.
2. **Draft Permit (Page 1).** Please change the name of the facility from "North Texas Municipal Water District WTP Residuals Disposal Site" to "[North Texas Municipal Water District Water Treatment Residuals Disposal Monofill](#)".
3. **NORI and NAPD (Page 1), Technical Summary (Page 1), and Draft Permit (Page 1, 2, & 7).** Please revise the authorization to include processing and storage in addition to disposal.
4. **Technical Summary (Page 1), Draft Permit (Page 1 & 7).** Please revise the dry solids to be disposed from 51,000 dry tons/year to 100,000 dry tons/year. Due to accelerated projections of population growth within the NTMWD service area, as well as updated residuals productions data, NTMWD has updated their maximum future annual water demand projections and a maximum dry solids production rate of 100,000 dry tons/year.

5. **Draft Permit (Page 2).** Please remove the sentence in General Provisions (A)(3) stating:

“Results of a groundwater monitoring program developed by a qualified groundwater scientist or a certification by a qualified groundwater scientist shall be used to demonstrate that the residuals placed on an active residuals disposal unit do not contaminate an aquifer.”

Per the permit requirements of Special Provisions B, a soil liner consistent with the design requirements in 30 TAC §312.8(61) will be incorporated to minimize seepage and avoid aquifer contamination.

6. **Draft Permit (Page 2 & 7).** NTMWD requests the following revision to General Provisions (A)(5) and Special Provisions (C):

“The permittee shall not take any action which will ~~divert~~ increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.”

7. **Draft Permit (Page 2).** Please change “prohibited” to “not authorized by this permit” in General Provisions (A)(7) as follows:

“Off-site discharge of recovered liquids from the disposal area is ~~prohibited~~ not authorized by this permit.”

8. **Draft Permit (Page 5).** NTMWD requests the following changes to General Provisions (F) for clarity of when a plan needs to be submitted:

“The permittee shall submit a written “closure and post closure plan” to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the ~~date that the active residuals disposal unit closes~~ anticipated date of the monofill closure. Closure is the act of the permanent removal from service of the ~~disposal unit~~ monofill regulated by this permit.”

9. **Draft Permit (Page 7).** Please change “will” to “shall” in Special Provisions (A) as follows:

“No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste ~~will~~ shall be accepted, stored, processed, or disposed of within the disposal unit.”

10. **Draft Permit (Page 7).** Please revise Special Provisions (B) as follows:

“... compaction greater than 95% Standard Proctor at optimum moisture content, and ~~will~~ shall be at least two feet thick placed in six-inch lifts, or provide an equivalent level of groundwater protection.”

11. **Draft Permit (Page 7).** NTMWD proposals removal of “any possible” from Special Provisions (D) as follows:

“The WTP residuals shall be disposed of in a manner to prevent ~~any possible~~ nuisance conditions and to prevent the contamination of surface and ground waters.”

12. **Draft Permit (Page 7).** NTMWD proposes the addition of Special Provisions H:

“H. This permit does not preclude the disposal of water treatment residuals from other water treatment facilities operated by NTMWD in the future, provided the combined annual disposal rate of all water treatment residuals disposed in the monofill does not exceed the maximum permitted annual disposal rate in the permit.”

Thank you for your attention to this matter. If you have any questions regarding this submittal, feel free to contact me at [rpierce@plummer.com](mailto:rpierce@plummer.com) or at (972) 996-5730.

Sincerely,

PLUMMER  
TBPE Firm Registration No. F-13

Ryan Pierce

Digitally signed by Ryan Pierce  
DN: C=US, E=rpierce@plummer.com,  
O=Plummer Associates, Inc.,  
CN=Ryan Pierce  
Date: 2022.04.20 15:30:51-05'00'

Ryan Pierce, PE  
Project Manager

Enclosure (1)

cc: Travis Markham, PE, North Texas Municipal Water District  
Jerry Allen, North Texas Municipal Water District

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

Mr. Ryan Pierce, Program Manager  
Plummer Associates, Inc.  
6300 La Calma Drive, Suite 400  
Austin, Texas 78752

Re: North Texas Municipal Water District - Proposed TCEQ Permit No. WQ0005323000  
(CN601365448; RN111289740)

Dear Mr. Pierce:

Enclosed for your review and comment is a copy of a draft proposed permit and technical summary for the above-referenced operation. This draft permit is subject to further staff review and modification; however, we believe it generally includes the terms and conditions that are appropriate to your application. Please read the entire draft carefully and note the following:

The draft permit will be issued to expire five years from date of issuance in accordance with 30 Texas Administrative Code, Chapter 312.

Also enclosed for your review and comment is a copy of the draft combined Notice of Receipt and Intent to Obtain a Water Quality Permit and the Notice of Application and Preliminary Decision for Water Treatment Residuals Disposal Permit, that was prepared for your application. Please review this notice and provide comments if there are any inaccuracies or any information that is not consistent with your application. Please do not publish the notice at this time; after the draft permit is filed with the Office of Chief Clerk, you will receive instructions for publishing this notice in a newspaper from the Chief Clerk.

Please submit your comments prior to the deadline that is indicated on the form. If your comments are not received by the deadline, the draft permit will be transferred to the Office of Chief Clerk and comments received after this date will not be considered. Please see the enclosed form for further details.



If you have any comments or questions, please contact me at (512) 239-1375 or if by correspondence, include MC 150 in the letterhead address following my name.

Sincerely,

Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessment Section (MC 150)  
Water Quality Division  
Texas Commission on Environmental Quality

Enclosures

ccs: Mr. Travis Markham, Program Manager, North Texas Municipal Water District, P.O. Box 2408,  
Wylie, Texas 75098  
TCEQ Region 4

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **COMBINED NOTICE OF RECEIPT OF APPLICATION AND INTENT (NORI) TO OBTAIN A WATER QUALITY PERMIT AND NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR WATER TREATMENT RESIDUALS DISPOSAL PERMIT** **NEW**

**PERMIT NO. WQ0005323000**

insert: "processing, storage, and"

**APPLICATION AND PRELIMINARY DECISION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0005323000, to authorize the disposal of water treatment plant residuals on an approximately 310 acre monofill. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on May 19, 2021.

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

**The applicant is publishing a combined NORI and NAPD because the NORI published on September 29, 2021 in the *Dallas Morning News* newspaper contained the incorrect title. The applicant has applied for a Water Treatment Residuals Disposal Permit and not for a Sewage Sludge or Biosolids Surface Disposal Permit. Water Treatment Residuals are defined as material generated during the treatment of either surface water or groundwater for potable use, which is not an industrial solid waste.**

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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 exact location, refer to application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f816825of&marker=-96.3231%2C33.0928&level=12>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date \_\_\_\_\_

# TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

## DESCRIPTION OF APPLICATION

Applicant: North Texas Municipal Water District  
TCEQ Permit No.: WQ0005323000  
Regulated Activity: Water Treatment Plant (~~WTP~~) Residuals Disposal via Monofill  
Type of Application: Permit  
Request: New  
Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

## EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC Chapter 312, and THSC section 361.121.

## REASON FOR PROJECT PROPOSED

North Texas Municipal Water District has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Permit No. WQ0005323000 to authorize the disposal of water treatment plant residuals on an approximately 310-acre monofill.

insert: "processing, storage, and"

## PROJECT DESCRIPTION AND LOCATION

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

## PROPOSED PERMIT CONDITIONS

Provisions are included in the draft permit according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The draft permit will authorize the disposal of ~~WTP~~ residuals at a maximum rate of ~~51,000~~ dry tons per year on 310 acres of land used as a monofill.

insert: "processing, storage, and"

## SUMMARY OF CHANGES FROM APPLICATION

None.

insert: "100,000"

insert: "water treatment"

## SUMMARY OF CHANGES FROM EXISTING PERMIT

None. This is a new permit.

### BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

Application submitted on May 19, 2021 and additional information submitted on August 12, 2021 and February 1, 2022.

### 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, 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 proceeding.

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.

North Texas Municipal Water District  
Permit No. WQ0005323000  
Technical Summary and Executive Director's Preliminary Decision

For additional information about this application, contact Brian Sierant at (512) 239-1375.

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Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

---

Date



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISPOSE OF WATER TREATMENT PLANT RESIDUALS

under provisions of Chapter 26 of the Texas Water Code and under provision of Texas Health & Safety Code Ann. Chapter 361 (Vernon) and Chapter 312 of the Texas Administrative Code.

**I. PERMITTEE**

North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

**II. AUTHORIZATION**

Disposal via Monofill of Water Treatment Plant (~~WTP~~) Residuals. (SIC Code 4941).

**III. GENERAL DESCRIPTION AND LOCATION OF SITE**

insert: "North Texas Municipal Water District Water Treatment Residuals Disposal Monofill"

**Description:** The ~~North Texas Municipal Water District WTP Residuals Disposal Site~~ consists of a 310 acre monofill that is authorized for the disposal of ~~WTP~~ residuals at a maximum rate of ~~51,000~~ dry tons per year.

insert: "water treatment"

**Location:** The residuals disposal site is located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. (See Attachment A).

insert: "100,000"

**Drainage Basin:** The residuals disposal site is located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

insert: "process, store, and dispose of water treatment residuals"

The permittee is authorized to ~~dispose of WTP~~ residuals in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with applicable rules and regulations of the TCEQ. The permittee must handle and dispose of the residuals in accordance with all applicable state and federal regulations to protect public health and the environment. This permit does not authorize any invasion of personal rights nor any violation of federal, state or local laws or regulations.

This permit and the authorization contained herein shall expire at midnight five years from the date issued.

ISSUED DATE:

\_\_\_\_\_  
For the Commission



**IV. GENERAL PROVISIONS**

insert: "process, store, and dispose of water treatment residuals"

The permittee is authorized to ~~dispose of WTP~~ residuals in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations to protect public health and the environment from any reasonable anticipated adverse effects due to any toxic pollutants which may be present.

**A. General Requirements**

- 1. No hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste, will be accepted, stored, processed, or disposed of at this site.
- 2. The permittee shall give 180 days prior notice to the Executive Director of the TCEQ of any change planned in the residuals disposal practice or prior to start of any construction which would decrease or increase the disposal capacity of the solid waste disposal facility.
- 3. Residuals placed on an active residuals unit shall not contaminate an aquifer. ~~Results of a groundwater monitoring program developed by a qualified groundwater scientist or a certification by a qualified groundwater scientist shall be used to demonstrate that the residuals placed on an active residuals disposal unit do not contaminate an aquifer.~~ All necessary steps to protect groundwater from contamination by residuals or liquids from the confinement facility shall be taken.

- 4. Equipment capable of managing storm water runoff on the monofill site following a 25-year, 24-hour rainfall event shall be available for use at the site at all times. insert: "increase the volume"

- 5. Waste control facilities shall be isolated from storm water run-on by berms or diversion terraces. The permittee shall not take any action which will ~~divert~~ rainfall runoff onto the property of adjacent landowners without the permission of such landowners.

insert: "water treatment"

- 6. All ~~WTP~~ residuals shall be disposed of in a manner such that contamination of surface and ground waters is prevented and such that nuisance conditions (such as insect infestations or objectionable odors) are controlled. Any areas on which ~~WTP~~ residuals are stockpiled shall be isolated by dikes, terraces, and terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.

insert: "not authorized by this permit"

- 7. Off-site discharge of recovered liquids from the disposal area is ~~prohibited~~. The facility shall be managed so as to prevent ponding of process generated liquids on the ground, prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions.

- 8. All facilities including ponds, pipes, ditches, and pumps shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to waters in the State.

- 9. Water retention facilities for storage of runoff that has not come into contact with waste do not require lining to control seepage. Water retention facilities for storage of water that have come into contact with ~~WTP~~ residuals shall be lined to control seepage in one of the following manners:

insert: "water treatment"

- a. In-situ or placed and compacted clay soils meeting the following requirements:
  - i. more than or equal to 30% passing a No. 200 mesh sieve;
  - ii. liquid limit greater than 30%;

- iii. plasticity index greater than 15;
  - iv. a minimum thickness of 12 inches;
  - v. permeability equal to or less than  $1 \times 10^{-7}$  cm/sec; and
  - vi. soil compaction will be 95% standard proctor at optimum moisture content.
- b. Membrane lining with a minimum thickness of 20 mils, and an underdrain leak detection system.
  - c. An alternate method of pond lining may be utilized with prior approval from the Executive Director.

The permittee shall furnish certification by a Professional Engineer licensed in Texas that any pond lining for ponds constructed after the issuance date of this permit meets the appropriate criteria prior to utilization. The certification shall be sent to the TCEQ Land Application Team (MC 150) and the TCEQ Regional Office (MC Region 4).

#### B. Management Practices

1. No residuals failing the Toxicity Characteristic Leaching Procedure (TCLP) test shall be transported to this site.
2. All residuals disposal operations shall be operated so as to minimize odor and nuisance conditions and prevent contamination of ground or surface waters.
3. The permittee shall maintain a minimum of a 150-foot buffer zone from all private drinking water wells, and a minimum buffer distance of 500 feet shall be maintained from public water supply wells and the residuals disposal areas.
4. Residuals shall not be placed on an active residuals disposal unit if it is likely to adversely affect a threatened or endangered species of plant, fish or wildlife listed under the Endangered Species Act, §4, or its designated critical habitat.
5. An active residuals disposal unit shall not restrict the flow of the 100-year flood.
6. An active residuals disposal unit shall not be located in an unstable area.
7. An active residuals disposal unit shall not be located in a wetland except as provided in permit issued pursuant to the federal Clean Water Act §402 or §404.
8. Runoff from an active residuals disposal unit shall be collected and disposed in accordance with the applicable requirements. The runoff collection system for an active residuals disposal unit shall have the capacity to handle runoff from a 25-year, 24-hour rainfall event.
9. A food crop, feed crop, or a fiber crop shall not be grown on an active residuals disposal unit.
10. Animals shall not graze on the active residuals disposal unit.
11. Public access to a disposal unit shall be restricted during the period that the disposal site contains an active residuals disposal unit and for a period of three years after the last active residuals disposal unit in the disposal site closes. The facility entrances will be closed and locked outside of normal operating hours. The perimeter fence shall be monitored and

repaired as needed to maintain site security. Waste transporters will be restricted to the designated unloading areas only.

- 12. Residuals placed on an active residuals disposal unit shall not contaminate an aquifer.
- 13. No residuals with a polychlorinated biphenyl (PCB) concentration of greater than or equal to 50 mg/kg (dry weight basis) shall be transported to this facility.

C. Testing Requirements

TCLP Test - Once during the term of the permit

insert: "water treatment"

~~WTP~~ residuals shall be tested in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix TCLP or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1.

PCBs - Once during the term of the permit

~~WTP~~ residuals shall be tested in accordance with the method specified in 40 CFR Part 136, pertaining to PCBs or other method that receives the prior approval of the TCEQ.

D. Record Keeping Requirements

The permittee shall develop and keep records of all residuals disposal activities and shall be made available to TCEQ upon request. Such records will include the following information:

- 1. the results of TCLP and PCB testing performed in accordance with Provision IV.C;
- 2. a description of how the management practices listed above in IV.B. are being met;
- 3. dates of disposal and quantities (in dry tons) of residuals from each source.

The above records shall be maintained on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for 5 years or for the duration of the permit, whichever is longer.

E. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (Region 4) and to the Water Quality Land Application Team (MC 150) of the Water Quality Division, by September 30<sup>th</sup> (report period September 1<sup>st</sup> of previous year through August 31<sup>st</sup> of current year) of each year the "Annual Disposal Summary Report Form" (Attachment C) and the following information:

- 1. the frequency of monitoring listed in Provision IV.C which applies to the permittee;
- 2. results of tests performed for TCLP and PCBs in accordance with Provision IV.C;
- 3. dates of disposal and quantities (dry tons) of residuals from each source;
- 4. verification statement listed in 30 TAC §312.67(a)(2)(B) shall be attached to the annual reporting form; and

- 5. continuing evidence of financial responsibility to assure the commission that the responsible owner or operator has sufficient assets to properly operate the site and to provide proper closure and post-closure. This assurance for the proper operation of the site may be in the form of performance bonds, letters of credit from recognized financial institutions, trust funds, or insurance. Unless otherwise notified by the TCEQ of the need for additional documentation, the permittee is not required to provide further evidence of financial responsibility pertaining to this permit.

F. Closure Requirements

insert: "anticipated date of the monofill closure."

The permittee shall submit a written "closure and post closure plan" to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the ~~date that the active residuals disposal unit closes~~. Closure is the act of the permanent removal from service of the ~~disposal unit~~ regulated by this permit.

V. FACILITY DESIGN, CONSTRUCTION, AND OPERATION

insert: "monofill"

A. General Design and Construction

- 1. Facility design, construction, and operation must comply with this permit, the TCEQ rules, and be in accordance with the site development plan for the construction and the operation approved herein.
- 2. The entire waste control facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste or contamination, and to prevent inundation of and discharge from the areas surrounding the facility components. Each receiving and disposal area shall be provided with a containment system which will collect spills and incident precipitation in such a manner as to:
  - a. preclude the release of any contaminated runoff, spills, or precipitation;
  - b. prevent washout of any waste by a 100-year storm; and
  - c. prevent run-on into the disposal area.
- 3. All recovered water shall be managed as specified in General Provision IV.A.4.
- 4. Final Cover: At a minimum, final cover shall consist of two feet of soil/clay. The coefficient of permeability of the final cover shall not exceed that of the liner.

B. General Operational Requirements

The site and monofill shall be managed and operated in accordance with the most recent and applicable rules adopted by the Commission relating to ~~WTP~~ residuals monofills.

insert: "water treatment"

**VI. STANDARD PROVISIONS**

- A. This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.
- B. Unless specified otherwise, any noncompliance which may endanger human health or safety, or the environment must be reported to the TCEQ. Report of such information must be provided orally or by facsimile transmission (FAX) to the TCEQ Regional Office (MC Region 4) within 24 hours of becoming aware of the noncompliance. A written submission of such information must also be provided to the TCEQ Regional Office (MC Region 4) and to the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission must 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 anticipated 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.
- C. Acceptance of this permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions, limitations and restrictions embodied in this permit and with the rules and other Orders of the Commission and the laws of the State of Texas. Agreement is a condition precedent to the granting of this permit.
- D. Prior to any transfer of this permit, Commission approval must be obtained. The Commission should be notified, in writing, of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Water Quality Land Application Team (MC 150).
- E. 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 must control.
- F. The permittee is subject to the provisions of 30 TAC Section 305.125.
- G. Any proposed site changes, addition of land area, or expansion in the capacity which have not been addressed by the terms of this permit must be authorized in accordance with the TCEQ permit amendment or modification rules 30 TAC Chapter 305.
- H. According to 30 TAC §305.125(10) inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28 and the Texas Solid Waste Disposal Act.

**VII. SPECIAL PROVISIONS**

A. The permittee is authorized to ~~dispose of WTP~~ residuals at a maximum rate of ~~51,000~~ dry tons per year within the 310 acre monofill indicated on Attachment B. No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste ~~will~~ be accepted, stored, processed, or disposed of within the disposal unit.

insert: "process, store, and dispose of water treatment residuals"

insert: "100,000"

insert: "shall"

insert: "water treatment"

B. Prior to the commencement of the disposal of the ~~WTP~~ residuals, the permittee shall complete the installation of the monofill liner which meets the definition and requirements of 30 TAC §312.8(61). The installation process must use industry-standard quality assurance and quality control methods. The soil or synthetic material must have a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/sec) or less. Soil liners must consist of suitable material along the sides and bottom of the disposal areas, with more than 30% passing a number 200 mesh sieve, a liquid limit greater than 30%; a plasticity index greater than 15, compaction greater than 95% Standard Proctor at optimum moisture content, and ~~will~~ be at least two feet thick placed in six-inch lifts.

insert: "shall"

insert: ", or provide an equivalent level of groundwater protection."

The permittee shall furnish certification by a Texas Licensed Professional Engineer that the completed lining meets these requirements prior to use of the ~~WTP~~ residuals monofill. The certification shall be submitted to the TCEQ Regional Office (MC Region 4), Water Quality Assessment Team (MC 150) and Plans and Specifications Review Team (MC 148) of the Water Quality Division. A copy of the liner certification shall be available at the monofill site for inspection by authorized representatives of the TCEQ.

insert: "water treatment"

increase the volume

C. Containment structures shall be isolated from stormwater run-on by berms or diversion terraces. The permittee shall not take any action which will ~~divert~~ rainfall runoff onto the property of adjacent landowners without the permission of such landowners.

D. ~~WTP~~ residuals deposited in the waste control facilities shall be disposed of so that no contamination of surface waters can occur. The ~~WTP~~ residuals shall be disposed of in a manner to prevent ~~any possible~~ nuisance conditions and to prevent the contamination of surface and ground waters. Any areas on which the ~~WTP~~ residuals is stockpiled shall be isolated by dikes, terraces, or terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.

insert: "water treatment"

E. To prevent erosion conditions from occurring, native vegetative cover shall be maintained on disposal areas that have reached capacity year-round.

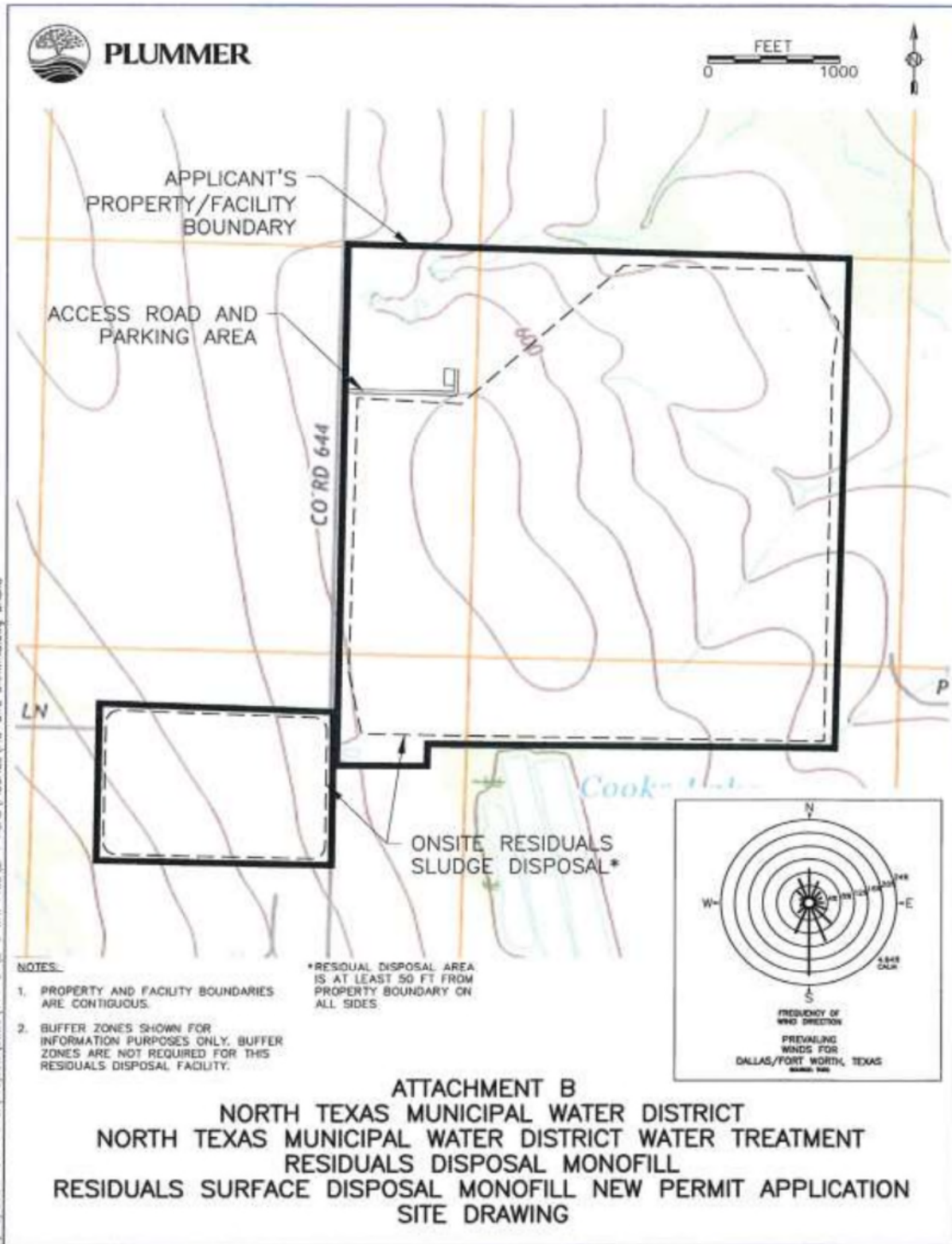
F. The permittee shall give 180 days prior notice to the Executive Director of any change planned in the disposal practice.

G. All facilities including ponds, pipes, ditches, pumps, and disposal equipment shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to water in the State.

insert: "H. This permit allows the disposal of water treatment residuals from the Wylie Water Treatment Facility operated by NTMWD. However, it does not preclude the disposal of water treatment residuals from other water treatment facilities operated by NTMWD in the future, provided the maximum permitted disposal rate is not exceeded."



Attachment B



TEXAS REGISTERED ENGINEERING FIRM F-13  
3/12/2021 4:44 PM L:\Projects\0325\114-01\2-D Wk Fm\A-2-1 ACH\FIGURES\114-SITE DRAWING.dwg Brond



Attachment C

# Annual Disposal Summary Report Form

(Water Treatment Plant Residuals Only)

Note 1: Please place this form at the top of your Annual Disposal Report.

Note 2. If you operate other registered/permittted site, then fill-out this form for each one of those sites.

Note 3: Also send one complete copy of your report and this form to local TCEQ regional office.

For TCEQ Fiscal Year _____	Reporting period: From September 1, _____	to August 31, _____
Permit No: _____	Date _____	
Name of Permittee: _____		
Mailing Address: _____		
Contact Person _____	Name _____	Telephone No: _____

a. Amount of Water Treatment Plant Residuals Disposed: \_\_\_\_\_ dry tons

b. Acreage used for disposal at this site: \_\_\_\_\_ acres

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**PLEASE MAIL THE COMPLETED ANNUAL REPORT TO:**

Texas Commission on Environmental Quality  
Land Application Team (MC 150)  
Water Quality Assessment Section  
P.O. Box 13087  
Austin, TX 78711-3087

# **DRAFT PERMIT (VERSION 2) ISSUANCE**

## Pierce, Ryan

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**From:** Brian Sierant <brian.sierant@tceq.texas.gov>  
**Sent:** Tuesday, April 26, 2022 4:39 PM  
**To:** Pierce, Ryan  
**Cc:** Jerry Allen; Travis Markham; Davis, Alan; Hunt, Rex; English, Jenni; Gregg Easley  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District [Filed 03 Dec 2023 10:38]  
**Attachments:** Revised WQ0005323000.pdf

**Categories:** Filed by Mail Manager

Good afternoon all,

Thank you for your comments. I have made the edits based on these comments and updated the draft NORI/NAPD, Technical Summary and Permit. I also made some changes in places where only "residuals" was said in the permit. I changed this to say "water treatment plant residuals".

I have also highlighted some additional language based on your comments and my discussions with WQ Legal staff. I have included a brief statement in the draft NORI / NAPD and tech summary that mentions the increase in the disposal rate. This avoids having to withdraw and resubmit the application or issue the permit as is with 51,000 tons and then requiring a major amendment in the future for 100,00 tons. Since this application is posted at a public viewing place with the initial request of 51, 000 tons /year, we do need to let the public know via the notice that this rate is being increased due to request by the applicant.

Due to the need for a quick turn-around time for this so that we can move the file to the Chief Clerk's Office, please review the changes and respond by COB on Friday, April 29<sup>th</sup>.

Thanks,

**Brian Sierant, Biosolids Work Leader**  
[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)  
Texas Commission on Environmental Quality  
Water Quality Division  
Land Application Team (MC 150)  
P.O. Box 13087  
Austin, Texas 78711-3087  
Ph: 512-239-1375



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**From:** Pierce, Ryan <rpierce@plummer.com>  
**Sent:** Wednesday, April 20, 2022 4:33 PM  
**To:** Brian Sierant <brian.sierant@tceq.texas.gov>

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**COMBINED NOTICE OF RECEIPT OF APPLICATION AND INTENT (NORI) TO OBTAIN A WATER QUALITY PERMIT AND NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR WATER TREATMENT RESIDUALS DISPOSAL PERMIT**  
**NEW**

**PERMIT NO. WQ0005323000**

**APPLICATION AND PRELIMINARY DECISION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0005323000, to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310 acre monofill. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on May 19, 2021.

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

**The applicant is publishing a combined NORI and NAPD because the NORI published on September 29, 2021 in the Dallas Morning News newspaper contained the incorrect title. The applicant has applied for a Water Treatment Residuals Disposal Permit and not for a Sewage Sludge or Biosolids Surface Disposal Permit. Water treatment residuals are defined as material generated during the treatment of either surface water or groundwater for potable use, which is not an industrial solid waste. In addition, the initial disposal rate submitted in the application has been increased at the request of the applicant during the technical review process.**

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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 exact location, refer to application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f816825of&marker=-96.3231%2C33.0928&level=12>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date \_\_\_\_\_

## TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

### DESCRIPTION OF APPLICATION

Applicant: North Texas Municipal Water District

TCEQ Permit No.: WQ0005323000

Regulated Activity: Water Treatment Plant Residuals Disposal via Monofill

Type of Application: Permit

Request: New

Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

### EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC Chapter 312, and THSC section 361.121.

### REASON FOR PROJECT PROPOSED

North Texas Municipal Water District has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Permit No. WQ0005323000 to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310-acre monofill.

### PROJECT DESCRIPTION AND LOCATION

The water treatment plant residuals disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The water treatment plant residuals disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

### PROPOSED PERMIT CONDITIONS

Provisions are included in the draft permit according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The draft permit will authorize the processing, storage, and disposal of water treatment plant residuals at a maximum rate of 100,000 dry tons per year on 310 acres of land used as a monofill. Processing will involve dewatering of the water treatment plant residuals prior to disposal.

### SUMMARY OF CHANGES FROM APPLICATION

By request of the applicant, the maximum disposal rate has been increased from 51,000 tons per year to 100,000 tons per year.

### SUMMARY OF CHANGES FROM EXISTING PERMIT

None. This is a new permit.

### BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

Application submitted on May 19, 2021 and additional information submitted on August 12, 2021, February 1, 2022 and April 20, 2022.

### 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, 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 proceeding.

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 Brian Sierant at (512) 239-1375.

*Brian Sierant*

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Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

4/26/2022 (Revised)

Date



PERMIT NO. WQ0005323000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISPOSE OF WATER TREATMENT PLANT RESIDUALS

under provisions of Chapter 26 of the Texas Water Code and under provision of Texas Health & Safety Code Ann. Chapter 361 (Vernon) and Chapter 312 of the Texas Administrative Code.

**I. PERMITTEE**

North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

**II. AUTHORIZATION**

Disposal via Monofill of Water Treatment Plant Residuals. (SIC Code 4941).

**III. GENERAL DESCRIPTION AND LOCATION OF SITE**

**Description:** The North Texas Municipal Water District Water Treatment Plant Residuals Disposal Site consists of a 310 acre monofill that is authorized for the disposal of **dewatered** water treatment plant residuals at a maximum rate of 100,000 dry tons per year.

**Location:** The water treatment plant residuals disposal site is located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. (See Attachment A).

**Drainage Basin:** The water treatment plant residuals disposal site is located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

The permittee is authorized to process, store, and dispose of water treatment plant residuals in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with applicable rules and regulations of the TCEQ. The permittee must handle and dispose of the residuals in accordance with all applicable state and federal regulations to protect public health and the environment. This permit does not authorize any invasion of personal rights nor any violation of federal, state or local laws or regulations.

This permit and the authorization contained herein shall expire at midnight five years from the date issued.

ISSUED DATE:

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For the Commission

APP 000266

#### IV. GENERAL PROVISIONS

The permittee is authorized to process, store and dispose of water treatment plant residuals in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations to protect public health and the environment from any reasonable anticipated adverse effects due to any toxic pollutants which may be present.

##### A. General Requirements

1. No hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste, will be accepted, stored, processed, or disposed of at this site.
2. The permittee shall give 180 days prior notice to the Executive Director of the TCEQ of any change planned in the water treatment plant residuals disposal practice or prior to start of any construction which would decrease or increase the disposal capacity of the solid waste disposal facility.
3. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer. All necessary steps to protect groundwater from contamination by residuals or liquids from the confinement facility shall be taken.
4. Equipment capable of managing storm water runoff on the monofill site following a 25-year, 24-hour rainfall event shall be available for use at the site at all times.
5. Waste control facilities shall be isolated from storm water run-on by berms or diversion terraces. The permittee shall not take any action which will divert rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
6. All water treatment plant residuals shall be disposed of in a manner such that contamination of surface and ground waters is prevented and such that nuisance conditions (such as insect infestations or objectionable odors) are controlled. Any areas on which water treatment plant residuals are stockpiled shall be isolated by dikes, terraces, and terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
7. Off-site discharge of recovered liquids from the disposal area is not authorized by this permit. The facility shall be managed so as to prevent ponding of process generated liquids on the ground, prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions.
8. All facilities including ponds, pipes, ditches, and pumps shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to waters in the State.
9. Water retention facilities for storage of runoff that has not come into contact with waste do not require lining to control seepage. Water retention facilities for storage of water that have come into contact with water treatment residuals shall be lined to control seepage in one of the following manners:
  - a. In-situ or placed and compacted clay soils meeting the following requirements:
    - i. more than or equal to 30% passing a No. 200 mesh sieve;
    - ii. liquid limit greater than 30%;
    - iii. plasticity index greater than 15;

- iv. a minimum thickness of 12 inches;
  - v. permeability equal to or less than  $1 \times 10^{-7}$  cm/sec; and
  - vi. soil compaction will be 95% standard proctor at optimum moisture content.
- b. Membrane lining with a minimum thickness of 20 mils, and an underdrain leak detection system.
  - c. An alternate method of pond lining may be utilized with prior approval from the Executive Director.

The permittee shall furnish certification by a Professional Engineer licensed in Texas that any pond lining for ponds constructed after the issuance date of this permit meets the appropriate criteria prior to utilization. The certification shall be sent to the TCEQ Land Application Team (MC 150) and the TCEQ Regional Office (MC Region 4).

#### B. Management Practices

1. No water treatment plant residuals failing the Toxicity Characteristic Leaching Procedure (TCLP) test shall be transported to this site.
2. All water treatment plant residuals disposal operations shall be operated so as to minimize odor and nuisance conditions and prevent contamination of ground or surface waters.
3. The permittee shall maintain a minimum of a 150-foot buffer zone from all private drinking water wells, and a minimum buffer distance of 500 feet shall be maintained from public water supply wells and the water treatment plant residuals disposal areas.
4. Water treatment plant residuals shall not be placed on an active residuals disposal unit if it is likely to adversely affect a threatened or endangered species of plant, fish or wildlife listed under the Endangered Species Act, §4, or its designated critical habitat.
5. An active water treatment plant residuals disposal unit shall not restrict the flow of the 100-year flood.
6. An active water treatment plant residuals disposal unit shall not be located in an unstable area.
7. An active water treatment plant residuals disposal unit shall not be located in a wetland except as provided in permit issued pursuant to the federal Clean Water Act §402 or §404.
8. Runoff from an active water treatment plant residuals disposal unit shall be collected and disposed in accordance with the applicable requirements. The runoff collection system for an active water treatment plant residuals disposal unit shall have the capacity to handle runoff from a 25-year, 24-hour rainfall event.
9. A food crop, feed crop, or a fiber crop shall not be grown on an active water treatment plant residuals disposal unit.
10. Animals shall not graze on the active water treatment plant residuals disposal unit.
11. Public access to a disposal unit shall be restricted during the period that the disposal site contains an active residuals disposal unit and for a period of three years after the last active

water treatment plant residuals disposal unit in the disposal site closes. The facility entrances will be closed and locked outside of normal operating hours. The perimeter fence shall be monitored and repaired as needed to maintain site security. Waste transporters will be restricted to the designated unloading areas only.

12. Water treatment plant residuals placed on an active disposal unit shall not contaminate an aquifer.
13. No water treatment plant residuals with a polychlorinated biphenyl (PCB) concentration of greater than or equal to 50 mg/kg (dry weight basis) shall be transported to this facility.

#### C. Testing Requirements

TCLP Test - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix TCLP or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1.

PCBs - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in 40 CFR Part 136, pertaining to PCBs or other method that receives the prior approval of the TCEQ.

#### D. Record Keeping Requirements

The permittee shall develop and keep records of all water treatment plant residuals disposal activities and shall be made available to TCEQ upon request. Such records will include the following information:

1. the results of TCLP and PCB testing performed in accordance with Provision IV.C;
2. a description of how the management practices listed above in IV.B. are being met;
3. dates of disposal and quantities (in dry tons) of residuals from each source.

The above records shall be maintained on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for five years or for the duration of the permit, whichever is longer.

#### E. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (Region 4) and to the Water Quality Land Application Team (MC 150) of the Water Quality Division, by September 30<sup>th</sup> (report period September 1<sup>st</sup> of previous year through August 31<sup>st</sup> of current year) of each year the "Annual Disposal Summary Report Form" (Attachment C) and the following information:

1. the frequency of monitoring listed in Provision IV.C which applies to the permittee;
2. results of tests performed for TCLP and PCBs in accordance with Provision IV.C;

3. dates of disposal and quantities (dry tons) of water treatment plant residuals from each source;
4. verification statement listed in 30 TAC §312.67(a)(2)(B) shall be attached to the annual reporting form; and
5. continuing evidence of financial responsibility to assure the commission that the responsible owner or operator has sufficient assets to properly operate the site and to provide proper closure and post-closure. This assurance for the proper operation of the site may be in the form of performance bonds, letters of credit from recognized financial institutions, trust funds, or insurance. Unless otherwise notified by the TCEQ of the need for additional documentation, the permittee is not required to provide further evidence of financial responsibility pertaining to this permit.

F. Closure Requirements

The permittee shall submit a written “closure and post closure plan” to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the anticipated date of the monofill closure. Closure is the act of the permanent removal from service of the monofill regulated by this permit.

**V. FACILITY DESIGN, CONSTRUCTION, AND OPERATION**

A. General Design and Construction

1. Facility design, construction, and operation must comply with this permit, the TCEQ rules, and be in accordance with the site development plan for the construction and the operation approved herein.
2. The entire waste control facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste or contamination, and to prevent inundation of and discharge from the areas surrounding the facility components. Each receiving and disposal area shall be provided with a containment system which will collect spills and incident precipitation in such a manner as to:
  - a. preclude the release of any contaminated runoff, spills, or precipitation;
  - b. prevent washout of any waste by a 100-year storm; and
  - c. prevent run-on into the disposal area.
3. All recovered water shall be managed as specified in General Provision IV.A.4.
4. Final Cover: At a minimum, final cover shall consist of two feet of soil/clay. The coefficient of permeability of the final cover shall not exceed that of the liner.

B. General Operational Requirements

The site and monofill shall be managed and operated in accordance with the most recent and applicable rules adopted by the Commission relating to water treatment plant residuals monofills.

**VI. STANDARD PROVISIONS**

- A. This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.
- B. Unless specified otherwise, any noncompliance which may endanger human health or safety, or the environment must be reported to the TCEQ. Report of such information must be provided orally or by facsimile transmission (FAX) to the TCEQ Regional Office (MC Region 4) within 24 hours of becoming aware of the noncompliance. A written submission of such information must also be provided to the TCEQ Regional Office (MC Region 4) and to the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission must 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 anticipated 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.
- C. Acceptance of this permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions, limitations and restrictions embodied in this permit and with the rules and other Orders of the Commission and the laws of the State of Texas. Agreement is a condition precedent to the granting of this permit.
- D. Prior to any transfer of this permit, Commission approval must be obtained. The Commission should be notified, in writing, of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Water Quality Land Application Team (MC 150).
- E. 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 must control.
- F. The permittee is subject to the provisions of 30 TAC Section 305.125.
- G. Any proposed site changes, addition of land area, or expansion in the capacity which have not been addressed by the terms of this permit must be authorized in accordance with the TCEQ permit amendment or modification rules 30 TAC Chapter 305.
- H. According to 30 TAC §305.125(10) inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28 and the Texas Solid Waste Disposal Act.

**VII. SPECIAL PROVISIONS**

- A. The permittee is authorized to process, store and dispose of water treatment plant residuals at a maximum rate of 100,000 dry tons per year within the 310 acre monofill indicated on Attachment B. No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste shall be accepted, stored, processed, or disposed of within the disposal unit.
- B. Prior to the commencement of the disposal of the water treatment plant residuals, the permittee shall complete the installation of the monofill liner which meets the definition and requirements of 30 TAC §312.8(61). The installation process must use industry-standard quality assurance and quality control methods. The soil or synthetic material must have a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/sec) or less. Soil liners must consist of suitable material along the sides and bottom of the disposal areas, with more than 30% passing a number 200 mesh sieve, a liquid limit greater than 30%; a plasticity index greater than 15, compaction greater than 95% Standard Proctor at optimum moisture content, and shall be at least two feet thick placed in six-inch lifts, or provide an equivalent level of groundwater protection.

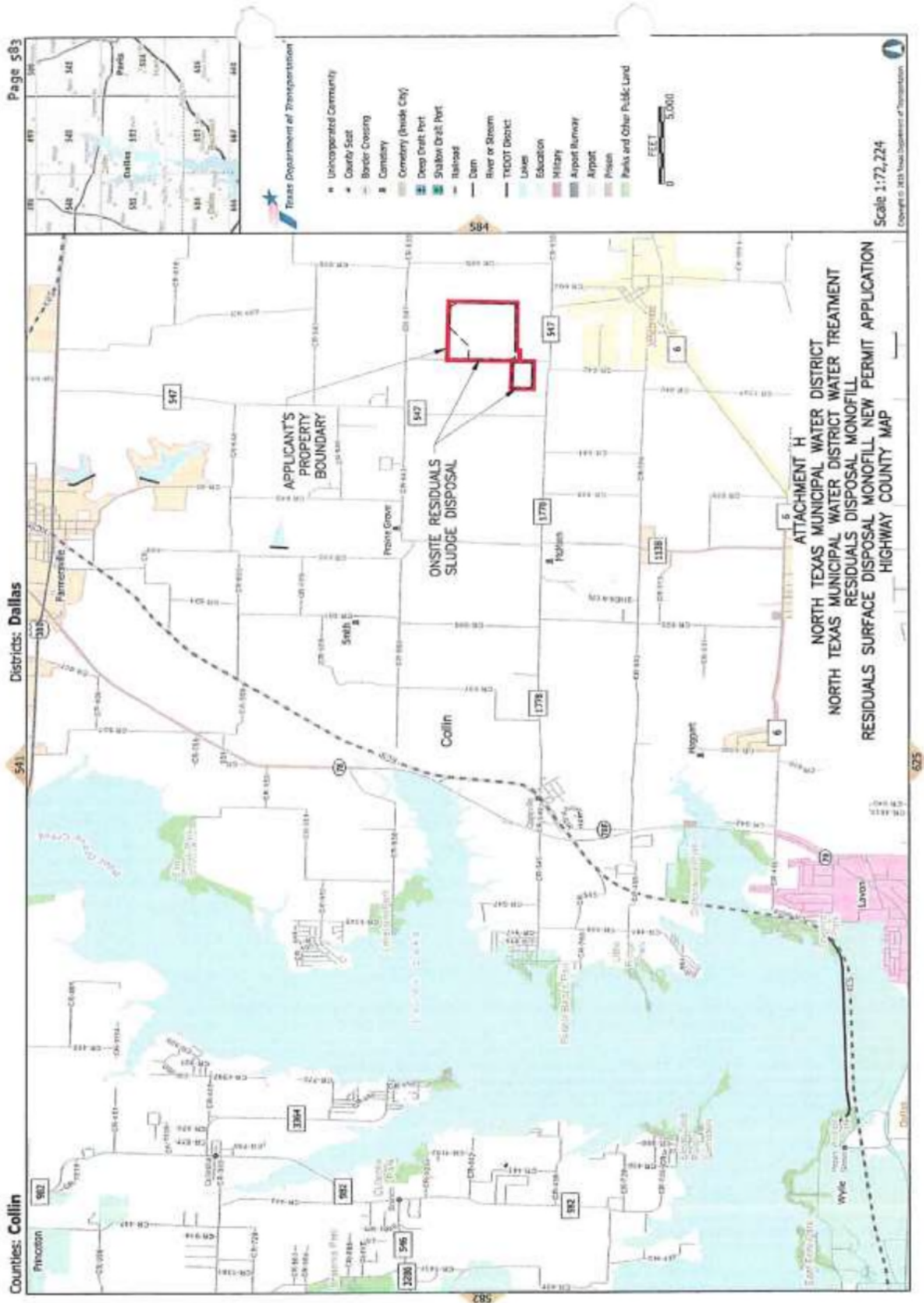
The permittee shall furnish certification by a Texas Licensed Professional Engineer that the completed lining meets these requirements prior to use of the water treatment plant residuals monofill. The certification shall be submitted to the TCEQ Regional Office (MC Region 4), Water Quality Assessment Team (MC 150) and Plans and Specifications Review Team (MC 148) of the Water Quality Division. A copy of the liner certification shall be available at the monofill site for inspection by authorized representatives of the TCEQ.

- C. Containment structures shall be isolated from stormwater run-on by berms or diversion terraces. The permittee shall not take any action which will increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
- D. Water treatment plant residuals deposited in the waste control facilities shall be disposed of so that no contamination of surface waters can occur. The water treatment plant residuals shall be disposed of in a manner to prevent nuisance conditions and to prevent the contamination of surface and ground waters. Any areas on which the water treatment plant residuals is stockpiled shall be isolated by dikes, terraces, or terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
- E. To prevent erosion conditions from occurring, vegetative cover shall be maintained year-round on all areas within the monofill that have reached the maximum elevation of disposal.
- F. The permittee shall give 180 days prior notice to the Executive Director of any change planned in the disposal practice.
- G. All facilities including ponds, pipes, ditches, pumps, and disposal equipment shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to water in the State.
- H. This permit allows the disposal of water treatment plant residuals from the Wylie Water Treatment Facility operated by North Texas Municipal Water District. However, it does not preclude the disposal of water treatment plant residuals from other water treatment plant facilities operated by North Texas Municipal Water District or any other TCEQ authorized water treatment plant in the future, provided the maximum permitted disposal rate is not exceeded. A request for an additional water treatment plant residuals source shall be submitted to the

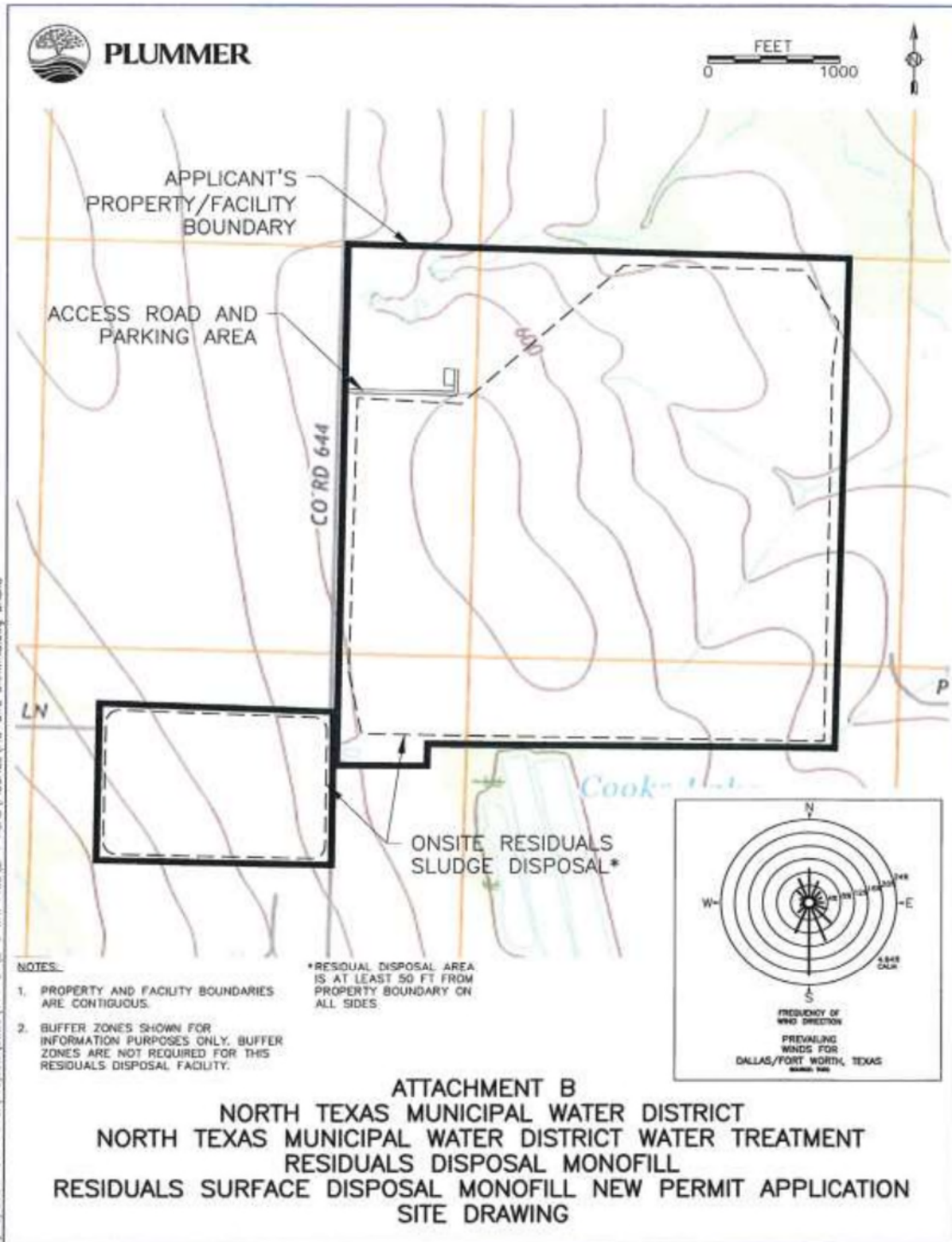


Water Quality Division Land Application Team (MC 150) for review and approval prior to disposal.

Attachment A



Attachment B



TEXAS REGISTERED ENGINEERING FIRM F-13  
3/12/2021 4:44 PM L:\Projects\0328\114-01\2-D Wk Fm\A-2-1 ACH\FIGURES\114-SITE DRAWING.dwg Brond

Attachment C

Annual Disposal Summary Report Form
(Water Treatment Plant Residuals Only)

Note 1: Please place this form at the top of your Annual Disposal Report.

Note 2. If you operate other registered/permittted site, then fill-out this form for each one of those sites.

Note 3: Also send one complete copy of your report and this form to local TCEQ regional office.

Form with fields: For TCEQ Fiscal Year, Reporting period, Permit No., Name of Permittee, Mailing Address, Contact Person Name, Telephone No.

a. Amount of Water Treatment Plant Residuals Disposed: dry tons

b. Acreage used for disposal at this site: acres

PLEASE MAIL THE COMPLETED ANNUAL REPORT TO:

Texas Commission on Environmental Quality
Land Application Team (MC 150)
Water Quality Assessment Section
P.O. Box 13087
Austin, TX 78711-3087

## Pierce, Ryan

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**From:** English, Jenni  
**Sent:** Thursday, April 28, 2022 11:55 AM  
**To:** Brian Sierant  
**Cc:** Jerry Allen; Travis Markham; Davis, Alan; Hunt, Rex; Gregg Easley; Pierce, Ryan  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District  
**Attachments:** Revised WQ0005323000\_Plummer Comments\_rev.pdf

Good morning Brian,

We have a few more comments to this draft permit. Below is a list of the revisions, cross-referenced to the pages as in the attached pdf. Please let us know if you have any questions.

1. **NAPD Page 1.** In the 3<sup>rd</sup> paragraph, please indicate that the residuals are not sewage sludge or biosolids as follows: “which is not sewage sludge, biosolids, or an industrial waste.” Additionally, please strike “initial” from the disposal rate.
2. **Draft Permit Page 1.** Please use the following title for the site name: “North Texas Municipal Water District Water Treatment Residuals Disposal Monofill.”
3. **Draft Permit, General Requirements A.3, Page 2.** Please revise this item as follows: “3. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer. All necessary steps to protect groundwater from contamination by residuals or liquids associated with the residuals processing and disposal operation ~~from the confinement facility~~ shall be taken.”
4. **Draft Permit, General Provisions A.5, Page 2.** Please replace the word “divert” with “increase the volume of” to be consistent with Special Provisions C.
5. **Draft Permit, General Provisions B.12, Page 4.** Please indicate that it is an “active water treatment residuals disposal unit” to be consistent with the rest of the provisions.

Thank you,

**Jenni (English) Griesel**  
*Engineer in Training*  
Plummer

**P:** 512.452.5905

**D:** 512.687.2193

**C:** 817.694.8386

[www.plummer.com](http://www.plummer.com)

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**From:** Brian Sierant <brian.sierant@tceq.texas.gov>

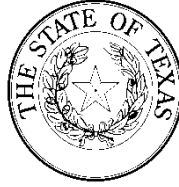
**Sent:** Tuesday, April 26, 2022 4:39 PM

**To:** Pierce, Ryan <rpierce@plummer.com>

**Cc:** Jerry Allen <jallen@NTMWD.COM>; Travis Markham <tmarkham@NTMWD.COM>; Davis, Alan

<adavis@plummer.com>; Hunt, Rex <rhunt@plummer.com>; English, Jenni <jenglish@plummer.com>; Gregg Easley

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## COMBINED NOTICE OF RECEIPT OF APPLICATION AND INTENT (NORI) TO OBTAIN A WATER QUALITY PERMIT AND NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR WATER TREATMENT RESIDUALS DISPOSAL PERMIT NEW

**PERMIT NO. WQ0005323000**

**APPLICATION AND PRELIMINARY DECISION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0005323000, to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310 acre monofill. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on May 19, 2021.

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

Insert: "sewage sludge, biosolids, or"

**The applicant is publishing a combined NORI and NAPD because the NORI published on September 29, 2021 in the Dallas Morning News newspaper contained the incorrect title. The applicant has applied for a Water Treatment Residuals Disposal Permit and not for a Sewage Sludge or Biosolids Surface Disposal Permit. Water treatment residuals are defined as material generated during the treatment of either surface water or groundwater for potable use, which is not an industrial solid waste. In addition, the initial disposal rate submitted in the application has been increased at the request of the applicant during the technical review process.**

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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 exact location, refer to application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f816825of&marker=-96.3231%2C33.0928&level=12>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date \_\_\_\_\_



## TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

### DESCRIPTION OF APPLICATION

Applicant: North Texas Municipal Water District

TCEQ Permit No.: WQ0005323000

Regulated Activity: Water Treatment Plant Residuals Disposal via Monofill

Type of Application: Permit

Request: New

Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

### EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC Chapter 312, and THSC section 361.121.

### REASON FOR PROJECT PROPOSED

North Texas Municipal Water District has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Permit No. WQ0005323000 to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310-acre monofill.

### PROJECT DESCRIPTION AND LOCATION

The water treatment plant residuals disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The water treatment plant residuals disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

### PROPOSED PERMIT CONDITIONS

Provisions are included in the draft permit according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The draft permit will authorize the processing, storage, and disposal of water treatment plant residuals at a maximum rate of 100,000 dry tons per year on 310 acres of land used as a monofill. Processing will involve dewatering of the water treatment plant residuals prior to disposal.

### SUMMARY OF CHANGES FROM APPLICATION

By request of the applicant, the maximum disposal rate has been increased from 51,000 tons per year to 100,000 tons per year.

### SUMMARY OF CHANGES FROM EXISTING PERMIT

None. This is a new permit.

### BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

Application submitted on May 19, 2021 and additional information submitted on August 12, 2021, February 1, 2022 and April 20, 2022.

### 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, 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 proceeding.

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 Brian Sierant at (512) 239-1375.

*Brian Sierant*

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Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

4/26/2022 (Revised)

Date



PERMIT NO. WQ0005323000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISPOSE OF WATER TREATMENT PLANT RESIDUALS

under provisions of Chapter 26 of the Texas Water Code and under provision of Texas Health & Safety Code Ann. Chapter 361 (Vernon) and Chapter 312 of the Texas Administrative Code.

**I. PERMITTEE**

North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

**II. AUTHORIZATION**

Disposal via Monofill of Water Treatment Plant Residuals. (SIC Code 4941).

Replace with: "North Texas  
Municipal Water District  
Water Treatment Residuals  
Disposal Monofill"

**III. GENERAL DESCRIPTION AND LOCATION OF SITE**

**Description:** The ~~North Texas Municipal Water District Water Treatment Plant Residuals Disposal Site~~ consists of a 310 acre monofill that is authorized for the disposal of **dewatered** water treatment plant residuals at a maximum rate of 100,000 dry tons per year.

**Location:** The water treatment plant residuals disposal site is located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. (See Attachment A).

**Drainage Basin:** The water treatment plant residuals disposal site is located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

The permittee is authorized to process, store, and dispose of water treatment plant residuals in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with applicable rules and regulations of the TCEQ. The permittee must handle and dispose of the residuals in accordance with all applicable state and federal regulations to protect public health and the environment. This permit does not authorize any invasion of personal rights nor any violation of federal, state or local laws or regulations.

This permit and the authorization contained herein shall expire at midnight five years from the date issued.

ISSUED DATE:

---

For the Commission

APP 000284

**IV. GENERAL PROVISIONS**

The permittee is authorized to process, store and dispose of water treatment plant residuals in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations to protect public health and the environment from any reasonable anticipated adverse effects due to any toxic pollutants which may be present.

**A. General Requirements**

1. No hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste, will be accepted, stored, processed, or disposed of at this site.
2. The permittee shall give 180 days prior notice to the Executive Director of the TCEQ of any change planned in the water treatment plant residuals disposal practice or prior to start of any construction which would decrease or increase the disposal capacity of the solid waste disposal facility.
3. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer. All necessary steps to protect groundwater from contamination by residuals or liquids ~~from the confinement facility~~ shall be taken. Replace with "associated with the residuals processing and disposal operation"
4. Equipment capable of managing storm water runoff on the monofill site following a 25-year, 24-hour rainfall event shall be available for use at the site at all times. Replace with "increase the volume of"
5. Waste control facilities shall be isolated from storm water run-on by berms or diversion terraces. The permittee shall not take any action which will ~~divert~~ rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
6. All water treatment plant residuals shall be disposed of in a manner such that contamination of surface and ground waters is prevented and such that nuisance conditions (such as insect infestations or objectionable odors) are controlled. Any areas on which water treatment plant residuals are stockpiled shall be isolated by dikes, terraces, and terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
7. Off-site discharge of recovered liquids from the disposal area is not authorized by this permit. The facility shall be managed so as to prevent ponding of process generated liquids on the ground, prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions.
8. All facilities including ponds, pipes, ditches, and pumps shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to waters in the State.
9. Water retention facilities for storage of runoff that has not come into contact with waste do not require lining to control seepage. Water retention facilities for storage of water that have come into contact with water treatment residuals shall be lined to control seepage in one of the following manners:
  - a. In-situ or placed and compacted clay soils meeting the following requirements:
    - i. more than or equal to 30% passing a No. 200 mesh sieve;
    - ii. liquid limit greater than 30%;
    - iii. plasticity index greater than 15;

- iv. a minimum thickness of 12 inches;
  - v. permeability equal to or less than  $1 \times 10^{-7}$  cm/sec; and
  - vi. soil compaction will be 95% standard proctor at optimum moisture content.
- b. Membrane lining with a minimum thickness of 20 mils, and an underdrain leak detection system.
  - c. An alternate method of pond lining may be utilized with prior approval from the Executive Director.

The permittee shall furnish certification by a Professional Engineer licensed in Texas that any pond lining for ponds constructed after the issuance date of this permit meets the appropriate criteria prior to utilization. The certification shall be sent to the TCEQ Land Application Team (MC 150) and the TCEQ Regional Office (MC Region 4).

#### B. Management Practices

1. No water treatment plant residuals failing the Toxicity Characteristic Leaching Procedure (TCLP) test shall be transported to this site.
2. All water treatment plant residuals disposal operations shall be operated so as to minimize odor and nuisance conditions and prevent contamination of ground or surface waters.
3. The permittee shall maintain a minimum of a 150-foot buffer zone from all private drinking water wells, and a minimum buffer distance of 500 feet shall be maintained from public water supply wells and the water treatment plant residuals disposal areas.
4. Water treatment plant residuals shall not be placed on an active residuals disposal unit if it is likely to adversely affect a threatened or endangered species of plant, fish or wildlife listed under the Endangered Species Act, §4, or its designated critical habitat.
5. An active water treatment plant residuals disposal unit shall not restrict the flow of the 100-year flood.
6. An active water treatment plant residuals disposal unit shall not be located in an unstable area.
7. An active water treatment plant residuals disposal unit shall not be located in a wetland except as provided in permit issued pursuant to the federal Clean Water Act §402 or §404.
8. Runoff from an active water treatment plant residuals disposal unit shall be collected and disposed in accordance with the applicable requirements. The runoff collection system for an active water treatment plant residuals disposal unit shall have the capacity to handle runoff from a 25-year, 24-hour rainfall event.
9. A food crop, feed crop, or a fiber crop shall not be grown on an active water treatment plant residuals disposal unit.
10. Animals shall not graze on the active water treatment plant residuals disposal unit.
11. Public access to a disposal unit shall be restricted during the period that the disposal site contains an active residuals disposal unit and for a period of three years after the last active

water treatment plant residuals disposal unit in the disposal site closes. The facility entrances will be closed and locked outside of normal operating hours. The perimeter fence shall be monitored and repaired as needed to maintain site security. Waste transporters will be restricted to the designated unloading areas only. insert "water treatment residuals"

12. Water treatment plant residuals placed on an active disposal unit shall not contaminate an aquifer.
13. No water treatment plant residuals with a polychlorinated biphenyl (PCB) concentration of greater than or equal to 50 mg/kg (dry weight basis) shall be transported to this facility.

#### C. Testing Requirements

TCLP Test - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix TCLP or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1.

PCBs - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in 40 CFR Part 136, pertaining to PCBs or other method that receives the prior approval of the TCEQ.

#### D. Record Keeping Requirements

The permittee shall develop and keep records of all water treatment plant residuals disposal activities and shall be made available to TCEQ upon request. Such records will include the following information:

1. the results of TCLP and PCB testing performed in accordance with Provision IV.C;
2. a description of how the management practices listed above in IV.B. are being met;
3. dates of disposal and quantities (in dry tons) of residuals from each source.

The above records shall be maintained on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for five years or for the duration of the permit, whichever is longer.

#### E. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (Region 4) and to the Water Quality Land Application Team (MC 150) of the Water Quality Division, by September 30<sup>th</sup> (report period September 1<sup>st</sup> of previous year through August 31<sup>st</sup> of current year) of each year the "Annual Disposal Summary Report Form" (Attachment C) and the following information:

1. the frequency of monitoring listed in Provision IV.C which applies to the permittee;
2. results of tests performed for TCLP and PCBs in accordance with Provision IV.C;

3. dates of disposal and quantities (dry tons) of water treatment plant residuals from each source;
4. verification statement listed in 30 TAC §312.67(a)(2)(B) shall be attached to the annual reporting form; and
5. continuing evidence of financial responsibility to assure the commission that the responsible owner or operator has sufficient assets to properly operate the site and to provide proper closure and post-closure. This assurance for the proper operation of the site may be in the form of performance bonds, letters of credit from recognized financial institutions, trust funds, or insurance. Unless otherwise notified by the TCEQ of the need for additional documentation, the permittee is not required to provide further evidence of financial responsibility pertaining to this permit.

F. Closure Requirements

The permittee shall submit a written “closure and post closure plan” to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the anticipated date of the monofill closure. Closure is the act of the permanent removal from service of the monofill regulated by this permit.

**V. FACILITY DESIGN, CONSTRUCTION, AND OPERATION**

A. General Design and Construction

1. Facility design, construction, and operation must comply with this permit, the TCEQ rules, and be in accordance with the site development plan for the construction and the operation approved herein.
2. The entire waste control facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste or contamination, and to prevent inundation of and discharge from the areas surrounding the facility components. Each receiving and disposal area shall be provided with a containment system which will collect spills and incident precipitation in such a manner as to:
  - a. preclude the release of any contaminated runoff, spills, or precipitation;
  - b. prevent washout of any waste by a 100-year storm; and
  - c. prevent run-on into the disposal area.
3. All recovered water shall be managed as specified in General Provision IV.A.4.
4. Final Cover: At a minimum, final cover shall consist of two feet of soil/clay. The coefficient of permeability of the final cover shall not exceed that of the liner.

B. General Operational Requirements

The site and monofill shall be managed and operated in accordance with the most recent and applicable rules adopted by the Commission relating to water treatment plant residuals monofills.



**VI. STANDARD PROVISIONS**

- A. This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.
- B. Unless specified otherwise, any noncompliance which may endanger human health or safety, or the environment must be reported to the TCEQ. Report of such information must be provided orally or by facsimile transmission (FAX) to the TCEQ Regional Office (MC Region 4) within 24 hours of becoming aware of the noncompliance. A written submission of such information must also be provided to the TCEQ Regional Office (MC Region 4) and to the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission must 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 anticipated 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.
- C. Acceptance of this permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions, limitations and restrictions embodied in this permit and with the rules and other Orders of the Commission and the laws of the State of Texas. Agreement is a condition precedent to the granting of this permit.
- D. Prior to any transfer of this permit, Commission approval must be obtained. The Commission should be notified, in writing, of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Water Quality Land Application Team (MC 150).
- E. 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 must control.
- F. The permittee is subject to the provisions of 30 TAC Section 305.125.
- G. Any proposed site changes, addition of land area, or expansion in the capacity which have not been addressed by the terms of this permit must be authorized in accordance with the TCEQ permit amendment or modification rules 30 TAC Chapter 305.
- H. According to 30 TAC §305.125(10) inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28 and the Texas Solid Waste Disposal Act.

**VII. SPECIAL PROVISIONS**

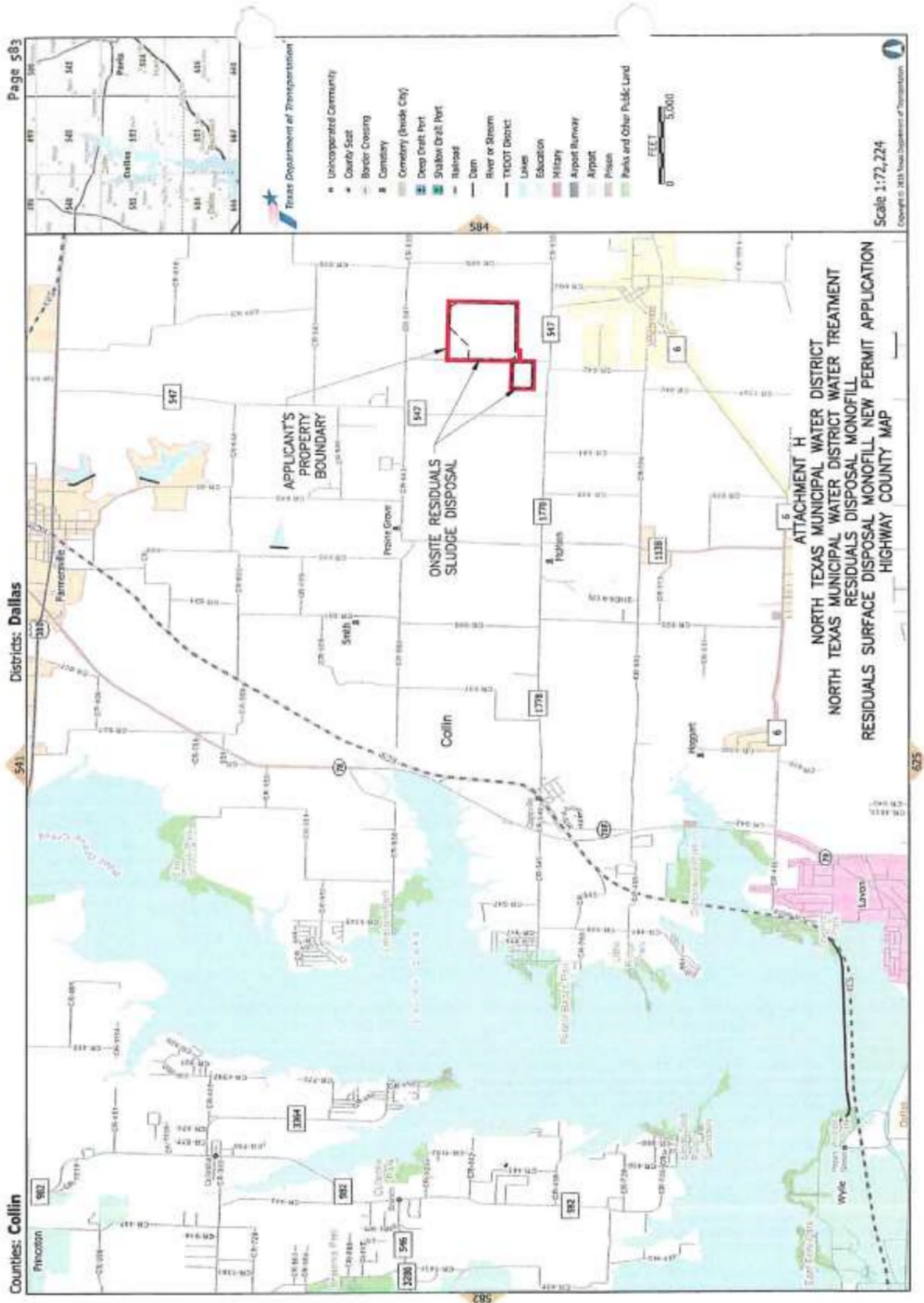
- A. The permittee is authorized to process, store and dispose of water treatment plant residuals at a maximum rate of 100,000 dry tons per year within the 310 acre monofill indicated on Attachment B. No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste shall be accepted, stored, processed, or disposed of within the disposal unit.
- B. Prior to the commencement of the disposal of the water treatment plant residuals, the permittee shall complete the installation of the monofill liner which meets the definition and requirements of 30 TAC §312.8(61). The installation process must use industry-standard quality assurance and quality control methods. The soil or synthetic material must have a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/sec) or less. Soil liners must consist of suitable material along the sides and bottom of the disposal areas, with more than 30% passing a number 200 mesh sieve, a liquid limit greater than 30%; a plasticity index greater than 15, compaction greater than 95% Standard Proctor at optimum moisture content, and shall be at least two feet thick placed in six-inch lifts, or provide an equivalent level of groundwater protection.

The permittee shall furnish certification by a Texas Licensed Professional Engineer that the completed lining meets these requirements prior to use of the water treatment plant residuals monofill. The certification shall be submitted to the TCEQ Regional Office (MC Region 4), Water Quality Assessment Team (MC 150) and Plans and Specifications Review Team (MC 148) of the Water Quality Division. A copy of the liner certification shall be available at the monofill site for inspection by authorized representatives of the TCEQ.

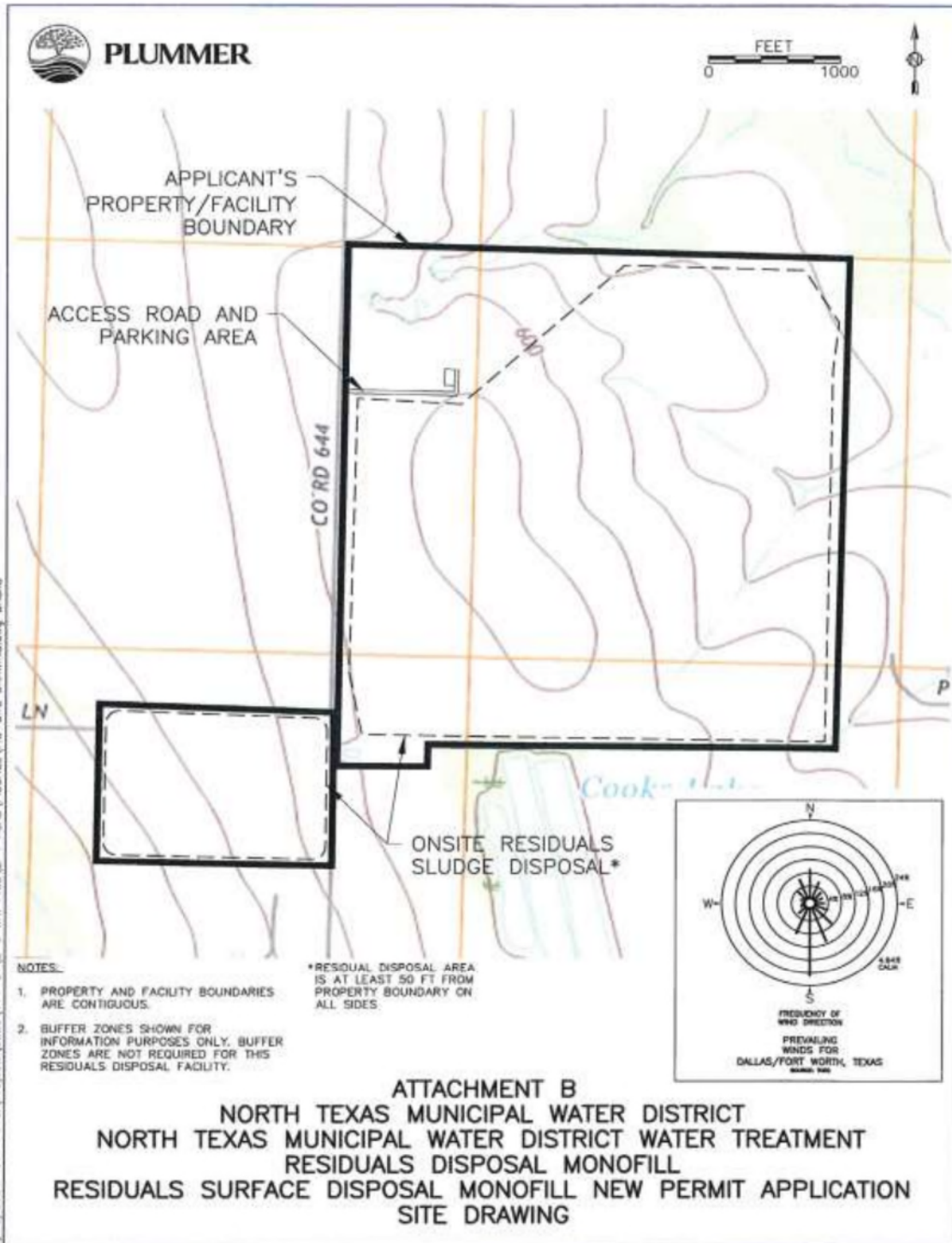
- C. Containment structures shall be isolated from stormwater run-on by berms or diversion terraces. The permittee shall not take any action which will increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
- D. Water treatment plant residuals deposited in the waste control facilities shall be disposed of so that no contamination of surface waters can occur. The water treatment plant residuals shall be disposed of in a manner to prevent nuisance conditions and to prevent the contamination of surface and ground waters. Any areas on which the water treatment plant residuals is stockpiled shall be isolated by dikes, terraces, or terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
- E. To prevent erosion conditions from occurring, vegetative cover shall be maintained year-round on all areas within the monofill that have reached the maximum elevation of disposal.
- F. The permittee shall give 180 days prior notice to the Executive Director of any change planned in the disposal practice.
- G. All facilities including ponds, pipes, ditches, pumps, and disposal equipment shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to water in the State.
- H. This permit allows the disposal of water treatment plant residuals from the Wylie Water Treatment Facility operated by North Texas Municipal Water District. However, it does not preclude the disposal of water treatment plant residuals from other water treatment plant facilities operated by North Texas Municipal Water District or any other TCEQ authorized water treatment plant in the future, provided the maximum permitted disposal rate is not exceeded. A request for an additional water treatment plant residuals source shall be submitted to the

Water Quality Division Land Application Team (MC 150) for review and approval prior to disposal.

Attachment A



Attachment B



TEXAS REGISTERED ENGINEERING FIRM F-13  
3/12/2021 4:44 PM L:\Projects\0328\114-01\2-D Wk Fm\A-2-1 ACH\FIGURES\114-SITE DRAWING.dwg Brond

Attachment C

# Annual Disposal Summary Report Form

(Water Treatment Plant Residuals Only)

Note 1: Please place this form at the top of your Annual Disposal Report.

Note 2: If you operate other registered/permited site, then fill-out this form for each one of those sites.

Note 3: Also send one complete copy of your report and this form to local TCEQ regional office.

For TCEQ Fiscal Year _____	Reporting period: From September 1, _____	to August 31, _____
Permit No: _____	Date _____	
Name of Permittee: _____		
Mailing Address: _____		
Contact Person _____	Name _____	Telephone No: _____

a. Amount of Water Treatment Plant Residuals Disposed: \_\_\_\_\_ dry tons

b. Acreage used for disposal at this site: \_\_\_\_\_ acres

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**PLEASE MAIL THE COMPLETED ANNUAL REPORT TO:**

Texas Commission on Environmental Quality  
Land Application Team (MC 150)  
Water Quality Assessment Section  
P.O. Box 13087  
Austin, TX 78711-3087

# **FINAL DRAFT PERMIT ISSUANCE**

## Pierce, Ryan

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**From:** Brian Sierant <brian.sierant@tceq.texas.gov>  
**Sent:** Thursday, April 28, 2022 4:24 PM  
**To:** English, Jenni  
**Cc:** Jerry Allen; Travis Markham; Davis, Alan; Hunt, Rex; Gregg Easley; Pierce, Ryan  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District  
**Attachments:** Revised WQ0005323000(2).pdf

Jenni,

Thank you for your comments. Attached is the updated draft with those edits.

Please let me know if you concur with the draft by COB tomorrow (4/29/22).

Thanks,

**Brian Sierant, Biosolids Work Leader**

[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)

Texas Commission on Environmental Quality

Water Quality Division

Land Application Team (MC 150)

P.O. Box 13087

Austin, Texas 78711-3087

Ph: 512-239-1375



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**From:** English, Jenni <jenglish@plummer.com>  
**Sent:** Thursday, April 28, 2022 11:55 AM  
**To:** Brian Sierant <brian.sierant@tceq.texas.gov>  
**Cc:** Jerry Allen <jallen@NTMWD.COM>; Travis Markham <tmarkham@NTMWD.COM>; Davis, Alan <adavis@plummer.com>; Hunt, Rex <rhunt@plummer.com>; Gregg Easley <gregg.easley@tceq.texas.gov>; Pierce, Ryan <rpierce@plummer.com>  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

Good morning Brian,

We have a few more comments to this draft permit. Below is a list of the revisions, cross-referenced to the pages as in the attached pdf. Please let us know if you have any questions.

1. **NAPD Page 1.** In the 3<sup>rd</sup> paragraph, please indicate that the residuals are not sewage sludge or biosolids as follows: “which is not sewage sludge, biosolids, or an industrial waste.” Additionally, please strike “initial” from the disposal rate.



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## **COMBINED NOTICE OF RECEIPT OF APPLICATION AND INTENT (NORI) TO OBTAIN A WATER QUALITY PERMIT AND NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR WATER TREATMENT RESIDUALS DISPOSAL PERMIT** **NEW**

**PERMIT NO. WQ0005323000**

**APPLICATION AND PRELIMINARY DECISION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0005323000, to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310 acre monofill. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on May 19, 2021.

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

**The applicant is publishing a combined NORI and NAPD because the NORI published on September 29, 2021 in the *Dallas Morning News* newspaper contained the incorrect title. The applicant has applied for a Water Treatment Residuals Disposal Permit and not for a Sewage Sludge or Biosolids Surface Disposal Permit. Water treatment residuals are defined as material generated during the treatment of either surface water or groundwater for potable use, which is not sewage sludge, biosolids or an industrial solid waste. In addition, the disposal rate submitted in the application has been increased at the request of the applicant during the technical review process.**

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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 exact location, refer to application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f816825of&marker=-96.3231%2C33.0928&level=12>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date \_\_\_\_\_

## **TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION**

### **DESCRIPTION OF APPLICATION**

Applicant: North Texas Municipal Water District

TCEQ Permit No.: WQ0005323000

Regulated Activity: Water Treatment Plant Residuals Disposal via Monofill

Type of Application: Permit

Request: New

Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

### **EXECUTIVE DIRECTOR RECOMMENDATION**

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC Chapter 312, and THSC section 361.121.

### **REASON FOR PROJECT PROPOSED**

North Texas Municipal Water District has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Permit No. WQ0005323000 to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310-acre monofill.

### **PROJECT DESCRIPTION AND LOCATION**

The water treatment plant residuals disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The water treatment plant residuals disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

### **PROPOSED PERMIT CONDITIONS**

Provisions are included in the draft permit according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The draft permit will authorize the processing, storage, and disposal of water treatment plant residuals at a maximum rate of 100,000 dry tons per year on 310 acres of land used as a monofill. Processing will involve dewatering of the water treatment plant residuals prior to disposal.

### **SUMMARY OF CHANGES FROM APPLICATION**

By request of the applicant, the maximum disposal rate has been increased from 51,000 tons per year to 100,000 tons per year.

### SUMMARY OF CHANGES FROM EXISTING PERMIT

None. This is a new permit.

### BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

Application submitted on May 19, 2021 and additional information submitted on August 12, 2021, February 1, 2022 and April 20, 2022.

### 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, 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 proceeding.

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 Brian Sierant at (512) 239-1375.

*Brian Sierant*

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Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

4/26/2022 (Revised)

Date



PERMIT NO. WQ0005323000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISPOSE OF WATER TREATMENT PLANT RESIDUALS

under provisions of Chapter 26 of the Texas Water Code and under provision of Texas Health & Safety Code Ann. Chapter 361 (Vernon) and Chapter 312 of the Texas Administrative Code.

**I. PERMITTEE**

North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

**II. AUTHORIZATION**

Disposal via Monofill of Water Treatment Plant Residuals. (SIC Code 4941).

**III. GENERAL DESCRIPTION AND LOCATION OF SITE**

**Description:** The North Texas Municipal Water District Water Treatment Residuals Disposal Monofill consists of a 310 acre monofill that is authorized for the disposal of dewatered water treatment plant residuals at a maximum rate of 100,000 dry tons per year.

**Location:** The water treatment plant residuals disposal site is located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. (See Attachment A).

**Drainage Basin:** The water treatment plant residuals disposal site is located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

The permittee is authorized to process, store, and dispose of water treatment plant residuals in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with applicable rules and regulations of the TCEQ. The permittee must handle and dispose of the residuals in accordance with all applicable state and federal regulations to protect public health and the environment. This permit does not authorize any invasion of personal rights nor any violation of federal, state or local laws or regulations.

This permit and the authorization contained herein shall expire at midnight five years from the date issued.

ISSUED DATE:

---

For the Commission

APP 000303

#### IV. GENERAL PROVISIONS

The permittee is authorized to process, store and dispose of water treatment plant residuals in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations to protect public health and the environment from any reasonable anticipated adverse effects due to any toxic pollutants which may be present.

##### A. General Requirements

1. No hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste, will be accepted, stored, processed, or disposed of at this site.
2. The permittee shall give 180 days prior notice to the Executive Director of the TCEQ of any change planned in the water treatment plant residuals disposal practice or prior to start of any construction which would decrease or increase the disposal capacity of the solid waste disposal facility.
3. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer. All necessary steps to protect groundwater from contamination by residuals or liquids associated with the residuals processing and disposal operation shall be taken.
4. Equipment capable of managing storm water runoff on the monofill site following a 25-year, 24-hour rainfall event shall be available for use at the site at all times.
5. Waste control facilities shall be isolated from storm water run-on by berms or diversion terraces. The permittee shall not take any action which will increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
6. All water treatment plant residuals shall be disposed of in a manner such that contamination of surface and ground waters is prevented and such that nuisance conditions (such as insect infestations or objectionable odors) are controlled. Any areas on which water treatment plant residuals are stockpiled shall be isolated by dikes, terraces, and terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
7. Off-site discharge of recovered liquids from the disposal area is not authorized by this permit. The facility shall be managed so as to prevent ponding of process generated liquids on the ground, prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions.
8. All facilities including ponds, pipes, ditches, and pumps shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to waters in the State.
9. Water retention facilities for storage of runoff that has not come into contact with waste do not require lining to control seepage. Water retention facilities for storage of water that have come into contact with water treatment residuals shall be lined to control seepage in one of the following manners:
  - a. In-situ or placed and compacted clay soils meeting the following requirements:
    - i. more than or equal to 30% passing a No. 200 mesh sieve;



- ii. liquid limit greater than 30%;
  - iii. plasticity index greater than 15;
  - iv. a minimum thickness of 12 inches;
  - v. permeability equal to or less than  $1 \times 10^{-7}$  cm/sec; and
  - vi. soil compaction will be 95% standard proctor at optimum moisture content.
- b. Membrane lining with a minimum thickness of 20 mils, and an underdrain leak detection system.
  - c. An alternate method of pond lining may be utilized with prior approval from the Executive Director.

The permittee shall furnish certification by a Professional Engineer licensed in Texas that any pond lining for ponds constructed after the issuance date of this permit meets the appropriate criteria prior to utilization. The certification shall be sent to the TCEQ Land Application Team (MC 150) and the TCEQ Regional Office (MC Region 4).

#### B. Management Practices

1. No water treatment plant residuals failing the Toxicity Characteristic Leaching Procedure (TCLP) test shall be transported to this site.
2. All water treatment plant residuals disposal operations shall be operated so as to minimize odor and nuisance conditions and prevent contamination of ground or surface waters.
3. The permittee shall maintain a minimum of a 150-foot buffer zone from all private drinking water wells, and a minimum buffer distance of 500 feet shall be maintained from public water supply wells and the water treatment plant residuals disposal areas.
4. Water treatment plant residuals shall not be placed on an active residuals disposal unit if it is likely to adversely affect a threatened or endangered species of plant, fish or wildlife listed under the Endangered Species Act, §4, or its designated critical habitat.
5. An active water treatment plant residuals disposal unit shall not restrict the flow of the 100-year flood.
6. An active water treatment plant residuals disposal unit shall not be located in an unstable area.
7. An active water treatment plant residuals disposal unit shall not be located in a wetland except as provided in permit issued pursuant to the federal Clean Water Act §402 or §404.
8. Runoff from an active water treatment plant residuals disposal unit shall be collected and disposed in accordance with the applicable requirements. The runoff collection system for an active water treatment plant residuals disposal unit shall have the capacity to handle runoff from a 25-year, 24-hour rainfall event.
9. A food crop, feed crop, or a fiber crop shall not be grown on an active water treatment plant residuals disposal unit.
10. Animals shall not graze on the active water treatment plant residuals disposal unit.

11. Public access to a disposal unit shall be restricted during the period that the disposal site contains an active residuals disposal unit and for a period of three years after the last active water treatment plant residuals disposal unit in the disposal site closes. The facility entrances will be closed and locked outside of normal operating hours. The perimeter fence shall be monitored and repaired as needed to maintain site security. Waste transporters will be restricted to the designated unloading areas only.
12. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer.
13. No water treatment plant residuals with a polychlorinated biphenyl (PCB) concentration of greater than or equal to 50 mg/kg (dry weight basis) shall be transported to this facility.

C. Testing Requirements

TCLP Test - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix TCLP or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1.

PCBs - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in 40 CFR Part 136, pertaining to PCBs or other method that receives the prior approval of the TCEQ.

D. Record Keeping Requirements

The permittee shall develop and keep records of all water treatment plant residuals disposal activities and shall be made available to TCEQ upon request. Such records will include the following information:

1. the results of TCLP and PCB testing performed in accordance with Provision IV.C;
2. a description of how the management practices listed above in IV.B. are being met;
3. dates of disposal and quantities (in dry tons) of residuals from each source.

The above records shall be maintained on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for five years or for the duration of the permit, whichever is longer.

E. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (Region 4) and to the Water Quality Land Application Team (MC 150) of the Water Quality Division, by September 30<sup>th</sup> (report period September 1<sup>st</sup> of previous year through August 31<sup>st</sup> of current year) of each year the "Annual Disposal Summary Report Form" (Attachment C) and the following information:

1. the frequency of monitoring listed in Provision IV.C which applies to the permittee;
2. results of tests performed for TCLP and PCBs in accordance with Provision IV.C;
3. dates of disposal and quantities (dry tons) of water treatment plant residuals from each source;
4. verification statement listed in 30 TAC §312.67(a)(2)(B) shall be attached to the annual reporting form; and
5. continuing evidence of financial responsibility to assure the commission that the responsible owner or operator has sufficient assets to properly operate the site and to provide proper closure and post-closure. This assurance for the proper operation of the site may be in the form of performance bonds, letters of credit from recognized financial institutions, trust funds, or insurance. Unless otherwise notified by the TCEQ of the need for additional documentation, the permittee is not required to provide further evidence of financial responsibility pertaining to this permit.

#### F. Closure Requirements

The permittee shall submit a written "closure and post closure plan" to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the anticipated date of the monofill closure. Closure is the act of the permanent removal from service of the monofill regulated by this permit.

### V. FACILITY DESIGN, CONSTRUCTION, AND OPERATION

#### A. General Design and Construction

1. Facility design, construction, and operation must comply with this permit, the TCEQ rules, and be in accordance with the site development plan for the construction and the operation approved herein.
2. The entire waste control facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste or contamination, and to prevent inundation of and discharge from the areas surrounding the facility components. Each receiving and disposal area shall be provided with a containment system which will collect spills and incident precipitation in such a manner as to:
  - a. preclude the release of any contaminated runoff, spills, or precipitation;
  - b. prevent washout of any waste by a 100-year storm; and
  - c. prevent run-on into the disposal area.
3. All recovered water shall be managed as specified in General Provision IV.A.4.
4. Final Cover: At a minimum, final cover shall consist of two feet of soil/clay. The coefficient of permeability of the final cover shall not exceed that of the liner.

**B. General Operational Requirements**

The site and monofill shall be managed and operated in accordance with the most recent and applicable rules adopted by the Commission relating to water treatment plant residuals monofills.

**VI. STANDARD PROVISIONS**

- A. This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.
- B. Unless specified otherwise, any noncompliance which may endanger human health or safety, or the environment must be reported to the TCEQ. Report of such information must be provided orally or by facsimile transmission (FAX) to the TCEQ Regional Office (MC Region 4) within 24 hours of becoming aware of the noncompliance. A written submission of such information must also be provided to the TCEQ Regional Office (MC Region 4) and to the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission must 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 anticipated 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.
- C. Acceptance of this permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions, limitations and restrictions embodied in this permit and with the rules and other Orders of the Commission and the laws of the State of Texas. Agreement is a condition precedent to the granting of this permit.
- D. Prior to any transfer of this permit, Commission approval must be obtained. The Commission should be notified, in writing, of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Water Quality Land Application Team (MC 150).
- E. 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 must control.
- F. The permittee is subject to the provisions of 30 TAC Section 305.125.
- G. Any proposed site changes, addition of land area, or expansion in the capacity which have not been addressed by the terms of this permit must be authorized in accordance with the TCEQ permit amendment or modification rules 30 TAC Chapter 305.
- H. According to 30 TAC §305.125(10) inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28 and the Texas Solid Waste Disposal Act.

**VII. SPECIAL PROVISIONS**

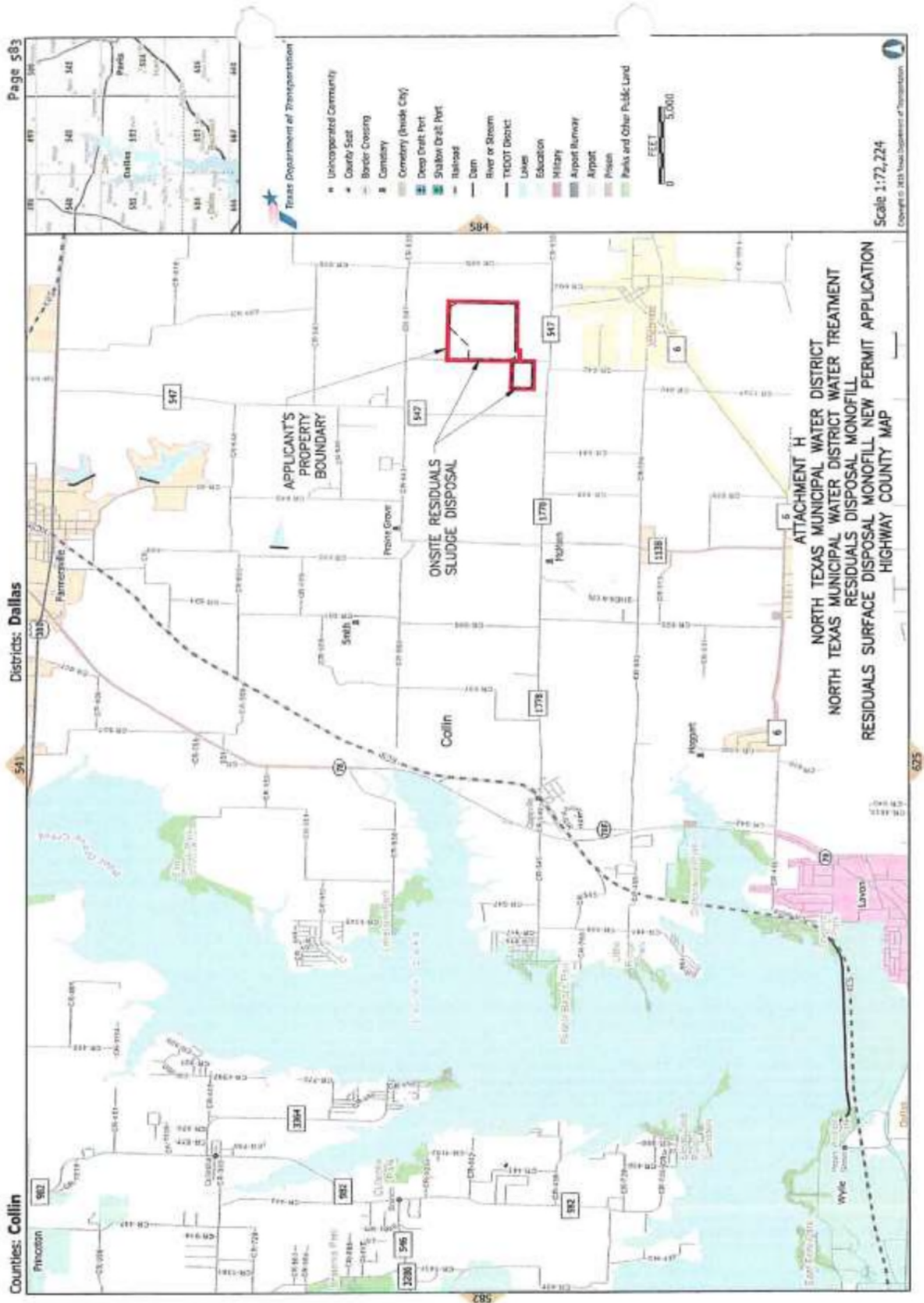
- A. The permittee is authorized to process, store and dispose of water treatment plant residuals at a maximum rate of 100,000 dry tons per year within the 310 acre monofill indicated on Attachment B. No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste shall be accepted, stored, processed, or disposed of within the disposal unit.
- B. Prior to the commencement of the disposal of the water treatment plant residuals, the permittee shall complete the installation of the monofill liner which meets the definition and requirements of 30 TAC §312.8(61). The installation process must use industry-standard quality assurance and quality control methods. The soil or synthetic material must have a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/sec) or less. Soil liners must consist of suitable material along the sides and bottom of the disposal areas, with more than 30% passing a number 200 mesh sieve, a liquid limit greater than 30%; a plasticity index greater than 15, compaction greater than 95% Standard Proctor at optimum moisture content, and shall be at least two feet thick placed in six-inch lifts, or provide an equivalent level of groundwater protection.

The permittee shall furnish certification by a Texas Licensed Professional Engineer that the completed lining meets these requirements prior to use of the water treatment plant residuals monofill. The certification shall be submitted to the TCEQ Regional Office (MC Region 4), Water Quality Assessment Team (MC 150) and Plans and Specifications Review Team (MC 148) of the Water Quality Division. A copy of the liner certification shall be available at the monofill site for inspection by authorized representatives of the TCEQ.

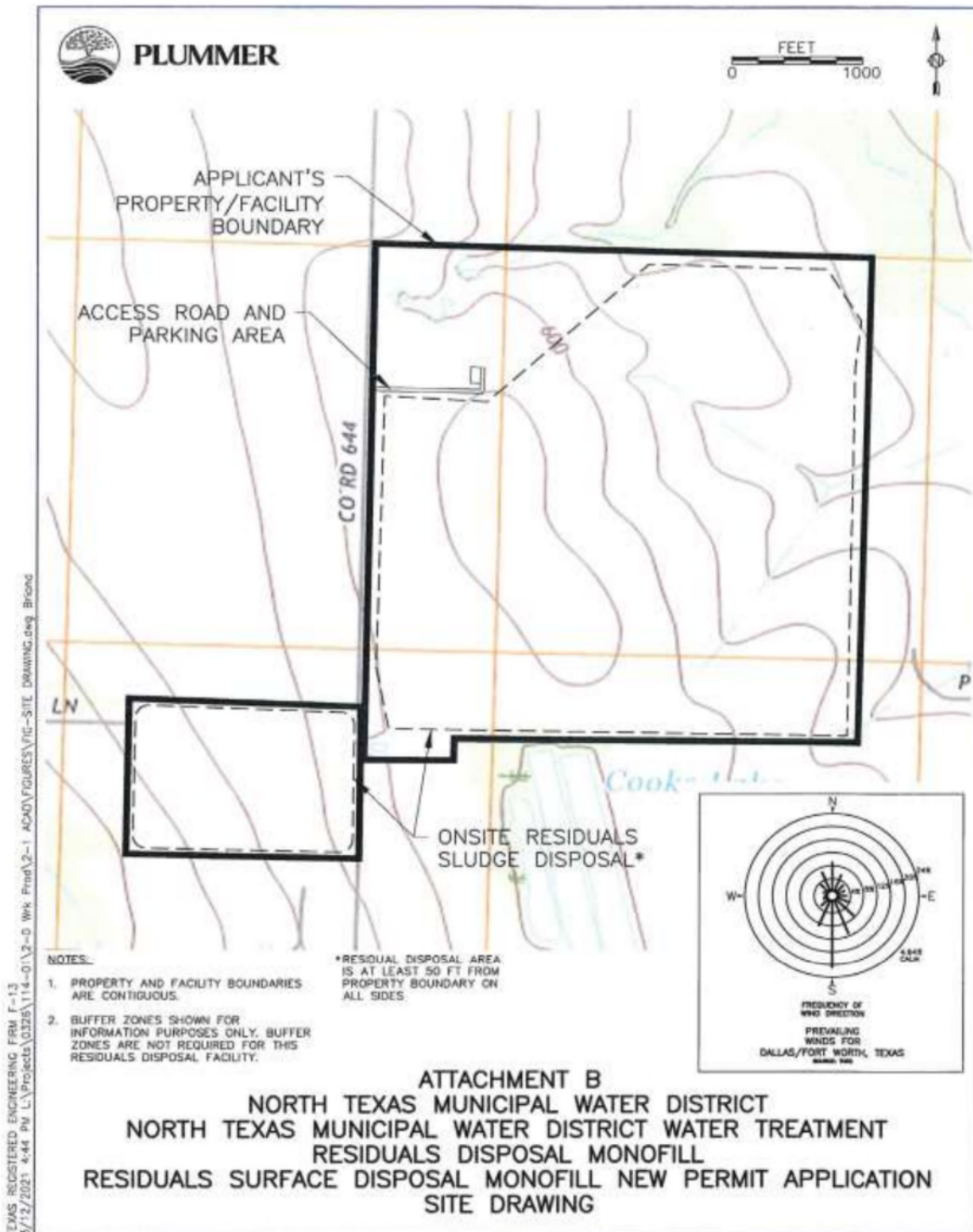
- C. Containment structures shall be isolated from stormwater run-on by berms or diversion terraces. The permittee shall not take any action which will increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
- D. Water treatment plant residuals deposited in the waste control facilities shall be disposed of so that no contamination of surface waters can occur. The water treatment plant residuals shall be disposed of in a manner to prevent nuisance conditions and to prevent the contamination of surface and ground waters. Any areas on which the water treatment plant residuals is stockpiled shall be isolated by dikes, terraces, or terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
- E. To prevent erosion conditions from occurring, vegetative cover shall be maintained year-round on all areas within the monofill that have reached the maximum elevation of disposal.
- F. The permittee shall give 180 days prior notice to the Executive Director of any change planned in the disposal practice.
- G. All facilities including ponds, pipes, ditches, pumps, and disposal equipment shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to water in the State.
- H. This permit allows the disposal of water treatment plant residuals from the Wylie Water Treatment Facility operated by North Texas Municipal Water District. However, it does not preclude the disposal of water treatment plant residuals from other water treatment plant facilities operated by North Texas Municipal Water District or any other TCEQ authorized water treatment plant in the future, provided the maximum permitted disposal rate is not exceeded. A request for an additional water treatment plant residuals source shall be submitted to the

Water Quality Division Land Application Team (MC 150) for review and approval prior to disposal.

Attachment A



Attachment B





Attachment C

Annual Disposal Summary Report Form
(Water Treatment Plant Residuals Only)

Note 1: Please place this form at the top of your Annual Disposal Report.

Note 2. If you operate other registered/permittted site, then fill-out this form for each one of those sites.

Note 3: Also send one complete copy of your report and this form to local TCEQ regional office.

Form with fields: For TCEQ Fiscal Year, Reporting period, Permit No., Name of Permittee, Mailing Address, Contact Person Name, Telephone No.

a. Amount of Water Treatment Plant Residuals Disposed: dry tons

b. Acreage used for disposal at this site: acres

PLEASE MAIL THE COMPLETED ANNUAL REPORT TO:

Texas Commission on Environmental Quality
Land Application Team (MC 150)
Water Quality Assessment Section
P.O. Box 13087
Austin, TX 78711-3087

## Griesel, Jenni

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**From:** Griesel, Jenni  
**Sent:** Wednesday, November 29, 2023 12:42 PM  
**To:** Griesel, Jenni  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

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**From:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Sent:** Friday, April 29, 2022 9:02 AM  
**To:** Brian Sierant <[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)>  
**Cc:** Jerry Allen <[jallen@NTMWD.COM](mailto:jallen@NTMWD.COM)>; Travis Markham <[tmarkham@NTMWD.COM](mailto:tmarkham@NTMWD.COM)>; Davis, Alan <[adavis@plummer.com](mailto:adavis@plummer.com)>; Hunt, Rex <[rhunt@plummer.com](mailto:rhunt@plummer.com)>; Gregg Easley <[gregg.easley@tceq.texas.gov](mailto:gregg.easley@tceq.texas.gov)>; Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

Good morning Brian,

We have reviewed the revised draft permit and accept it as written.

Thank you,

**Jenni (English) Griesel**

*Engineer in Training*  
Plummer

**P:** 512.452.5905

**D:** 512.687.2193

**C:** 817.694.8386

[www.plummer.com](http://www.plummer.com)

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**From:** Brian Sierant <[brian.sierant@tceq.texas.gov](mailto:brian.sierant@tceq.texas.gov)>  
**Sent:** Thursday, April 28, 2022 4:24 PM  
**To:** English, Jenni <[jenglish@plummer.com](mailto:jenglish@plummer.com)>  
**Cc:** Jerry Allen <[jallen@NTMWD.COM](mailto:jallen@NTMWD.COM)>; Travis Markham <[tmarkham@NTMWD.COM](mailto:tmarkham@NTMWD.COM)>; Davis, Alan <[adavis@plummer.com](mailto:adavis@plummer.com)>; Hunt, Rex <[rhunt@plummer.com](mailto:rhunt@plummer.com)>; Gregg Easley <[gregg.easley@tceq.texas.gov](mailto:gregg.easley@tceq.texas.gov)>; Pierce, Ryan <[rpierce@plummer.com](mailto:rpierce@plummer.com)>  
**Subject:** RE: WQ0005323000 North Texas Municipal Water District

Jenni,

Thank you for your comments. Attached is the updated draft with those edits.

Please let me know if you concur with the draft by COB tomorrow (4/29/22).

Thanks,

# **COMBINED NORI & NAPD DOCUMENTATION**

Jean Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 18, 2022

MR JERRY ALLEN  
NORTH TEXAS MUNICIPAL WATER DISTRICT  
PO BOX 2408  
WYLIE, TX 75098-2408

RE: Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT  
Facility Location: Collin County  
Permit Number: WQ0005323000  
Customer Reference Number: CN601365448  
Regulated Entity Number: RN111289740  
Type of Authorization: **COMBINED NOTICE OF RECEIPT OF APPLICATION  
AND INTENT TO OBTAIN A WATER QUALITY PERMIT (NORI) AND  
NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR  
WATER TREATMENT RESIDUAL PERMIT NEW**

DEAR MR ALLEN:

The executive director has declared the above referenced application administratively complete, has completed the technical review, and has prepared a preliminary decision and draft permit.

You are now required to publish notice of your proposed activity and make a copy of all documents available for public review. To help you meet the requirements associated with this notice, we have included the following items:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Publisher's Affidavits
- Draft Permit
- Executive Director's Preliminary Decision
- Public Notice Verification Form

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices. The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

MS JERRY ALLEN

May 18, 2022

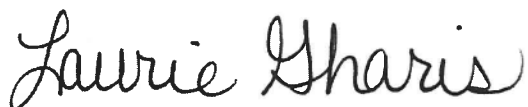
Page 2 of 2

1. Publish the enclosed notice within **30 calendar days** after the date of this cover letter. **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
2. On or before the date you publish notice, you must place the following items in a public place in the county where the facility is or will be located: (a) a copy of your permit application, including any subsequent revisions; (b) the executive director's preliminary decision as contained in the technical summary and fact sheet; and (c) the draft permit, including any subsequent revisions. These items must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.
3. For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended, or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,



Laurie Gharis  
Chief Clerk

Enclosures

**INSTRUCTIONS FOR PUBLIC NOTICE  
For Water Quality Permit  
(Renewal/Amendment/New)  
For Combined**

**NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT  
AND NOTICE OF APPLICATION AND PRELIMINARY DECISION**

The executive director has completed the technical review of your application and issued a preliminary decision. You must comply with the following instructions. There are seven (7) steps involved in publishing notice. Complete each step.

**1. REVIEW THE NOTICE FOR ACCURACY**

**Read the enclosed notice carefully and notify the Wastewater Permitting Section at 512-239-4671 immediately if it contains any errors or omissions.** You are responsible for ensuring the accuracy of all information published. Do not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ. Changing the text or formatting of the notice may require new publication at your expense and delay processing of your application.

**2. PUBLISH THE NOTICE IN THE NEWSPAPER**

**You must publish the enclosed notice as soon as possible, but no later than 45 days from the date on the cover letter.**

For renewal applications, you must publish at least once in the same newspaper that you published the Notice of Receipt of Application and Intent to Obtain Permit.

For all other applications, you must publish at least once in a newspaper regularly published or circulated within each county where the facility and discharge point are located or proposed to be located.

The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., bold, italics). Failure to do so may require re-notice.

**3. PUBLISH THE NOTICE IN AN ALTERNATIVE LANGUAGE**

**You must publish notice in an alternative language IF:** either the elementary or middle school nearest to the facility or proposed facility is required to provide a "bilingual education program" (BEP) as required by Texas Education Code (TEC), Chapter 29, Subchapter B, and 19 Tex. Admin. Code §89.1205(a) AND one of the following conditions is met:

- students are enrolled in a program at that school;
- students from that school attend a bilingual education program at another location; or
- the school that otherwise would be required to provide a bilingual education program has been granted an exception from the requirements to provide the program as provided for in 19 Tex. Admin. Code §89.1207(a).

A “bilingual education program” is different from an “English as a second language program” (ESL). An ESL program alone, will not require public notice in an alternative language.

If triggered, you must publish the notice in a newspaper or publication primarily published in the alternative language taught in the bilingual education program. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements. The newspaper or publication must be of general circulation in the county in which the facility and discharge point are located or proposed to be located. If the facility and discharge point are located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. You have the burden to demonstrate compliance with these requirements.

If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. The Spanish templates are available on the TCEQ website at [http://www.tceq.texas.gov/permitting/wastewater/review/napd/wqspanish\\_napd.html](http://www.tceq.texas.gov/permitting/wastewater/review/napd/wqspanish_napd.html). If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

#### **4. PUT THE APPLICATION IN A PUBLIC PLACE**

**You must put a copy of the following documents in the public place identified in the enclosed notice:**

- the complete application,
- the executive director's preliminary decision as contained in the technical summary and fact sheet,
- the draft permit, and
- any subsequent revisions to these documents.

This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.

For confidential information contained in the application, you must indicate which specific portions of the application cannot be made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

**5. PROVIDE PROOF OF PUBLICATION**

**For each newspaper in which you published, you must submit proof of publication. Proof of publication must include the following:**

- a completed Publisher's Affidavit (enclosed); and
- a copy of the published notice which shows the notice, the date published, and the newspaper name. The copy must be on standard-size 8½ x 11" paper and must show the actual size of the published notice. Do not reduce the image when making copies. Published notices longer than 11" must be copied onto multiple 8½ x 11" pages. Or you can submit the original newspaper clipping.

**If you are required to publish notice in an alternative language and are unable to do so, complete and submit the Alternative Language Exemption form (enclosed).**

**6. PROVIDE PROOF OF APPLICATION VIEWING LOCATION**

**You must submit a completed Public Notice Verification Form (enclosed), which certifies that the complete application and draft permit were placed at the public place identified in the enclosed notice.**

**7. PROVIDE PROOFS TO TCEQ**

**Email the proof of publication documents to [PROOFS@tceq.texas.gov](mailto:PROOFS@tceq.texas.gov) OR mail the proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) within 30 days of publication to:**

TCEQ  
Office of the Chief Clerk, MC 105  
Attn: Notice Team  
P.O. Box 13087  
Austin, Texas 78711-3087

**Additional Information**

**If you fail to publish the notice or submit proofs within the timeframes noted above, the TCEQ may suspend further processing on your application or take other actions in accordance with 30 Tex. Admin. Code §39.405(a).**

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the Wastewater Permitting Section at 512-239-4671. When contacting TCEQ regarding this application, please refer to the permit number at the top of the enclosed notice.

If you wish to obtain an electronic copy of the notice, please visit our web site at [http://www.tceq.texas.gov/agency/cc/cc\\_db.html](http://www.tceq.texas.gov/agency/cc/cc_db.html) or <http://www.tceq.texas.gov/agency/cc/eda.html>. Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



COMBINED

NOTICE OF RECEIPT OF APPLICATION AND INTENT (NORI) TO OBTAIN A  
WATER QUALITY PERMIT

AND

NOTICE OF APPLICATION AND PRELIMINARY DECISION (NAPD) FOR WATER  
TREATMENT RESIDUALS DISPOSAL PERMIT

NEW

PERMIT NO. WQ0005323000

**APPLICATION AND PRELIMINARY DECISION.** North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0005323000, to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310 acre monofill. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on May 19, 2021.

The disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

**The applicant is publishing a combined NORI and NAPD because the NORI published on September 29, 2021 in the *Dallas Morning News* newspaper contained the incorrect title. The applicant has applied for a Water Treatment Residuals Disposal Permit and not for a Sewage Sludge or Biosolids Surface Disposal Permit. Water treatment residuals are defined as material generated during the treatment of either surface water or groundwater for potable use, which is not sewage sludge, biosolids or an industrial solid waste. In addition, the disposal rate submitted in the application has been increased at the request of the applicant during the technical review process.**

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Charles J. Rike Memorial Library, 203 Orange Street, Farmersville, Texas. 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 exact location, refer to application.  
<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36of816825of&marker=-96.3231%2C33.0928&level=12>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from North Texas Municipal Water District at the address stated above or by calling Mr. Jerry Allen at 469-626-4634.

Issuance Date May 18, 2022

TCEQ - Office of the Chief Clerk  
MC-105 Attn: Notice Team  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT  
Permit Number: WQ0005323000 CID Item No. 125200  
COMBINED NOTICE OF RECEIPT AND INTENT / NOTICE OF  
APPLICATION AND PRELIMINARY DECISION

### PUBLISHER'S AFFIDAVIT FOR WATER QUALITY PERMITS

STATE OF TEXAS

COUNTY OF: \_\_\_\_\_

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_, who being by me duly  
*(name of person representing newspaper)*

sworn, deposes and says that (s)he is the \_\_\_\_\_  
*(title of person representing newspaper)*

of the \_\_\_\_\_ ; that this newspaper is a  
*(name of newspaper)*

newspaper of largest circulation in \_\_\_\_\_ County, Texas,  
*(name of county)*

or is a newspaper of general circulation in \_\_\_\_\_, Texas  
*(name of municipality)*

and that the attached notice was published in said newspaper on the following date(s):

\_\_\_\_\_  
*(date or dates, of publication in the newspaper)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,

20 \_\_\_\_\_, to certify which witness my hand and seal of office.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

My Commission Expires \_\_\_\_\_

TCEQ - Office of the Chief Clerk  
MC-105 Attn: Notice Team  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT  
Permit Number: WQ0005323000 CID Item No. 125200  
COMBINED NOTICE OF RECEIPT AND INTENT / NOTICE OF  
APPLICATION AND PRELIMINARY DECISION

### ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §  
COUNTY OF: \_\_\_\_\_ §

Before me, the undersigned authority, on this day personally appeared,  
\_\_\_\_\_, who being by me duly  
*(name of person representing newspaper)*

sworn, deposes and says that (s)he is the \_\_\_\_\_  
*(title of person representing newspaper)*

of the \_\_\_\_\_ ; that this newspaper is generally  
*(name of newspaper)*

circulated in \_\_\_\_\_ County, Texas and is published primarily in  
*(same county as proposed facility)*

\_\_\_\_\_ language; the attached notice was published in  
*(alternative language)*

said newspaper on the following date(s):  
\_\_\_\_\_  
*(date or dates of publication)*

\_\_\_\_\_  
Newspaper Representative's Signature

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_\_, to certify which witness my hand and seal of office.

(Seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
Print or Type Name of Notary Public

My Commission Expires \_\_\_\_\_



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Public Notice Verification Form  
Notice of Application and Preliminary Decision  
(NAPD)  
Water Quality Permit

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All applicants must complete this page.

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT

Site or Facility Name: NORTH TEXAS MWD TREATMENT RESIDUALS DISPOSAL MONOFILL

Water Quality Permit Number: WQ0005323000

Regulated Entity Number: RN111289740 Customer Number: CN601365448

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application and draft permit, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings (SOAH).

Name of Public Place: \_\_\_\_\_

Address of Public Place: \_\_\_\_\_

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

## TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

### DESCRIPTION OF APPLICATION

Applicant: North Texas Municipal Water District

TCEQ Permit No.: WQ0005323000

Regulated Activity: Water Treatment Plant Residuals Disposal via Monofill

Type of Application: Permit

Request: New

Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

### EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The proposed permit will expire five years from the date of issuance in accordance with 30 TAC Chapter 312, and THSC section 361.121.

### REASON FOR PROJECT PROPOSED

North Texas Municipal Water District has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Permit No. WQ0005323000 to authorize the processing, storage and disposal of water treatment plant residuals on an approximately 310-acre monofill.

### PROJECT DESCRIPTION AND LOCATION

The water treatment plant residuals disposal site will be located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. The water treatment plant residuals disposal site will be located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

### PROPOSED PERMIT CONDITIONS

Provisions are included in the draft permit according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal and Transportation. The draft permit will authorize the processing, storage, and disposal of water treatment plant residuals at a maximum rate of 100,000 dry tons per year on 310 acres of land used as a monofill. Processing will involve dewatering of the water treatment plant residuals prior to disposal.

### SUMMARY OF CHANGES FROM APPLICATION

By request of the applicant, the maximum disposal rate has been increased from 51,000 tons per year to 100,000 tons per year.

North Texas Municipal Water District  
Permit No. WQ0005323000  
Technical Summary and Executive Director's Preliminary Decision

For additional information about this application, contact Brian Sierant at (512) 239-1375.

*Brian Sierant*

---

Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

---

4/26/2022 (Revised)  
Date



## TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

### DESCRIPTION OF APPLICATION

Applicant: North Texas Municipal Water District

TCEQ Permit No.: WQ0005323000

Regulated Activity: Water Treatment Plant Residuals Disposal via Monofill

Type of Application: Permit

Request: New

Authority: Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapters 281, 305, 312, and Texas Health and Safety Code (THSC) §361.121; and Commission policies.

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### SUMMARY OF CHANGES FROM APPLICATION

By request of the applicant, the maximum disposal rate has been increased from 51,000 tons per year to 100,000 tons per year.

### SUMMARY OF CHANGES FROM EXISTING PERMIT

None. This is a new permit.

### BASIS FOR PROPOSED DRAFT PERMIT

The following items were considered in developing the proposed permit draft:

Application submitted on May 19, 2021 and additional information submitted on August 12, 2021, February 1, 2022 and April 20, 2022.

### 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, 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 proceeding.

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.

North Texas Municipal Water District  
Permit No. WQ0005323000  
Technical Summary and Executive Director's Preliminary Decision

For additional information about this application, contact Brian Sierant at (512) 239-1375.

*Brian Sierant*

\_\_\_\_\_  
Brian Sierant, Biosolids Work Leader  
Land Application Team  
Water Quality Assessments Section (MC150)

\_\_\_\_\_  
4/26/2022 (Revised)

Date



PERMIT NO. WQ0005323000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
P.O. Box 13087  
Austin, Texas 78711-3087

PERMIT TO DISPOSE OF WATER TREATMENT PLANT RESIDUALS

under provisions of Chapter 26 of the Texas Water Code and under provision of Texas Health & Safety Code Ann. Chapter 361 (Vernon) and Chapter 312 of the Texas Administrative Code.

**I. PERMITTEE**

North Texas Municipal Water District  
P.O. Box 2408  
Wylie, Texas 75098

**II. AUTHORIZATION**

Disposal via Monofill of Water Treatment Plant Residuals. (SIC Code 4941).

**III. GENERAL DESCRIPTION AND LOCATION OF SITE**

**Description:** The North Texas Municipal Water District Water Treatment Plant Residuals Disposal Monofill consists of a 310 acre monofill that is authorized for the disposal of dewatered water treatment plant residuals at a maximum rate of 100,000 dry tons per year.

**Location:** The water treatment plant residuals disposal site is located approximately 0.25 mile north of the intersection of County Road 644 and Farm-to-Market Road 547, in Collin County, Texas 75442. (See Attachment A).

**Drainage Basin:** The water treatment plant residuals disposal site is located in the drainage basin of Lake Tawakoni in Segment No. 0507 of the Sabine River Basin.

The permittee is authorized to process, store, and dispose of water treatment plant residuals in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with applicable rules and regulations of the TCEQ. The permittee must handle and dispose of the residuals in accordance with all applicable state and federal regulations to protect public health and the environment. This permit does not authorize any invasion of personal rights nor any violation of federal, state or local laws or regulations.

This permit and the authorization contained herein shall expire at midnight five years from the date issued.

ISSUED DATE:

---

For the Commission

#### IV. GENERAL PROVISIONS

The permittee is authorized to process, store and dispose of water treatment plant residuals in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations to protect public health and the environment from any reasonable anticipated adverse effects due to any toxic pollutants which may be present.

##### A. General Requirements

1. No hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste, will be accepted, stored, processed, or disposed of at this site.
2. The permittee shall give 180 days prior notice to the Executive Director of the TCEQ of any change planned in the water treatment plant residuals disposal practice or prior to start of any construction which would decrease or increase the disposal capacity of the solid waste disposal facility.
3. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer. All necessary steps to protect groundwater from contamination by residuals or liquids associated with the residuals processing and disposal operation shall be taken.
4. Equipment capable of managing storm water runoff on the monofill site following a 25-year, 24-hour rainfall event shall be available for use at the site at all times.
5. Waste control facilities shall be isolated from storm water run-on by berms or diversion terraces. The permittee shall not take any action which will increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
6. All water treatment plant residuals shall be disposed of in a manner such that contamination of surface and ground waters is prevented and such that nuisance conditions (such as insect infestations or objectionable odors) are controlled. Any areas on which water treatment plant residuals are stockpiled shall be isolated by dikes, terraces, and terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
7. Off-site discharge of recovered liquids from the disposal area is not authorized by this permit. The facility shall be managed so as to prevent ponding of process generated liquids on the ground, prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions.
8. All facilities including ponds, pipes, ditches, and pumps shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to waters in the State.
9. Water retention facilities for storage of runoff that has not come into contact with waste do not require lining to control seepage. Water retention facilities for storage of water that have come into contact with water treatment residuals shall be lined to control seepage in one of the following manners:
  - a. In-situ or placed and compacted clay soils meeting the following requirements:
    - i. more than or equal to 30% passing a No. 200 mesh sieve;

- ii. liquid limit greater than 30%;
  - iii. plasticity index greater than 15;
  - iv. a minimum thickness of 12 inches;
  - v. permeability equal to or less than  $1 \times 10^{-7}$  cm/sec; and
  - vi. soil compaction will be 95% standard proctor at optimum moisture content.
- b. Membrane lining with a minimum thickness of 20 mils, and an underdrain leak detection system.
  - c. An alternate method of pond lining may be utilized with prior approval from the Executive Director.

The permittee shall furnish certification by a Professional Engineer licensed in Texas that any pond lining for ponds constructed after the issuance date of this permit meets the appropriate criteria prior to utilization. The certification shall be sent to the TCEQ Land Application Team (MC 150) and the TCEQ Regional Office (MC Region 4).

#### B. Management Practices

1. No water treatment plant residuals failing the Toxicity Characteristic Leaching Procedure (TCLP) test shall be transported to this site.
2. All water treatment plant residuals disposal operations shall be operated so as to minimize odor and nuisance conditions and prevent contamination of ground or surface waters.
3. The permittee shall maintain a minimum of a 150-foot buffer zone from all private drinking water wells, and a minimum buffer distance of 500 feet shall be maintained from public water supply wells and the water treatment plant residuals disposal areas.
4. Water treatment plant residuals shall not be placed on an active residuals disposal unit if it is likely to adversely affect a threatened or endangered species of plant, fish or wildlife listed under the Endangered Species Act, §4, or its designated critical habitat.
5. An active water treatment plant residuals disposal unit shall not restrict the flow of the 100-year flood.
6. An active water treatment plant residuals disposal unit shall not be located in an unstable area.
7. An active water treatment plant residuals disposal unit shall not be located in a wetland except as provided in permit issued pursuant to the federal Clean Water Act §402 or §404.
8. Runoff from an active water treatment plant residuals disposal unit shall be collected and disposed in accordance with the applicable requirements. The runoff collection system for an active water treatment plant residuals disposal unit shall have the capacity to handle runoff from a 25-year, 24-hour rainfall event.
9. A food crop, feed crop, or a fiber crop shall not be grown on an active water treatment plant residuals disposal unit.
10. Animals shall not graze on the active water treatment plant residuals disposal unit.

11. Public access to a disposal unit shall be restricted during the period that the disposal site contains an active residuals disposal unit and for a period of three years after the last active water treatment plant residuals disposal unit in the disposal site closes. The facility entrances will be closed and locked outside of normal operating hours. The perimeter fence shall be monitored and repaired as needed to maintain site security. Waste transporters will be restricted to the designated unloading areas only.
12. Water treatment plant residuals placed on an active water treatment plant residuals disposal unit shall not contaminate an aquifer.
13. No water treatment plant residuals with a polychlorinated biphenyl (PCB) concentration of greater than or equal to 50 mg/kg (dry weight basis) shall be transported to this facility.

#### C. Testing Requirements

TCLP Test - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix TCLP or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1.

PCBs - Once during the term of the permit

Water treatment plant residuals shall be tested in accordance with the method specified in 40 CFR Part 136, pertaining to PCBs or other method that receives the prior approval of the TCEQ.

#### D. Record Keeping Requirements

The permittee shall develop and keep records of all water treatment plant residuals disposal activities and shall be made available to TCEQ upon request. Such records will include the following information:

1. the results of TCLP and PCB testing performed in accordance with Provision IV.C;
2. a description of how the management practices listed above in IV.B. are being met;
3. dates of disposal and quantities (in dry tons) of residuals from each source.

The above records shall be maintained on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for five years or for the duration of the permit, whichever is longer.

#### E. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (Region 4) and to the Water Quality Land Application Team (MC 150) of the Water Quality Division, by September 30<sup>th</sup> (report period September 1<sup>st</sup> of previous year through August 31<sup>st</sup> of current year) of each year the "Annual Disposal Summary Report Form" (Attachment C) and the following information:

1. the frequency of monitoring listed in Provision IV.C which applies to the permittee;
2. results of tests performed for TCLP and PCBs in accordance with Provision IV.C;
3. dates of disposal and quantities (dry tons) of water treatment plant residuals from each source;
4. verification statement listed in 30 TAC §312.67(a)(2)(B) shall be attached to the annual reporting form; and
5. continuing evidence of financial responsibility to assure the commission that the responsible owner or operator has sufficient assets to properly operate the site and to provide proper closure and post-closure. This assurance for the proper operation of the site may be in the form of performance bonds, letters of credit from recognized financial institutions, trust funds, or insurance. Unless otherwise notified by the TCEQ of the need for additional documentation, the permittee is not required to provide further evidence of financial responsibility pertaining to this permit.

#### F. Closure Requirements

The permittee shall submit a written "closure and post closure plan" to the Water Quality Land Application Team (MC 150) of the Water Quality Division, for approval, at least 180 days prior to the anticipated date of the monofill closure. Closure is the act of the permanent removal from service of the monofill regulated by this permit.

### V. FACILITY DESIGN, CONSTRUCTION, AND OPERATION

#### A. General Design and Construction

1. Facility design, construction, and operation must comply with this permit, the TCEQ rules, and be in accordance with the site development plan for the construction and the operation approved herein.
2. The entire waste control facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste or contamination, and to prevent inundation of and discharge from the areas surrounding the facility components. Each receiving and disposal area shall be provided with a containment system which will collect spills and incident precipitation in such a manner as to:
  - a. preclude the release of any contaminated runoff, spills, or precipitation;
  - b. prevent washout of any waste by a 100-year storm; and
  - c. prevent run-on into the disposal area.
3. All recovered water shall be managed as specified in General Provision IV.A.4.
4. Final Cover: At a minimum, final cover shall consist of two feet of soil/clay. The coefficient of permeability of the final cover shall not exceed that of the liner.



**B. General Operational Requirements**

The site and monofill shall be managed and operated in accordance with the most recent and applicable rules adopted by the Commission relating to water treatment plant residuals monofills.

**VI. STANDARD PROVISIONS**

- A. This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.
- B. Unless specified otherwise, any noncompliance which may endanger human health or safety, or the environment must be reported to the TCEQ. Report of such information must be provided orally or by facsimile transmission (FAX) to the TCEQ Regional Office (MC Region 4) within 24 hours of becoming aware of the noncompliance. A written submission of such information must also be provided to the TCEQ Regional Office (MC Region 4) and to the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission must 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 anticipated 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.
- C. Acceptance of this permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions, limitations and restrictions embodied in this permit and with the rules and other Orders of the Commission and the laws of the State of Texas. Agreement is a condition precedent to the granting of this permit.
- D. Prior to any transfer of this permit, Commission approval must be obtained. The Commission should be notified, in writing, of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Water Quality Land Application Team (MC 150).
- E. 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 must control.
- F. The permittee is subject to the provisions of 30 TAC Section 305.125.
- G. Any proposed site changes, addition of land area, or expansion in the capacity which have not been addressed by the terms of this permit must be authorized in accordance with the TCEQ permit amendment or modification rules 30 TAC Chapter 305.
- H. According to 30 TAC §305.125(10) inspection and entry must be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28 and the Texas Solid Waste Disposal Act.

**VII. SPECIAL PROVISIONS**

- A. The permittee is authorized to process, store and dispose of water treatment plant residuals at a maximum rate of 100,000 dry tons per year within the 310 acre monofill indicated on Attachment B. No wastewater treatment plant sludge or biosolids, hazardous, toxic, radioactive, regulated asbestos, or any industrial solid waste shall be accepted, stored, processed, or disposed of within the disposal unit.
- B. Prior to the commencement of the disposal of the water treatment plant residuals, the permittee shall complete the installation of the monofill liner which meets the definition and requirements of 30 TAC §312.8(61). The installation process must use industry-standard quality assurance and quality control methods. The soil or synthetic material must have a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second (cm/sec) or less. Soil liners must consist of suitable material along the sides and bottom of the disposal areas, with more than 30% passing a number 200 mesh sieve, a liquid limit greater than 30%; a plasticity index greater than 15, compaction greater than 95% Standard Proctor at optimum moisture content, and shall be at least two feet thick placed in six-inch lifts, or provide an equivalent level of groundwater protection.

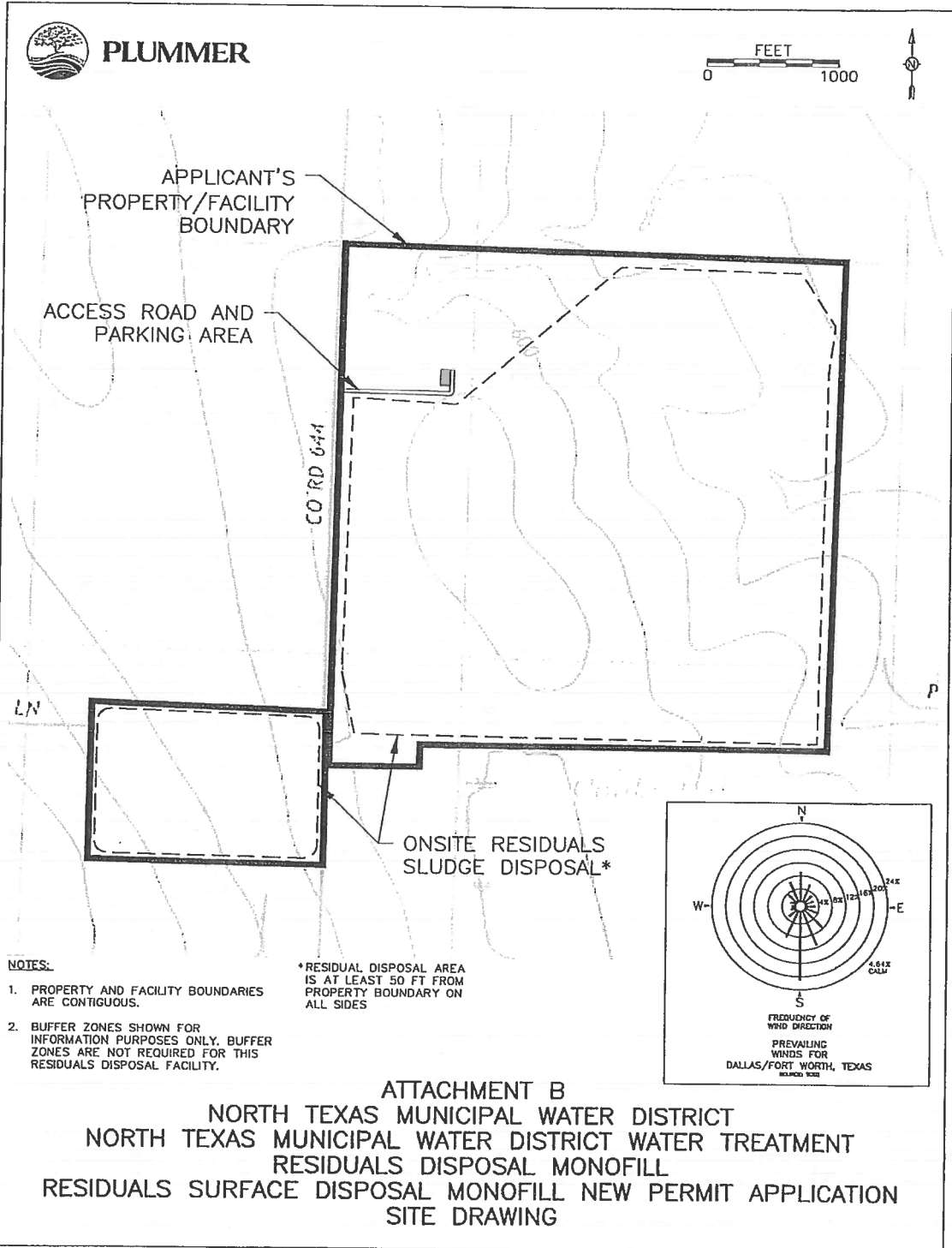
The permittee shall furnish certification by a Texas Licensed Professional Engineer that the completed lining meets these requirements prior to use of the water treatment plant residuals monofill. The certification shall be submitted to the TCEQ Regional Office (MC Region 4), Water Quality Assessment Team (MC 150) and Plans and Specifications Review Team (MC 148) of the Water Quality Division. A copy of the liner certification shall be available at the monofill site for inspection by authorized representatives of the TCEQ.

- C. Containment structures shall be isolated from stormwater run-on by berms or diversion terraces. The permittee shall not take any action which will increase the volume of rainfall runoff onto the property of adjacent landowners without the permission of such landowners.
- D. Water treatment plant residuals deposited in the waste control facilities shall be disposed of so that no contamination of surface waters can occur. The water treatment plant residuals shall be disposed of in a manner to prevent nuisance conditions and to prevent the contamination of surface and ground waters. Any areas on which the water treatment plant residuals is stockpiled shall be isolated by dikes, terraces, or terrain to prevent the discharge of any contaminated runoff into waters in the State of Texas.
- E. To prevent erosion conditions from occurring, vegetative cover shall be maintained year-round on all areas within the monofill that have reached the maximum elevation of disposal.
- F. The permittee shall give 180 days prior notice to the Executive Director of any change planned in the disposal practice.
- G. All facilities including ponds, pipes, ditches, pumps, and disposal equipment shall be utilized and maintained as necessary in order to prevent any unauthorized discharge to water in the State.
- H. This permit allows the disposal of water treatment plant residuals from the Wylie Water Treatment Facility operated by North Texas Municipal Water District. However, it does not preclude the disposal of water treatment plant residuals from other water treatment plant facilities operated by North Texas Municipal Water District or any other TCEQ authorized water treatment plant in the future, provided the maximum permitted disposal rate is not exceeded. A request for an additional water treatment plant residuals source shall be submitted to the

Water Quality Division Land Application Team (MC 150) for review and approval prior to disposal.



Attachment B



Attachment C

# Annual Disposal Summary Report Form

(Water Treatment Plant Residuals Only)

Note 1: Please place this form at the top of your Annual Disposal Report.

Note 2: If you operate other registered/permitted site, then fill-out this form for each one of those sites.

Note 3: Also send one complete copy of your report and this form to local TCEQ regional office.

For TCEQ Fiscal Year _____	Reporting period: From September 1, _____ to August 31, _____
Permit No: _____	Date _____
Name of Permittee: _____	
Mailing Address: _____	
Contact Person _____	Name _____ Telephone No: _____

- a. Amount of Water Treatment Plant Residuals Disposed: \_\_\_\_\_ dry tons
- b. Acreage used for disposal at this site: \_\_\_\_\_ acres

**PLEASE MAIL THE COMPLETED ANNUAL REPORT TO:**

Texas Commission on Environmental Quality  
 Land Application Team (MC 150)  
 Water Quality Assessment Section  
 P.O. Box 13087  
 Austin, TX 78711-3087

## Griesel, Jenni

---

**From:** Cassandra Villarreal <cvillarreal@NTMWD.COM>  
**Sent:** Monday, July 11, 2022 3:07 PM  
**To:** PROOFS@tceq.texas.gov  
**Cc:** Jerry Allen; Sarah Burns  
**Subject:** NTMWD Water Treatment Plant Residuals Disposal Monofill WQ0005323000 NORI-NAPD Proof of Publication  
**Attachments:** 2022-06-15 Monofill NORI-NAPD Affidavit (English).pdf; 2022-06-15 Monofill NORI-NAPD Tear Sheet (English).pdf; 2022-06-15 Monofill NORI-NAPD Tear Sheet (Spanish).pdf; 2022-06-15 Monofill NORI-NAPD Affidavit (Spanish).pdf; Monofill NORI-NAPD PNV Form SIGNED.pdf

Re: Combined NORI-NAPD Newspaper Clippings, Affidavits and Public Verification Form  
Applicant Name: North Texas Municipal Water District: (CN601365448)  
Permit No: WQ0005323000  
Site Name: Water Treatment Plant Residuals Disposal Monofill (RN111289740)  
Type of Application: New

To whom it may concern:

This email is submitted regarding the above-referenced Combined *Notice of Receipt of Application and Intent to Obtain a Water Quality Permit and Notice of Application and Preliminary Decision* for TPDES Permit for Water Treatment Residuals Permit New owned and operated by North Texas Municipal Water District. Laurie Gharis, Chief Clerk, notified Jerry Allen by mail May 18, 2022 that the executive director has declared the application administratively complete, completed the technical review, and has prepared a preliminary decision and draft permit.

Enclosed for submission are:

- A Publisher's Affidavit and original newspaper clipping for the English notice that was published in the *Dallas Morning News* on June 15, 2022
- A Publisher's Affidavit and original newspaper clipping for the Spanish notice that was published in *Al Dia* on June 15, 2022
- A Public Notice Verification Form

If you have any questions concerning this information, please contact Jerry Allen at (469) 626-4634.

### Cassie Villarreal

#### Permit Coordinator

North Texas Municipal Water District

P.O. Box 2408 | Wylie, TX 75098

Office: (469) 626-4640 | Cell: (979) 220-1610

[cvillarreal@ntmwd.com](mailto:cvillarreal@ntmwd.com) | [www.ntmwd.com](http://www.ntmwd.com)

TCEQ - Office of the Chief Clerk  
MC-105 Attn: Notice Team  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT  
Permit Number: WQ0005323000 CID Item No. 125200  
COMBINED NOTICE OF RECEIPT AND INTENT / NOTICE OF  
APPLICATION AND PRELIMINARY DECISION

**ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS §

COUNTY OF: DALLAS §

Before me, the undersigned authority, on this day personally appeared,

MAX TEZKA, who being by me duly  
(name of person representing newspaper)

sworn, deposes and says that (s)he is the LEGAL ACCOUNT  
(title of person representing newspaper)

of the AL-DIA; that this newspaper is generally  
(name of newspaper)

circulated in COLLIN County, Texas and is published primarily in  
(same county as proposed facility)

SPANISH language; the attached notice was published in  
(alternative language)

said newspaper on the following date(s):

06/15/2022  
(date or dates of publication)

[Signature]  
Newspaper Representative's Signature

Subscribed and sworn to before me this the 15<sup>th</sup> day of JUNE,

20 22, to certify which witness my hand and seal of office.

(Seal)



Rebecca Elizabeth Neal Tezka  
Notary Public in and for the State of Texas

REBECCA ELIZABETH NEAL TEZKA  
Print or Type Name of Notary Public

My Commission Expires 05/19/2025



TCEQ - Office of the Chief Clerk  
MC-105 Attn: Notice Team  
PO Box 13087  
Austin TX 78711-3087

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT  
Permit Number: WQ0005323000 CID Item No. 125200  
COMBINED NOTICE OF RECEIPT AND INTENT / NOTICE OF  
APPLICATION AND PRELIMINARY DECISION

### PUBLISHER'S AFFIDAVIT FOR WATER QUALITY PERMITS

STATE OF TEXAS  
COUNTY OF: Dallas

Before me, the undersigned authority, on this day personally appeared  
MAX TEZKOL, who being by me duly  
*(name of person representing newspaper)*

sworn, deposes and says that (s)he is the LEGAL ACCOUNT  
*(title of person representing newspaper)*

of the THE DALLAS MORNING NEWS; that this newspaper is a  
*(name of newspaper)*

newspaper of largest circulation in Collin County, Texas,  
*(name of county)*

or is a newspaper of general circulation in Josephine, Texas  
*(name of municipality)*

and that the attached notice was published in said newspaper on the following date(s):  
06/15/2022  
*(date or dates, of publication in the newspaper)*

[Signature]  
Newspaper Representative's Signature

Subscribed and sworn to before me this the 11th day of July,  
2022, to certify which witness my hand and seal of office.

(Seal)



Rebecca Elizabeth Neal Tezkol  
Notary Public in and for the State of Texas  
REBECCA ELIZABETH NEAL TEZKOL  
Print or Type Name of Notary Public  
My Commission Expires 05/19/2025

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Bids are required to be submitted electronically via the City of Dallas' solicitation website at <https://dallascityhall.com/bid> by 1:00 PM on Fridays. All bids will be publicly read at 2:00 PM on Fridays and can be viewed on the City of Dallas' website at <https://dallascityhall.com> (see City Meetings). Bid title, department, and date of public reading are listed below and on the City of Dallas' solicitation website at <https://dallascityhall.com/bid>. Unless otherwise noted in the description below, the bid packet may be obtained from <https://dallascityhall.com/bid>. Submittals will not be accepted after the due date/time and hard copy submittals are not permissible.

C122-PBW-2044 - Coombs Creek Trail Extension - PB06W264

Electronic Plans, Specifications and Proposal will be available on the City of Dallas' solicitation website at <https://dallascityhall.com/bid> on Wednesday, June 8, 2022. There will be a Pre-Bid Conference held at 1:00 PM on Tuesday, June 14, 2022, virtually online using Microsoft Teams Meeting and can be accessed using the following link:

Online meeting link: <https://bit.ly/3wCBt16> (audio only); +1 469-217-7604 (United States, Dallas (Toll))  
Conference ID: 622 865 2338

Vendors shall submit project related questions to Bonfire no later than 3:00 P.M. on June 20, 2022. Responses to all questions received will be provided in an addendum no later than Tuesday, June 21, 2022. Project Manager: Horacio Pizzarello, P.E., 214-948-5350, [horacio.pizzarello@dallas.gov](mailto:horacio.pizzarello@dallas.gov)

Questions Due Date/Time: Monday, June 20, 2022 at 3:00 P.M.  
Bid Due Date/Time: Friday, June 24, 2022 at 1:00 P.M.  
Open/Reading Date/Time: Friday, June 24, 2022 at 2:00 P.M.

### Bids & Proposals

may be obtained beginning Wednesday, June 8, 2022 from the Bonfire Procurement Portal. Go to: <https://dallascityhall.com/bid>. The Executive Beneficiary/Minnesota Name Holder of the business now being carried out at 1400 PUERTO LAGO DR, TITLE ELMO, TX 75068 in the following assumed name, to wit JAMEHL HARVILLE all caps name; and the nature of Business is Commerce.

Questions Due Date/Time: Wednesday, July 13, 2022 at 5:00 P.M.  
Proposal Due Date/Time: Friday, July 15, 2022 at 1:00 P.M.  
Open/Reading Date/Time: Friday, July 15, 2022 at 2:00 P.M.

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**CITY OF DALLAS**  
City of Dallas  
2021 Drinking Water Quality Report

The City of Dallas Drinking Water Quality Report is produced annually to provide information about the City's water system including source water, treatment processes, contaminants and compliance with drinking water rules. The report is also produced in order to answer your water quality questions.

The 2021 Drinking Water Quality Report shows that the levels of contaminants in Dallas' water meet or are below the amounts allowed by law.

A copy of the 2021 Drinking Water Quality Report can be obtained by calling Dallas' 311 Information Line or downloading from the City website [www.dallaswater.com](https://www.dallaswater.com).

Call 1.800.225.1500 or visit [dallasnews.com/subscribe](https://dallasnews.com/subscribe)

*The Dallas Morning News*

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### Legal Notices

**NOTICE OF PUBLIC MEETING:**  
Tuesday, June 28th, 2022  
Public Meeting on the District's Return to In-Person and Continuity of Services Plan

The Garland Independent School District will hold a public meeting at 5:00 PM, on June 28, 2022 in the Gilbreath-Reed Career and Technical Center at 485 N President George Bush Hwy, Garland TX 75040. The purpose of this meeting is to seek public input regarding the "Safe Return to In-Person Instruction and Continuity of Services Plan" for the 2022-2023 school year.

According to the U.S. Department of Education's "American Rescue Plan Act of 2021 - Elementary and Secondary School Emergency Relief (ARP ESSER)"; the ESSER III grant requires that the District must post its revised "Safe Return to In-Person Instruction and Continuity of Services Plan" to its website. Before posting the plan to the district website, the district must make the plan available for public comment and take any comments received into consideration in finalizing the plan.

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### Bids & Proposals

**CITY OF ROWLETT REQUEST FOR PROPOSALS**  
Sealed proposals for RFP# 2022-20 "City of Rowlett Economic Development Marketing, Social Media and Website Redesign Services" will be received at the Purchasing Office, 4004 Main St., Rowlett, TX 75088 or mailed to PO Box 99, Rowlett, TX 75030-0099, until 2:00 p.m., CST, June 23, 2022. Proposals will be opened at the City Annex conference room, 4004 Main St., Rowlett, Texas 75088.

RFP documents are available for download at <http://www.rowlett.com/Bids.aspx>.

City of Rowlett  
Notice to Bidders

Sealed bids will be received at the Purchasing Office, 4004 Main St., Rowlett, TX 75088 or mailed to PO Box 99, Rowlett, TX 75030-0099, until 2:00 p.m. June 23, 2022 for Bid #2022-19 - DALLAS LOCK ROAD SOUTH CURB IMPROVEMENTS. Bids will be opened at the Annex Building Conference Room, 4004 Main Street, Rowlett, Texas 75088.

Bid documents including plans and specifications are available in digital format at <https://www.rowlett.com/Bids.aspx> or a hard copy purchased for a cost of \$150.00 for full size or \$75.00 for half-size plans of the office of Walter P. Moore & Associates, Inc., 680 N. Akard Street, Suite 2300, Dallas, TX 75201. 214-740-6234. For questions regarding this project, please contact Purchasing@rowlett.com.

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Sealed bids will be received at the Purchasing Office, 4004 Main St., Rowlett, TX 75088 or mailed to PO Box 99, Rowlett, TX 75030-0099, until 2:00 p.m. June 23, 2022 for Bid #2022-18 - DALLAS LOCK ROAD SOUTH CURB IMPROVEMENTS. Bids will be opened at the Annex Building Conference Room, 4004 Main Street, Rowlett, Texas 75088.

No pre-bid meeting will be held for this project.

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Clases presenciales de GED: Casa Guanajuato estará impartiendo clases presenciales en español de preparación para el examen de GED los sábados de 9 a.m. a 1 p.m. en 1002 W Brooklyn Avenue en Dallas. El curso inicia el 18 de junio, tiene una duración de nueve semanas y un costo de \$180. Llame al 214-315-7262 o visite DallasMexicoCasaGuanajuato.com para más información.

Clases de prevención de ahogamiento: La coalición para la prevención de ahogamientos de Fort Worth impartirá una serie de talleres para tener una experiencia de nado segura este verano. Tienen un costo de \$10 por persona y se llevarán a cabo en los siguientes puntos de la ciudad: Del 21 al 30 de junio a las 6:45 o 7:35 p.m.: Forest Park Pool, ubicada en 2850 Park Place en Fort Worth

Emisión de pasaportes de El Salvador en Fort Worth: El Consulado General de El Salvador en Dallas tendrá un consulado móvil de tres días en Fort Worth para emitir pasaportes. Las jornadas de atención al público se llevarán a cabo el viernes 24 de junio de 8 a.m. a 4 p.m., el sábado 25 y domingo 26 de junio de 8 a.m. a 1 p.m. en la iglesia La Puerta Hermosa, ubicada en 2701 E. Belknap Street en Fort Worth. Llame al 1-888-301-1130 o visite PortalCitas.ree.gov.sv para más información.

Visitas al museo para todos: Con el programa Museums for All, quienes reciben beneficios de SNAP podrán obtener descuentos en algunos museos del estado, consiguiendo tarifas de hasta \$1 por persona al enseñar su tarjeta EBT en taquilla. Para obtener más información y conocer la lista completa de museos participantes visite museums4all.org.

Al Día

al día

al diadallas.com

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AVISOS PÚBLICOS

Avisos legales

CITY OF DALLAS

Informe sobre la calidad del agua potable del 2021

El informe sobre la calidad del agua potable de la Ciudad de Dallas es una publicación anual que provee información acerca del sistema de suministro y recolección de agua de la Ciudad incluyendo las reservas de agua, los niveles de contaminantes detectados y el cumplimiento con las normas de agua potable. Además, este informe es preparado con el fin de contestar sus preguntas sobre la calidad del agua.

Observará en el informe sobre la calidad del agua potable del 2021 que los niveles de contaminantes en el agua de Dallas son iguales o menores que las cantidades permitidas por ley.

Si desea obtener una copia del informe sobre la calidad del agua potable del 2021 puede llamar a la línea de información de Dallas 311 o bajar una copia del sitio www.dallaswater.com.

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**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
**Public Notice Verification Form**  
**Notice of Application and Preliminary Decision**  
**(NAPD)**  
**Water Quality Permit**

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**All applicants must complete this page.**

Applicant Name: NORTH TEXAS MUNICIPAL WATER DISTRICT

Site or Facility Name: NORTH TEXAS MWD TREATMENT RESIDUALS DISPOSAL MONOFILL

Water Quality Permit Number: WQ0005323000

Regulated Entity Number: RN111289740 Customer Number: CN601365448

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**PUBLIC VIEWING LOCATION**

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I certify that a copy of the complete water quality application and draft permit, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1<sup>st</sup> day of publication until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings (SOAH).

Name of Public Place: Rike Memorial Library

Address of Public Place: 203 Orange Ave, Farmersville, TX 75442

Applicant or Applicant Representative Signature: \_\_\_\_\_

Title: Permitting Manager

Date: 6/27/2022

**Griesel, Jenni**

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**From:** PROOFS <PROOFS@tceq.texas.gov>  
**Sent:** Monday, July 11, 2022 3:09 PM  
**To:** Cassandra Villarreal  
**Subject:** Confirmation

Thank you for your submission. The documents will be forwarded to appropriate staff within the Office of the Chief Clerk (OCC) for review. OCC staff will contact you if any deficiencies are identified.

Thank you,

The Office of the Chief Clerk